

(Pub. L. 104-4), or require prior consultation with State officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), or involve special considerations of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

An agency may not conduct or sponsor, and a person is not required to respond to, an information collection request unless it displays a currently valid OMB control number. The information collection requirements related to this action have already been approved by OMB pursuant to the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, under OMB control number 2070-0012 (EPA ICR No. 574). This action does not impose any burdens requiring additional OMB approval. The public reporting burden for this collection of information is estimated to average 100 hours per response. The burden estimate includes the time needed to review instructions, search existing data sources, gather and maintain the data needed, and complete and review the collection of information.

In addition, pursuant to section 605(b) of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), the Agency has determined that the promulgation of a SNUR does not have a significant adverse economic impact on a substantial number of small entities. The Agency's generic certification for promulgation of new SNURs appears on June 2, 1997 (62 FR 29684) (FRL-5597-1), and was provided to the Chief Counsel for Advocacy of the Small Business Administration.

VIII. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, the Agency has submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the General Accounting Office prior to publication of this rule in today's **Federal Register**. This is not a major rule as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: November 24, 1997.

Charles M. Auer,

Director, Chemical Control Division, Office of Pollution Prevention and Toxics.

Therefore, 40 CFR part 721 is amended as follows:

PART 721—[AMENDED]

1. The authority citation for part 721 continues to read as follows:

Authority: 15 U.S.C. 2604, 2607, and 2625(c).

2. By adding new § 721.6193 to subpart E to read as follows:

§ 721.6193 Polyalkylene polyamine.

(a) *Chemical substance and significant new uses subject to reporting.*

(1) The chemical substance generically identified as a polyalkylene polyamine (PMN P-89-963) is subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new uses are:

(i) *Hazard communication program.* Requirements as specified in § 721.72 (a), (b), (c), (d), (f), (g)(3)(i), (g)(4) (users minimize release to water), and (g)(5) are applicable to manufacturers and importers.

(ii) *Release to water.* Requirements as specified in § 721.90(a)(1).

(b) *Specific requirements.* The provisions of subpart A of this part apply to this section except as modified by this paragraph.

(1) *Recordkeeping.* Recordkeeping requirements as specified in § 721.125 (a), (b), (c), (f), (g), (h), (i), and (k) are applicable to manufacturers and importers of this substance.

(2) *Limitations or revocation of certain notification requirements.* The provisions of § 721.185 apply to this section.

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GENERAL SERVICES ADMINISTRATION

41 CFR Part 105-60

RIN 3090-AG65

Public Availability of Agency Records and Informational Materials

AGENCY: Office of Management and Workplace Programs, GSA.

ACTION: Final rule.

SUMMARY: The General Services Administration (GSA) is revising its regulations that implement the Freedom

of Information Act (FOIA), to incorporate the time limit provisions of the Electronic Freedom of Information Act Amendments of 1996.

DATES: This rule is effective December 9, 1997.

FOR FURTHER INFORMATION CONTACT:

Mary Cunningham, GSA Freedom of Information Act (FOIA) Officer (202-501-3415); or Helen C. Maus, Office of General Counsel (202-501-1460).

SUPPLEMENTARY INFORMATION: This rule was not submitted to the Office of Management and Budget pursuant to Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, because it is not a significant regulatory action as defined in Executive Order 12866.

The Paperwork Reduction Act does not apply because the rule does not impose information collection requirements which require the approval of the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

The Administrator certifies that this regulatory amendment will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612. Pursuant to 5 U.S.C. 605(b) this rule is therefore exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604.

Comprehensive Summary

The regulations of which this interim rule is a part implement the FOIA, that codified Pub. L. 89-487 and amended section 3 of the Administrative Procedure Act, formerly 5 U.S.C. 1002 (1964 ed.). The revision incorporates the time limit provisions of the Electronic Freedom of Information Act Amendments of 1996 (Pub. L. 104-231, 110 Stat. 3048), changing response time for initial requests from 10 working days to 20 working days. The remaining provisions of the 1996 amendments will be incorporated in a forthcoming edition of the regulations.

Waiver of Proposed Rulemaking

In developing this final rule, we are waiving the usual notice of proposed rulemaking and public comment procedures set forth in the Administrative Procedure Act, 5 U.S.C. 553 (APA). The APA provides an exception to the notice and comment procedures when an agency finds there is good cause for dispensing with such procedures on the basis that they are impracticable, unnecessary, or contrary to the public interest. We have determined that under 5 U.S.C. 553(b)(3)(B) good cause exists for

dispensing with the notice of proposed rulemaking and public comment procedures for this rule. Specifically, this rulemaking comports with and is consistent with the statutory authority and requirements set forth in the Electronic Freedom of Information Act Amendments of 1996 concerning time limits for responding to initial FOIA requests and administrative appeals with no issues of policy or discretion. Accordingly, opportunity for prior public comment is unnecessary and contrary to the public interest, and we are issuing this revised regulation as a final rule.

List of Subjects in 41 CFR Part 105-60

Freedom of information.

For the reasons set out in the preamble, 41 CFR Part 105-60 is amended as follows:

PART 105-60—PUBLIC AVAILABILITY OF AGENCY RECORDS AND INFORMATIONAL MATERIALS

1. The authority citation for 41 CFR Part 105-60 continues to read as follows:

Authority: 5 U.S.C. 301 and 552; 40 U.S.C. 486(c).

Subpart 105-60.4—Described Records

2. Sections 105-60.402, 105-60.402-1, and 105-60.402-2 are revised to read as follows:

§ 105-60.402 Procedures for making records available.

Sections 105-60.402-1 and 105-60.402-2 set forth initial procedures for making records available when they are requested, including administrative procedures to be exhausted prior to seeking judicial review by an appropriate United States District Court.

§ 105-60.402-1 Submission of requests.

For records located in the GSA Central Office, the requester must submit a request in writing to the GSA FOIA Officer, General Services Administration (CAI), 1800 F Street, NW., Washington, DC 20405. Requesters may FAX requests to (202) 501-2727, or submit a request by e-mail to gsa.foi@gsa.gov. For records located in the Office of Inspector General, the requester must submit a request to the FOIA Officer, Office of Inspector General, General Services Administration, 1800 F Street NW., Room 5324, Washington, DC 20405. For records located in the GSA regional offices, the requester must submit a request to the FOIA Officer for the relevant region, at the address listed in § 105-60.303(a). Requests should

include the words "Freedom of Information Act Request" prominently marked on both the face of the request letter and the envelope. The 20-workday time limit for agency decisions set forth in § 105-60.402-2 begins with receipt of a request in the office of the official identified in this section, unless the provisions under §§ 105-60.305-8 and 105-60.305-12(d) apply. Failure to include the words "Freedom of Information Act Request" or to submit a request to the official identified in this section will result in processing delays. A requester with questions concerning a FOIA request should contact the GSA FOIA Office, General Services Administration (CAI), 1800 F Street, NW., Washington, DC 20405, (202) 501-2691.

§ 105-60.402-2 Response to initial requests.

GSA will respond to an initial FOIA request that reasonably describes requested records, including a fee waiver request, within 20 workdays (that is, excluding Saturdays, Sundays, and legal holidays) after receipt of a request by the office of the appropriate official specified in § 105-60.402-1. This letter will provide the agency's decision with respect to disclosure or nondisclosure of the requested records, or, if appropriate, a decision on a request for a fee waiver. If the records to be disclosed are not provided with the initial letter, the records will be sent as soon as possible thereafter. In unusual circumstances, as described in § 105-60.404, GSA will inform the requester of the agency's need to take an extension of time, not to exceed an additional 10 workdays.

Dated: November 24, 1997.

David J. Barram,

Administrator.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 43, 63, and 64

[IB Docket No. 97-142, FCC 97-398]

Foreign Participation in the U.S. Telecommunications Market

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: On November 25, 1997, the Federal Communications Commission adopted a Report and Order that creates a new regulatory framework for

international telecommunications. This action is a result of the recent World Trade Organization agreement on basic telecommunications services recently concluded wherein 69 countries, including the United States and virtually all of its major trading partners, agreed to open their markets for basic telecommunications services to competition from foreign carriers. Due to these changed circumstances, the Commission initiated a proceeding to revisit its rules governing foreign participation in the U.S. telecommunications market. In addition, the Commission's order addresses related issues raised in petitions for reconsideration of the Foreign Carrier Entry Order. The new rules will have significant benefits for consumers. Entry by foreign suppliers of telecommunications services will stimulate the U.S. market for international services, creating incentives for carriers to offer existing services at lower prices and adopt innovative new services to attract residential and small business customers. Further opening the U.S. market to foreign carrier entry, along with U.S. carrier entry into foreign markets, will allow carriers to capitalize on newly found efficiencies by offering one-stop shopping, which allows customers to have a single service provider in multiple markets, thereby reducing administrative costs to users.

This final rule contains information collections subject to the Paperwork Reduction Act of 1995 (PRA), Pub. L. No. 104-13. It will be submitted to the Office of Management and Budget (OMB) for review under the PRA. OMB, the general public and other Federal agencies are invited to comment on the information collections contained in the final rule.

DATES: The amendments to §§ 43.51(d) and 64.1001(b) are effective January 8, 1998. All other regulations contain information collection requirements and are not effective until approved by the Office of Management and Budget (OMB), subject to 5 U.S.C. § 801(a)(3). A document announcing the effective date of these regulations will be published in the **Federal Register**.

The agency reserves the right to reconsider the effective date of this decision if the WTO Basic Telecom Agreement does not take effect on January 1, 1998. If these final rules are postponed, the agency will give timely notice in the **Federal Register**.

Written comments by the public on the information collection requirements are due February 9, 1998.