

to information that is properly classified pursuant to E.O. 12958, as implemented by DoD 5200.1-R, may cause damage to the national security.

Dated: August 28, 2000.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison  
Officer, Department of Defense*

[FR Doc. 00-22405 Filed 8-31-00; 8:45 am]

**BILLING CODE 5010-04-F**

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### 32 CFR Part 701

[Secretary of the Navy Instruction 5211.5]

#### Privacy Act; Implementation

**AGENCY:** Department of the Navy DoD.

**ACTION:** Final rule.

**SUMMARY:** On August 7, 2000 (65 FR 48170), the Department of Defense published a Navy Privacy Act final rule amendment. This document makes codification corrections to section 701.118(u).

**EFFECTIVE DATE:** July 18, 2000.

**FOR FURTHER INFORMATION CONTACT:** L. M. Bynum or P. Toppings, 703-697-4111.

#### SUPPLEMENTARY INFORMATION:

##### List of Subjects in 32 CFR Part 701

Privacy.

Under the authority of 10 U.S.C. 301, 32 CFR Part 701 is corrected as follows:

#### PART 701—[AMENDED]

1. The authority citation for 32 CFR part 701 continues to read as follows:

**Authority:** Public Law 93-579, 88 Stat 1896 (5 U.S.C. 552a).

##### § 701.118 [Amended]

2. Section 701.118(u) as published in the **Federal Register** of August 7, 2000 at page 48170, is corrected by redesignating the paragraphs as follows:

Old	New
(u)(i) .....	(u)(1)
(u)(ii) .....	(u)(2)
(u)(iii) .....	(u)(3)
(u)(iv) .....	(u)(4)
(u)(v)(1) .....	(u)(5)(i)
(u)(v)(2) .....	(u)(5)(ii)
(u)(v)(3) .....	(u)(5)(iii)
(u)(v)(4) .....	(u)(5)(iv)
(u)(v)(5) .....	(u)(5)(v)
(u)(v)(6) .....	(u)(5)(vi)
(u)(v)(7) .....	(u)(5)(vii)
(u)(v)(8) .....	(u)(5)(viii)
(u)(v)(9) .....	(u)(5)(ix)

Old	New
(u)(v)(10) .....	(u)(5)(x)

Dated: August 28, 2000.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison  
Officer, Department of Defense*

[FR Doc. 00-22406 Filed 8-31-00; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Department of the Navy

#### 32 CFR Part 762

RIN 0703-AA61

#### Midway Islands Code

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Final rule.

**SUMMARY:** This amendment removes and reserves part 762 regulations on the Midway Islands Code. Pursuant to Executive Order 13022, jurisdiction and responsibility for the Midway Islands group transferred to the Department of Interior (DOI) on October 31, 1996.

**DATES:** Effective September 1, 2000.

**ADDRESSES:** Office of the Judge Advocate General (Code 13), 1322 Patterson Ave SE, Suite 3000, Washington Navy Yard, DC 20374-5066.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Commander James Roth, JAGC, USN, Head, Regulations and Legislation, FOIA/PA, Branch, Administrative Law Division, Office of the Judge Advocate General (Code 13), 1322 Patterson Ave SE, Suite 3000, Washington Navy Yard, DC 20374-5066. Phone (703) 604-8200.

**SUPPLEMENTARY INFORMATION:** On October 31, 1996, the President of the United States signed EO 13022 transferring to the DOI responsibility for jurisdiction and control, to include civil administration, of the Midway Islands, Hawaiian group and their territorial waters. Subsequent to this transfer, the Secretary of the Interior issued regulations providing, in part, for the civil administration of Midway Islands. These regulations are found at 50 CFR 38, Midway Atoll National Wildlife Refuge. This rule is being published by the Department of the Navy for guidance and interest of the public in accordance with 5 U.S.C. 552(a)(1). It has been determined that invitation of public comment on this amendment would be impracticable and unnecessary, and it is therefore not required under the public rulemaking provisions of 32 CFR Part

336 or Secretary of the Navy Instruction 5720.45. It has been determined that this final rule is not a "significant regulatory action" as defined in Executive Order 12866.

#### Executive Order 13132, Federalism

It has been determined that this rule does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment. The provisions contained in this rule will have little or no direct effect on States or local governments.

#### Regulatory Flexibility Act

This rule will not have a significant economic impact on a substantial number of small entities for purposes of the Regulatory Flexibility Act (5 U.S.C. Chapter 6).

#### Paperwork Reduction Act

This rule does not impose collection of information requirements for purposes of the Paperwork Reduction Act (44 U.S.C. Chapter 35, 5 CFR Part 1320).

#### List of Subjects in 32 CFR Part 762

Courts, Crime, Law, Government property management, Law enforcement, Penalties.

#### PART 762—[REMOVED AND RESERVED]

Under the authority of E.O. 13022, and as discussed in the preamble, remove and reserve part 762, consisting of §§ 762.1 through 762.130.

Dated: August 23, 2000.

**C.G. Carlson,**

*Major, U.S. Marine Corps, Alternate Federal Register Liaison Officer.*

[FR Doc. 00-22443 Filed 8-31-00; 8:45 am]

**BILLING CODE 3810-FF-U**

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### 32 CFR Part 765

RIN 0703-AA62

#### Rules Applicable to the Public

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Final rule.

**SUMMARY:** This amendment updates the regulation pertaining to rewards for Navy and Marine Corps absentee to identify proper forms and authorities.

**DATES:** Effective September 1, 2000.

**ADDRESSES:** Office of the Judge Advocate General (Code 13), 1322 Patterson Ave SE., Suite 3000,

Washington Navy Yard, DC 20374–5066.

**FOR FURTHER INFORMATION CONTACT:**

Lieutenant Commander James Roth, JAGC, USN, Head, Regulations and Legislation, FOIA/PA Branch, Administrative Law Division, Office of the Judge Advocate General (Code 13), 1322 Patterson Ave SE, Suite 3000, Washington Navy Yard, DC 20374–5066. Phone (703) 604–8200.

**SUPPLEMENTARY INFORMATION:** This amended rule provides updated information pursuant changes made to Department of Defense regulation, DOD 7000.14–R, Financial Management Regulation, Volume 10. This amendment is being published by the Department of the Navy for guidance and interest of the public in accordance with 5 U.S.C. 552(a)(1). It has been determined that invitation of public comment on this amendment would be impracticable and unnecessary, and it is therefore not required under the public rulemaking provisions of 32 CFR Part 336 or Secretary of the Navy Instruction 5720.45. Interested persons, however, are invited to comment in writing on this amendment. All written comments will be considered in making subsequent amendments or revisions of 32 CFR 762, or the instructions on which it is based. Changes may be initiated on the basis of comments received. Written comments should be addressed to Lieutenant Commander James L. Roth, JAGC, USN, Head, Regulations and Legislation, FOIA/PA Branch, Administrative Law Division, Office of the Judge Advocate General (Code 13), 1322 Patterson Ave SE, Suite 3000, Washington Navy Yard, DC 20374–5066. It has been determined that this final rule is not a “significant regulatory action” as defined in Executive Order 12866.

**Executive Order 13132, Federalism**

It has been determined that this rule does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment. The provisions contained in this rule will have little or no direct effect on States or local governments.

**Regulatory Flexibility Act**

This rule will not have a significant economic impact on a substantial number of small entities for purposes of the Regulatory Flexibility Act (5 U.S.C. Chapter 6).

**Paperwork Reduction Act**

This rule does not impose collection of information requirements for purposes of the Paperwork Reduction

Act (44 U.S.C. Chapter 35, 5 CFR Part 1320).

**List of Subjects in 32 CFR 765**

Federal buildings and facilities, Military law, National defense, Seals and insignia, Security measures.

For the reasons set forth in the preamble, amend part 765 of title 32 of the Code of Federal Regulations as follows:

**PART 765—RULES APPLICABLE TO THE PUBLIC**

1. The authority citation for part 765 is revised to read as follows:

**Authority:** Secs. 5031, 6011, 70A Stat. 278, 375, as amended; sec. 133, 76 Stat. 517; sec. 301, 80 Stat. 379; 5 U.S.C. 301, 10 U.S.C. 133, 956, 5031, 6011, 7881; DOD 7000.14–R, Financial Management Regulation, Vol. 10.

2. In § 765.12, revise the second sentence of paragraph (a)(2), (b)(1)(i), and the last sentences of (b)(2) and (c)(2) to read as follows:

**§ 765.12 Navy and Marine Corps absentees; rewards.**

\* \* \* \* \*

(a) \* \* \*

(2) \* \* \* Payment of rewards will be made on SF 1034 or NAVCOMPT Form 2277 supported by a copy of DD Form 553 or other form or notification that an individual is absent and that his return to military control is desired, and a statement signed by the claimant specifying that he apprehended (or accepted voluntary surrender) and detained the absentee or deserter until military authorities assumed control, or that he apprehended (or accepted voluntary surrender) and delivered the absentee or deserter to military control.

\* \* \*

(b) \* \* \*

(1) \* \* \*

(i) Transportation costs, including mileage at the rate established by the Joint Travel Regulation for travel by privately owned vehicle, for a round trip from either the place of apprehension or civil police headquarters to place of return to military control;

\* \* \* \* \*

(b) \* \* \*

(2) \* \* \* Reimbursement will be effected on SF 1034 or NAVCOMPT Form 2277 supported by an itemized statement in triplicate signed by the claimant and approved by the commanding officer.

(c) \* \* \*

(2) \* \* \* Reimbursement will be effected on SF 1034 or NAVCOMPT Form 2277 supported by an itemized statement signed by the claimant and

approved by the officer who requested the confinement.

\* \* \* \* \*

Dated: August 23, 2000.

**C. G. Carlson,**

*Major, U.S. Marine Corps, Alternate Federal Register Liaison Officer.*

[FR Doc. 00–22444 Filed 8–31–00; 8:45 am]

**BILLING CODE 3810–FF–U**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[TX–122–1–7451a; FRL–6860–3]

**Approval and Promulgation of Implementation Plans; Texas; Reasonably Available Control Technology for Major Stationary Sources of Nitrogen Oxides in the Houston/Galveston, Beaumont/Port Arthur, and Dallas/Fort Worth Ozone Nonattainment Areas**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** The EPA is taking direct final action on revisions to the Texas State Implementation Plan (SIP). This rulemaking covers three separate actions: Converting EPA’s conditional approval of the Texas Nitrogen Oxides (NO<sub>x</sub>) rules for the Houston/Galveston (H/GA) and Beaumont/Port Arthur (B/PA) ozone nonattainment areas to a full approval as Reasonably Available Control Technology (RACT); approving as RACT, revisions to the NO<sub>x</sub> rules for lean burn, stationary, reciprocating internal combustion engines in the B/PA, H/GA, and Dallas/Fort Worth (D/FW) ozone nonattainment areas; and approving revisions to the NO<sub>x</sub> rules for major stationary sources in the D/FW ozone nonattainment area, as meeting RACT.

The EPA is approving these SIP revisions to regulate emissions of NO<sub>x</sub> as meeting the NO<sub>x</sub> RACT requirements of the Federal Clean Air Act (the Act).

**DATES:** This rule is effective on October 31, 2000 without further notice, unless EPA receives adverse comment by October 2, 2000. If EPA receives such comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

**ADDRESSES:** Written comments on this action should be addressed to Mr. Thomas H. Diggs, Chief, Air Planning Section (6PD–L), at the EPA Region 6 Office listed below. Copies of documents relevant to this action