

(i) That a clemency petition has been filed;

(ii) That the victim may submit comments regarding clemency; and

(iii) Whether the clemency request ultimately is granted or denied by the President.

(2) In determining whether contacting the victim is warranted, the Attorney General shall consider the seriousness and recency of the offense, the nature and extent of the harm to the victim, the defendant's overall criminal history and history of violent behavior, and the likelihood that clemency could be recommended in the case.

(3) For the purposes of this paragraph (b), "victim" means an individual who:

(i) Has suffered direct or threatened physical, emotional, or pecuniary harm as a result of the commission of the crime for which clemency is sought (or, in the case of an individual who died or was rendered incompetent as a direct and proximate result of the commission of the crime for which clemency is sought, one of the following relatives of the victim (in order of preference): the spouse; an adult offspring; or a parent); and

(ii) Has on file with the Federal Bureau of Prisons a request to be notified pursuant to 28 CFR 551.152 of the offender's release from custody.

(4) For the purposes of this paragraph (b), "reasonable effort" is satisfied by mailing to the last-known address reported by the victim to the Federal Bureau of Prisons under 28 CFR 551.152.

(5) The provisions of this paragraph (b) apply to clemency cases filed on or after September 28, 2000.

(c) The Attorney General shall review each petition and all pertinent information developed by the investigation and shall determine whether the request for clemency is of sufficient merit to warrant favorable action by the President. The Attorney General shall report in writing his or her recommendation to the President, stating whether in his or her judgment the President should grant or deny the petition.

Dated: August 9, 2000.

Janet Reno,
Attorney General.

Approved: September 15, 2000.

William J. Clinton,
President.

[FR Doc. 00-24750 Filed 9-27-00; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 199

RIN 0720-AA49

Civilian Health and Medical Program of the Uniformed Service (CHAMPUS); Prosthetic Devices

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule.

SUMMARY: This final rule implements Section 702 of the National Defense Authorization Act for Fiscal Year 1998, which authorizes purchase of prosthetic devices, as determined by the Secretary of Defense, to be necessary because of significant conditions resulting from trauma, congenital anomalies, or disease. The Act changes the existing limited provisions for prosthetic devices, expanding coverage to include the cost sharing of other prostheses, e.g., noses, ears and fingers.

DATES: This rule is effective May 20, 1999.

ADDRESSES: The Office of TRICARE Management Activity, 16401 East Centretech Parkway, Aurora, CO 80011-9043.

FOR FURTHER INFORMATION CONTACT: Margaret Brown, Office of Medical Benefits and Reimbursement Systems, telephone (303) 676-3581.

SUPPLEMENTARY INFORMATION: This final rule implements section 702 of the National Defense Authorization Act for Fiscal Year 1998 (Pub. L. 105-85) to provide purchase of prosthetic devices, as determined by the Secretary of Defense, to be necessary because of significant conditions resulting from trauma, congenital anomalies, or disease. The current policy is restrictive as it limits purchase of prosthetic devices to artificial limbs, eyes, and voice prostheses. This final rule expands provisions for prosthetic devices to include ears, noses and fingers. It is being published to confirm that the interim final rule, which was published August 20, 1999, is adopted as a final rule without change.

Comments Received

It was recommended that we remove the parenthetical phrase (See House Conference Report 103, 340, p. 300) from Regulatory Procedures. Comments were adopted and the deletion was made.

Regulatory Procedure

Executive order 12866 requires certain regulatory assessments for any

significant regulatory action defined as one which would result in an annual effect on the economy of \$100 million or more, or have other substantial impacts. The Regulatory Flexibility Act (RFA) requires that each Federal agency prepare, and make available for public comment, a regulatory flexibility analysis when the agency issues a regulation which would have a significant impact on a substantial number of small entities. This final rule is not a significant regulatory action under E.O. 12886, nor would it have a significant impact on small entities. The changes set forth in the final rule are minor revisions to the existing regulation.

Regulatory Planning and Review

The final rule will not impose additional information collection requirements on the public under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3511). This rule is being issued to confirm that the interim rule published August 20, 1999 (64 FR 45453) is final and does not include further amendments.

List of Subject in 32 CFR Part 199

Claims, Handicapped, Health insurance, Individuals with disabilities, Military personnel.

Accordingly, the interim rule amending 32 CFR 199, as published August 20, 1999, is adopted as a final rule without change as follows:

PART 199—[AMENDED]

1. The authority citation for part 199 continues to read as follows:

Authority: 5 U.S.C. 301; and 10 U.S.C. Chapter 55.

2. Section 199.4 is amended by revising paragraph (d)(3)(vii) and (g)(48) to read as follows:

§ 199.4 Basic program benefits.

* * * * *

(d) * * *

(3) * * *

(vii) *Prosthetic devices.* The purchase of prosthetic devices is limited to those determined by the Director, OCHAMPUS to be necessary because of significant conditions resulting from trauma, congenital anomalies, or disease.

(g) * * *

(48) *Prosthetic devices.* Prostheses other than those determined by the Director, OCHAMPUS to be necessary because of significant conditions resulting from trauma, congenital anomalies, or disease. All dental prostheses are excluded, except for those specifically required in

connection with otherwise covered orthodontia directly related to the surgical correction of a cleft palate anomaly.

* * * * *

Dated: September 18, 2000.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 00-24495 Filed 9-27-00; 8:45 am]

BILLING CODE 5001-10-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-6877-4]

National Priorities List for Uncontrolled Hazardous Waste Sites

AGENCY: Environmental Protection Agency.

ACTION: Final rule; notice of vacatur.

SUMMARY: The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA" or "the Act"), as amended, requires that the National Oil and Hazardous Substances Pollution Contingency Plan ("NCP") include a list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. The National Priorities List ("NPL") constitutes this list. The NPL is intended primarily to guide the Environmental Protection Agency ("EPA" or "the Agency") in determining which sites warrant further investigation to assess the nature and extent of public health and environmental risks associated with the site and to determine what CERCLA-financed remedial action(s), if any, may be appropriate. On October 22, 1999, the EPA promulgated a final rule adding the Georgia-Pacific Corporation Hardwood Sawmill site, located in Plymouth, North Carolina, to the NPL. EPA today is announcing the vacatur of the listing of the Georgia-Pacific Hardwood Sawmill site to the NPL and is amending the NPL at 40 CFR part 300, appendix B, to delete the site from the NPL in accordance with an order issued by the United States Court of Appeals for the District of Columbia Circuit (D.C. Cir.) in *Georgia-Pacific Corporation v. EPA* (No. 00-1014).

EFFECTIVE DATE: The effective date for this amendment to the NCP is September 28, 2000.

ADDRESSES: For addresses for the Headquarters and regional docket, as

well as further details on the contents of these dockets, section II, "Availability of Information to the Public," in the **SUPPLEMENTARY INFORMATION** portion of this preamble.

FOR FURTHER INFORMATION CONTACT:

Barbara Vandermer, phone (703) 603-9018, State, Tribal, and Site Identification Center, Office of Emergency and Remedial Response (mail code 5204G), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460; or contact the Superfund Hotline, phone (800) 424-9346 or (703) 412-9810 in the Washington, DC, metropolitan area.

SUPPLEMENTARY INFORMATION: The court order vacating the listing determination will be added to final docket NPL-FRU26 (10/21/99).

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I. Background

On October 22, 1999, the EPA promulgated a final rule adding the Georgia-Pacific Corporation Hardwood Sawmill site to the National Priorities List (NPL) (64 FR 56966). On January 18, 2000, Georgia-Pacific filed a petition for review of that rule in the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit). EPA and Georgia-Pacific subsequently filed a joint motion requesting that the D.C. Circuit enter a judgment vacating EPA's listing decision and an order suspending further briefing and argument in the case. The Court granted the joint motion on August 21, 2000. Today's rulemaking formally removes the Georgia-Pacific Hardwood Sawmill site from the NPL in accordance with the D.C. Circuit's order.

II. Availability of Information to the Public

A. Can I Review the Documents Relevant to This Final Rule?

Yes, documents relating to the evaluation and scoring of the site in this final rule are contained in dockets located both at EPA Headquarters and in the regional office in Atlanta, Georgia.

B. What Documents Are Available for Review at the Headquarters Docket?

The Headquarters docket for this rule contains the HRS score sheets, the documentation record describing the information used to compute the score, pertinent information regarding

statutory requirements or EPA listing policies that affect the site, and a list of documents referenced in the documentation record. The Headquarters docket also contains comments received, and the Agency's responses to those comments. The Agency's responses are contained in the "Support Document for the Revised National Priorities List Final Rule—October 1999."

C. What Documents Are Available for Review at the Regional Docket?

The regional docket contains all the information in the Headquarters docket plus the actual reference documents containing the data principally relied upon by EPA in calculating or evaluating the HRS score for the site. These reference documents are available only in the regional docket.

D. How Do I Access the Documents?

You may view the documents, by appointment only, after the publication of this document. The hours of operation for the Headquarters docket are from 9 a.m. to 4 p.m., Monday through Friday, excluding Federal holidays. Contact information for the EPA Headquarters: Docket Coordinator, Headquarters, U.S. EPA CERCLA Docket Office, Crystal Gateway #1, 1st Floor, 1235 Jefferson Davis Highway, Arlington, VA 22202, phone (703) 603-8917.

The contact for the regional docket is Joellen O'Neill, Region 4 (AL, FL, GA, KY, MS, NC, SC, TN), U.S. EPA, 61 Forsyth Street, SW, 9th floor, Atlanta, GA 30303; phone (404) 562-8127. Please contact the regional docket for hours.

E. How Can I Obtain a Current List of NPL Sites?

You may obtain a current list of NPL sites via the Internet at <http://www.epa.gov/superfund/> (look under site information category) or by contacting the Superfund docket (see contact information above).

III. Contents of This Final Rule

This rule deletes the Georgia-Pacific Corporation Hardwood Sawmill site from the General Superfund Section of the NPL.

IV. Good Cause Exemption From Notice and Comment Rulemaking

The Administrative Procedure Act generally requires agencies to provide prior notice and opportunity for public comment before issuing a final rule (5 U.S.C. 553(b)). Rules are exempt from this requirement if the issuing agency finds for good cause that notice and