Office, 2850 Youngfield Street, Lakewood, Colorado 80215–7076, 303–239–3706.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Subject to valid existing rights, the following described National Forest System land is hereby withdrawn from location and entry under the United States mining laws (30 U.S.C. Ch. 2 (1988)) for protection of the Purgatory Ski Area:

New Mexico Principal Meridian

San Juan National Forest

T. 39 N., R. 9 W.,
Sec. 22, lots 1 to 4, inclusive, S½NW¼ and S½;
Sec. 23, lots 1 through 16, inclusive;
Sec. 24, W½E½NE¼NW¼, W½E½NW¼, and W½NW¼;
Sec. 25, lot 10.

A parcel described by metes and bounds within sec. 24, beginning at corner No. 1, being the southwest corner of sec. 24, T. 39 N., R. 9 W., described as follows:

From Corner No. 1, by metes and bounds,
S. 89°25′ E., 661.98 ft.;
N. 1°03′05″ W., 65.84 ft.;
N. 89°24′28″ W., 661.86 ft.;
S. 1°00′37″ E., 65.84 ft. to corner No. 1, the place of beginning.

A parcel described by metes and bounds within secs. 21, 26, 27, and 28; Beginning at corner No. 1, being the ¼-corner of secs. 21 and 22, T. 39 N., R. 9 W., described as follows:

From Corner No. 1, by metes and bounds,
S. 88°50′23′ W., 2481.30 ft, on the E–W centerline of sec. 21;
S. 0°07′ W., 1,282.19 ft.;
S. 32°10′ E., 3,132.00 ft.;
S. 68°17′ E., 2,585.32 ft.;
N. 80°12′ E., 2,343.21 ft.;
S. 82°04′ E., 1,723.00 ft.,
S. 60°04′ E., 1,939.00 ft.;
S. 82°45′ E., 2,070.00 ft.,
N. 41°04′ E., 3,350.00 ft.,
N. 0°53′ W., 1,903.12 ft. to the northeast corner of sec. 26;
S. 84°27′ W., 5,782.26 ft. to the northwest corner of sec. 26;
S. 85°33′ W., 5,767.74 ft. to the northwest corner of sec. 27;
N. 0°05′ W., 2,583.90 ft. to corner No. 1, the point of beginning.

The area described contains approximately 2,360.78 acres in La Plata County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of National Forest System land under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire 50 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (1988), the Secretary determines that the withdrawal shall be extended.

Dated: September 26, 1994.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 94–24267 Filed 9–29–94; 8:45 am]

BILLING CODE 4310–JB–P

43 CFR Public Land Order 7090

[CO–932–4210–06; COC–39308]

Withdrawal of National Forest System Land for Keystone Ski Area; Colorado

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order withdraws approximately 1,778 acres of National Forest System lands from mining for protection of recreational resources and facilities at the Keystone Ski Area. This withdrawal is an addition to the existing Keystone Ski Area. The lands have been and remain open to such forms of disposition as may by law be made of National Forest System lands and to mineral leasing.

EFFECTIVE DATE: September 30, 1994.

FOR FURTHER INFORMATION CONTACT: Doris E. Chelius, BLM Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado 80215–7076, 303–239–3706.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Subject to valid existing rights, the following described National Forest System lands are hereby withdrawn from location and entry under the United States mining laws (30 U.S.C. Ch. 2 (1988)), for protection of facilities at the Keystone Ski Area:

Sixth Principal Meridian

Arapaho National Forest

T. 5 S., R. 76 W.,
Sec. 19, lots 19, 22, 25, 26, and 58;
Sec. 20, lots 30, 31, and 46;
Sec. 29, W½E½SW¼, W½NW¼, and W½E½NW¼ exclusive of patented land;
Sec. 32, W½NE¼NW¼, SW¼NW¼, and W½SW¼.
T. 5 S., R. 77 W.,
Sec. 24, lot 13 and E½SW¼;
Sec. 25, SE¼NW¼, E½NE¼SW¼, and SW¼SE¼;
Sec. 36, NE¼NE¼, NE¼SE¼ and E½NW¼SE¼.
T. 6 S., R. 76 W.,
Sec. 5, S½ exclusive of patented land;
Sec. 6, lots 2, 7, and 10;
Sec. 7, SE¼SW¼ and SW¼SE¼;
Sec. 8, N½ and N½N½SW¼ exclusive of patented land.
T. 6 S., R. 77 W.,
Sec. 2, SE¼NE¼;
Sec. 12, SW¼NW¼, NE¼SW¼, and S½SE¼.

The areas described aggregate approximately 1,778.03 acres in Summit County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of National Forest System lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire October 15, 2036, unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land and Policy and Management Act of 1976, 43 U.S.C. 1714(f) (1988), the Secretary determines that the withdrawal shall be extended.

Dated: September 26, 1994.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 94–24268 Filed 9–29–94; 8:45 am]

BILLING CODE 4310–JB–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 67

[CGD 94–008]

RIN 2115–AE83

Documentation of Vessels

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is amending its vessel documentation regulations. The amendments clarify the vessel documentation regulations by restating the citizenship requirements for trusts to reflect the Coast Guard's policy; by correcting an existing cross-reference error regarding mortgagee consent for exchange of Certificates of Documentation; by implementing statutory requirements concerning the endorsements on Certificates of Documentation for dredges and towing vessels; and by making other minor technical amendments.

EFFECTIVE DATE: October 31, 1994.

ADDRESSES: Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the office of the Executive Secretary,

Marine Safety Council (G–LRA/3406), U.S. Coast Guard Headquarters, 2100 Second Street SW., room 3406, Washington, DC 20593–0001 between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267–1477.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Don M. Wrye, Vessel Documentation and Tonnage Survey Branch, Merchant Vessel Inspection and Documentation Division, Office of Marine Safety, Security and Environmental Protection; (202) 267–1492.

SUPPLEMENTARY INFORMATION:

Drafting Information

The principal persons involved in drafting this document are Lieutenant Commander Don M. Wrye, Project Manager, and C.G. Green, Project Counsel, Office of Chief Counsel.

Regulatory History

On June 20, 1994, the Coast Guard published a notice of proposed rulemaking entitled "Documentation of Vessels" in the **Federal Register** (59 FR 31580). The Coast Guard received one letter commenting on the proposal. No public hearing was requested, and none was held.

Background and Purpose

On November 15, 1993, the Coast Guard published a final rule in the **Federal Register** (58 FR 60256) which revised 46 CFR Part 67 to implement a number of statutory initiatives to simplify and streamline the documentation process, to implement user fees for vessel documentation services, and to clarify the regulations and present them in a more orderly fashion. The final rule was the subject of two correction documents which appeared in the **Federal Register** on December 13, 1993, at 58 FR 65130 and 58 FR 65243. That final rule became effective on January 1, 1994. The present rulemaking, among other things, corrects certain errors and omissions in the 1993 final rule. It also clarifies the citizenship requirements for a trust arrangement as a vessel-owning entity, and states the endorsements required for dredges and towing vessels.

On June 7, 1988, Congress amended 46 U.S.C. app. § 316 (Pub. L. 100–329) to require towing vessels to be documented with a coastwise or Great Lakes endorsement, as appropriate. On November 4, 1992, Congress amended 46 U.S.C. app. § 292 (Pub. L. 102–587) to require vessels of at least five net tons engaged in dredging in the navigable waters of the United States to be documented with a coastwise endorsement. Neither of these statutory requirements were included in the revision of Part 67. In order to state those requirements and to clarify the endorsement requirements for vessels employed in towing or dredging, the regulations need to be amended. This rule accomplishes that amendment.

Discussion of Comments and Changes

The Coast Guard received only one comment letter in response to the notice of proposed rulemaking. That comment addresses only the proposed amendment to redesignated § 67.36 regarding trusts.

Proposed § 67.36 set forth the citizenship requirements for trust arrangements as vessel-owning entities. In addition, the citizenship requirements for trust arrangements were described in detail, like those for corporations and partnerships, to specify the requirements for each endorsement. Paragraph (a) of proposed § 67.36 set forth the general requirements for a registry or recreational endorsement that each trustee and each beneficiary with an enforceable interest in the trust be citizens. This paragraph simply restated the current regulatory requirements for trusts found in § 67.37. Paragraphs (b) and (c) of proposed § 67.36 set forth the citizenship requirements for a fishery endorsement and a coastwise or Great Lakes endorsement, respectively. These requirements reflect the statutory citizenship requirements for these endorsements applicable to any business entity owning a documented vessel. The owner citizenship requirements for a coastwise or Great Lakes endorsement may be found in § 2 of the Shipping Act, 1916 (46 U.S.C. app. § 802) and 46 U.S.C. § 12107, respectively, and the owner citizenship requirements for a fishery endorsement may be found in 46 U.S.C. § 12108. None of the current citizenship requirements for trusts would have been changed by the proposal.

The comment raised three points concerning proposed § 67.36. First, the comment stated that the term "trust arrangement" is not a well defined or easily understood concept in law, and questioned how it should be distinguished from the term "trust", which is a well defined and understood concept. The Coast Guard recognizes that there are numerous kinds of trusts. Indeed, reference to "Black's Law Dictionary" (Fifth Edition) reveals some 75 kinds of defined trusts. One of the general definitions of a trust is, "Any arrangement whereby property is transferred with intention that it be administered by trustee for another's benefit." The Coast Guard's intention in using the term "trust arrangement" is to permit the use of as wide a range of trust types as vessel-owning entities as permissible. The Coast Guard disagrees that the term is confusing or that it need be distinguished from "trust". Therefore, the term will not be changed in the final rule.

The second point raised by the comment concerns the requirement that each beneficiary with an enforceable interest in the trust be a citizen. The comment notes that in some trusts the beneficiaries are often unborn persons. The comment noted that while such an unborn beneficiary has an enforceable interest in the trust, that same beneficiary, by virtue of being unborn, has no citizenship. The comment reasons that the effect of the requirement will be to preclude trusts with unborn beneficiaries from qualifying as a vessel-owning entity for documentation purposes.

An unborn beneficiary as described in the comment could have a vested interest in the trust. However, that interest would also be a contingent interest—with live birth being the minimum condition—which means that the interest is not a present interest. The Coast Guard's position is that the determinants of U.S. citizenship, even under circumstances of dual citizenship of infants, are sufficiently well settled that the citizenship of beneficiaries who hold present enforceable interests can be established. The Coast Guard never intended for the requirement of an enforceable interest to apply to mere contingent interests. Rather, the intent of the requirement is to permit the designation of discretionary or charitable beneficiaries who do not have to meet the citizenship requirement. Since the issue of the citizenship of beneficiaries holding the kinds of contingent future interests mentioned by the comment is not ripe for determination until the interest becomes a present interest, the Coast Guard sees no need to change the requirement.

The third point raised by the comment concerns the additional requirement in paragraph (c) of § 67.36 to obtain a coastwise or Great Lakes endorsement, that at least 75 percent of the equity interest in the trust be owned by citizens. The comment concluded that since paragraph (a), in effect, requires all beneficiaries to be citizens, the additional equity interest requirement is rendered absurd. The Coast Guard disagrees with the conclusion of the comment that paragraph (a) requires that all beneficiaries be citizens. Since those

beneficiaries who do not have an enforceable interest do not have to meet the citizenship requirement, the additional requirement is needed to limit foreign equitable ownership to not more than 25 percent. The percentage parameters is consistent with all other citizen/foreign ownership interest parameters for a vessel qualified to engage in the coastwise trade.

The wording of proposed § 67.36, as well as other proposed amendments described in the notice of proposed rulemaking, are unchanged in this final rule.

Regulatory Evaluation

This rulemaking is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979).

The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. As discussed earlier in this preamble, this rulemaking clarifies the citizenship requirements of a trust as a vessel-owning entity, corrects certain errors and omissions made in the 1993 final rule which revised 46 CFR part 67, clarifies a cross-reference with regard to calculation of fees for copies of instruments and documents, and addresses the statutorily required endorsements for vessels employed in towing and dredging. These matters are administrative in nature and do not have any economic impacts on the regulated public.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rulemaking will have a significant economic impact on a substantial number of small entities. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

The Coast Guard expects the impact of this proposal to be minimal because it only clarifies the structure of a trust as a vessel-owning entity, corrects certain errors and omissions made in the 1993 final rule which revised 46 CFR part 67, clarifies a cross-reference with regard to calculation of fees for copies of instruments and documents, and addresses the statutorily required endorsements for vessels employed in towing or dredging. This proposal would bring the regulations into conformity with current policy and practice. These matters are administrative in nature and do not have any economic impacts on the regulated public. Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This proposal contains no collection-of-information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this rulemaking under the principles and criteria contained in Executive Order 12612 and has determined that it does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this rulemaking and concluded that under section 2.B.2. of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation. This rule has been determined to be categorically excluded because the changes are administrative in nature and clearly have no environmental impact. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under **ADDRESSES.**

List of Subjects in 46 CFR Part 67

Fees, Incorporation by reference, Vessels.

For the reasons set out in the preamble, the Coast Guard amends 46 CFR part 67 as follows:

PART 67—[AMENDED]

1. The authority citation for part 67 is revised to read as follows:

Authority: 14 U.S.C. 664; 31 U.S.C. 9701; 42 U.S.C. 9118; 46 U.S.C. 2103, 2107, 2110; 46 U.S.C. app. 841a, 876; 49 CFR 1.46.

2. In § 67.19, paragraphs (a) and (b) are revised to read as follows:

§ 67.19 Coastwise or Great Lakes endorsement.

(a) A coastwise endorsement entitles a vessel to employment in unrestricted coastwise trade, dredging, towing, and any other employment for which a registry, fishery, or Great Lakes endorsement is not required.

(b) A Great Lakes endorsement entitles a vessel to employment in the Great Lakes trade, towing in the Great Lakes, and any other employment for which a registry, fishery, or coastwise endorsement is not required.

* * * * *

3. Section 67.35 is revised to read as follows:

§ 67.35 Partnership.

A partnership is a citizen if all its general partners are citizens, and:

(a) For the purpose of obtaining a registry or recreational endorsement, at least 50 percent of the equity interest in the partnership is owned by citizens.

(b) For the purpose of obtaining a fishery endorsement, more than 50 percent of the equity interest in the partnership is owned by citizens.

(c) For the purpose of obtaining a coastwise or Great Lakes endorsement or both, at least 75 percent of the equity interest in the partnership is owned by citizens.

4. Section 67.37 is redesignated as § 67.36 and revised to read as follows:

§ 67.36 Trust.

(a) For the purpose of obtaining a registry or recreational endorsement, a trust arrangement is a citizen if:

(1) Each of its trustees is a citizen; and

(2) Each beneficiary with an enforceable interest in the trust is a citizen.

(b) For the purpose of obtaining a fishery endorsement, a trust arrangement is a citizen if:

(1) It meets all the requirements of paragraph (a) of this section; and

(2) More than 50 percent of the equity interest in the trust is owned by citizens.

(c) For the purpose of obtaining a coastwise or Great Lakes endorsement or both, a trust arrangement is a citizen if:

(1) It meets all the requirements of paragraph (a) of this section; and

(2) At least 75 percent of the equity interest in the trust is owned by citizens.

5. Section 67.37 is added to read as follows:

§ 67.37 Association or joint venture.

(a) An association is a citizen if each of its members is a citizen.

(b) A joint venture is a citizen if each of its members is a citizen.

6. In § 67.39, paragraphs (b), (c), and (d) are revised to read as follows:

§ 67.39 Corporation.

* * * * *

(b) For the purpose of obtaining a fishery endorsement, a corporation is a citizen if:

(1) It meets all the requirements of paragraph (a) of this section; and

(2) More than 50 percent of the stock interest in the corporation including a majority of voting shares in the corporation is owned by citizens.

(c) For the purpose of obtaining a coastwise or Great Lakes endorsement or both, a corporation is a citizen if:

(1) It meets all the requirements of paragraph (a) of this section; and

(2) At least 75 percent of the stock interest in the corporation is owned by citizens.

(d) A corporation which does not meet the stock interest requirement of paragraph (c) of this section may qualify for limited coastwise trading privileges by meeting the requirements of part 68 of this chapter.

7. In § 67.119, paragraph (e) is revised to read as follows:

§ 67.119 Hailing port designation.

* * * * *

(e) Until such time as a port of record assignment is required in accordance with § 67.115, or the owner elects to designate a new hailing port, the provisions of paragraph (c) of this section do not apply to vessels which were issued a Certificate of Documentation before July 1, 1982.

§ 67.145 [Amended]

8. In § 67.145, paragraph (a) is amended by removing the cross-reference to "§§ 67.167(a) or 67.167(b) (1) through (6)" and adding, in its place, "§§ 67.167(b) (1) through (6) or 67.167(c) (1) through (8)".

9. In § 67.171, paragraph (d) is revised to read as follows:

§ 67.171 Deletion; requirement and procedure.

* * * * *

(d) A certificate evidencing deletion from U.S. documentation will be issued upon request of the vessel owner to the vessel's port of record upon compliance with the applicable requirements of this subpart.

10. Section 67.321 is revised to read as follows:

§ 67.321 Requirement to report change of address of managing owner.

Upon the change of address of the managing owner of a documented vessel, the managing owner shall report the change of address to the documentation officer at the port of record of the vessel within 10 days of its occurrence.

11. Section 67.539 is revised to read as follows:

§ 67.539 Copies of instruments and documents.

The fee charged for furnishing a copy of any instrument or document is calculated in the same manner as described in 49 CFR 7.95.

Dated: September 23, 1994.

J.C. Card,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Safety, Security and Environmental Protection.

[FR Doc. 94–24155 Filed 9–29–94; 8:45 am]

BILLING CODE 4910–14–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 93–293; RM–8336]

Radio Broadcasting Services; Harrisburg, AR

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots FM Channel 240C3 to Harrisburg, Arkansas, as that community's first local aural transmission service, in response to a petition for rule making filed on behalf of Harrisburg Broadcasting. See 58 FR 63318, December 1, 1993. Coordinates used for Channel 240C3 at Harrisburg are 35–31–23 and 90–39–42. With this action, the proceeding is terminated.

DATES: Effective November 14, 1994. The window period for filing applications on Channel 240C3 at Harrisburg, Arkansas, will open on November 15, 1994, and close on December 15, 1994.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 634–6530. Questions related to the window application filing process for Channel 240C3 at Harrisburg should be addressed to the Audio Services Division, FM Branch, Mass Media Bureau, (202) 418–2700.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 93–293, adopted Sept. 21, 1994, and released September 27, 1994. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857–3800, located at 1919 M Street, N.W., Room 246, or 2100 M Street, N.W., Suite 140, Washington, D.C. 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Arkansas, is amended by adding Channel 240C3 at Harrisburg.

Federal Communications Commission.

John A. Karousos,

Acting Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 94–24206 Filed 9–29–94; 8:45 am]

BILLING CODE 6712–01–M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1249

[Ex Parte No. MC–206]

Revision to Accounting and Reporting Requirements for Motor Carriers of Property

AGENCY: Interstate Commerce Commission.

ACTION: Final rule; correction.

SUMMARY: This document contains a correction to the final rule which was published Thursday, February 3, 1994, (59 FR 5110). In that final rule proceeding the Commission eliminated the Uniform System of Accounts for common and contract motor carriers of property.

EFFECTIVE DATE: The final rule became effective January 1, 1994. It will take effect for the reporting year beginning January 1, 1994. This correction becomes effective September 30, 1994.

FOR FURTHER INFORMATION CONTACT: Ward L. Ginn, Jr., (202) 927–6187. [TDD for the hearing impaired: (202) 927–5721.]

Accordingly, the publication on February 3, 1994 of the final rule [Ex Parte No. MC–206], which was the subject of FR Doc. 94–2430, is corrected as follows:

§ 1249.2 [Corrected]

2. In § 1249.2, paragraph (a), the heading of the second "Class I" paragraph, referring to carriers with operating revenues of at least $3 million but less than $10 million, is corrected to read "Class II".

Vernon A. Williams,

Acting Secretary.

[FR Doc. 94–24239 Filed 9–29–94; 8:45 am]

BILLING CODE 7035–01–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018–AC95

Endangered and Threatened Wildlife and Plants; Reorganization and Republication of List of Endangered and Threatened Plants

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final Rule.

SUMMARY: The Fish and Wildlife Service (Service), pursuant to the Endangered Species Act of 1973, as amended (Act), announces a reorganization and republication of the list of endangered and threatened plants. Previously organized alphabetically by plant family, the plants will now be placed in the list in alphabetical order by scientific name under broad taxonomic groupings as follows: Flowering Plants, Conifers and Cycads, Ferns and Fern Allies, and Lichens and Fungi. The family name will be retained in a separate column in the list. This republication of the plant list includes all changes published in the **FEDERAL REGISTER** through August 19, 1994, but does not promulgate any new regulatory changes.

EFFECTIVE DATE: The list below includes all rules published through August 19, 1994, and is effective on that date.

ADDRESSES: Comments regarding this reorganization of the plant list may be submitted to the Chief, Division of Endangered Species, U.S. Fish and Wildlife Service (452 ARLSQ), Washington, DC 20240. The complete list, updated monthly, is also available on Internet:

R9IRMLIB@mail.fws.gov

(on "SUBJECT" line type one of following choices—SEND T&E LIST or SEND T&E LIST WP; first file is ASCII delimited, second is a WordPerfect 5.1 file).

FOR FURTHER INFORMATION CONTACT: Ms. Jamie Rappaport Clark, at the above address (telephone 703–358–2171).

SUPPLEMENTARY INFORMATION:

Background

Pursuant to section 4(c)(1) of the Act, the Fish and Wildlife Service (Service) is required to maintain the lists of endangered and threatened wildlife and plants (50 CFR 17.11 and 17.12). Since the lists were first established, the Service has sequenced plants (§ 17.12) alphabetically by the name of the plant family and then alphabetically within each family by scientific name. Almost 500 species of plants are now listed, in nearly 100 families. In an effort to make this list more useful to the general public and other users, the Service is now reorganizing the sequence of the plants so that they are alphabetical by scientific name within each of four major groups (Flowering Plants, Conifers and Cycads, Ferns and Fern Allies, and Lichens and Fungi). Additional major groups may be added in the future as necessary (e.g., Mosses and Algae).

This reorganized and republished list incorporates no regulatory changes (e.g., addition or deletion of species, changes in endangered or threatened status) that have not been previously published in the **FEDERAL REGISTER**. As indicated at § 17.12(d), the Service may correct or update the spelling of names, historical range information, footnotes, references to certain other applicable portions of this title, synonyms, and more current names without public notice; such information is non-regulatory in nature and is provided for the benefit of the reader. Such changes are incorporated in this republication of the list, as they have been in the past annual codifications of this section.

Authority:

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Regulations Promulgation

PART 17—[AMENDED]

Accordingly, part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, is amended, as set forth below:

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500, unless otherwise noted.

2. Amend § 17.12(h) by revising it to read as follows:

§ 17.12 Endangered and threatened plants.

* * * * *

(h)The "List of Endangered and Threatened Plants" is provided below: