

B. Executive Order 13132

This final rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13132 ("Federalism"). This final rule does not adopt any regulation that: (1) Has substantial direct effects on the States, the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government; (2) imposes substantial direct compliance costs on State and local governments; or (3) preempts State law. Therefore, the consultation and funding requirements of Executive Order 13132 do not apply.

C. Executive Order 13084

This final rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13084 ("Consultation and Coordination with Indian Tribal Governments"). Because this final rule does not significantly or uniquely affect the communities of the Indian tribal governments and does not impose substantial direct compliance costs, the funding and consultation requirements of Executive Order 13084 do not apply.

D. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires an agency to review regulations to assess their impact on small entities unless the agency determines that a rule is not expected to have a significant impact on a substantial number of small entities. This statute is not applicable because there was no issuance of a notice of proposed rulemaking (NPRM); however, I hereby certify this final rule, which amends the CFR to reflect the departure of TSA and USCG from the Department of Transportation to the new Department of Homeland Security, will not have a significant economic impact on a substantial number of small businesses.

E. Paperwork Reduction Act

This rule contains no information collection requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

F. Unfunded Mandates Reform Act of 1995

The Department has determined that the requirements of Title II of the Unfunded Mandates Reform Act of 1995 do not apply to this rulemaking.

G. Environmental Impact

Because this rule concerns the updating of CFR provisions to reflect the departure of TSA and USCG from the

Department of Transportation, this final rule is not a major OST action requiring the preparation of an environmental impact statement or environmental assessment.

List of Subjects in 49 CFR Part 1

Authority delegations, Organization and functions.

■ For the reasons set out in the preamble, the Department of Transportation amends 49 CFR part 1 as follows:

PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

■ 1. Revise the authority citation for part 1 to read as follows:

Authority: 49 U.S.C. 322; 46 U.S.C. 2104(a); 28 U.S.C. 2672; 31 U.S.C. 3711(a)(2); Pub. L. 101–552, 104 Stat. 2736; Pub. L. 106–159, 113 Stat. 1748; Pub. L. 107–71, 115 Stat. 597; Pub. L. 107–295, 116 Stat. 2064.

■ 2. In § 1.2 remove paragraphs (a) and (l), redesignate existing paragraphs (b) through (k) as (a) through (j), and revise new paragraph (e) to read as follows:

§ 1.2 Definitions.

* * * * *

(e) The Federal Transit Administrator.

* * * * *

■ 3. In § 1.3 remove paragraphs (b)(1) and (b)(12), redesignate existing paragraphs (b)(2) through (11) as (b)(1) through (10), and revise new paragraph (b)(5) to read as follows:

§ 1.3 Organization of the Department.

* * * * *

(b) * * *

(5) The Federal Transit Administration, headed by the Administrator.

* * * * *

■ 4. In § 1.4 remove paragraphs (b) and (n), redesignate existing paragraphs (c) through (m) as (b) through (l), and revise new paragraph (f) introductory text to read as follows:

§ 1.4 General responsibilities.

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(f) The Federal Transit Administration. Is responsible for:

* * * * *

■ 5. In § 1.22 revise paragraph (d) to read as follows:

§ 1.22 Structure.

* * * * *

(d) *Office of the General Counsel.* This Office is composed of the Offices of Environmental, Civil Rights, and General Law; International Law; Litigation; Legislation; Regulation and

Enforcement; and Aviation Enforcement and Proceedings.

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■ 6. Amend § 1.23 by revising paragraph (c) to read as follows:

§ 1.23 Spheres of primary responsibility.

* * * * *

(c) *General Counsel.* Legal services as the chief legal officer of the Department, legal advisor to the Secretary and the Office of the Secretary; final authority within the Department on questions of law; professional supervision, including coordination and review, over the legal work of the legal offices of the Department; drafting of legislation and review of legal aspects of legislative matters; point of coordination for the Office of the Secretary and Department Regulations Council; advice on questions of international law; advice and assistance with respect to uniform time matters; ensures uniform departmental implementation of the Freedom of Information Act (5 U.S.C. 552); responds to requests for records of the Office of the Secretary including the Office of the Inspector General, under that statute; review and final action on applications for reconsideration of initial decisions not to disclose unclassified records of the Office of the Secretary requested under 5 U.S.C. 552(a)(3); promotion and coordination of efficient use of Department legal resources; recommendation, in conjunction with the Assistant Secretary for Administration, of legal career development programs within the Department.

■ 6a. Amend § 1.44 by revising paragraph (e)(8) to read as follows, remove paragraph (m), and redesignate existing paragraphs (n) through (r) as (m) through (q):

§ 1.44 Reservation of authority.

* * * * *

(e) * * *

(8) Authority to develop, coordinate, and issue wage schedules under the Federal Wage system.

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■ 7. In § 1.45, remove paragraph (c)(1)(i), redesignate existing paragraphs (c)(1)(ii) through (ix) as (c)(1)(i) through (viii), and revise new paragraph (c)(1)(iv) to read as follows:

§ 1.45 Delegations to all Administrators.

* * * * *

(c) * * *

(1) * * *

(iv) Federal Transit Administration;

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■ 7a. Remove and reserve § 1.46.

■ 8. In § 1.48 revise paragraph (c)(19)(i) to read as follows: