

In equitably addressing the varied needs of the inmate population, we believe that it is more accurate to say that we offer a religious diet program rather than a program which emphasizes the commonality of a menu for two of the faith groups.

From a more technical point of view, the change in nomenclature will result in the more consistent use in the regulations of the phrases "religious diet menu" and "religious diet program".

Who Does This Change Affect?

While the regulations apply to Federal inmates housed in Bureau facilities, no one is materially affected because the rule merely changes the name of a program.

Because the change is merely a nomenclature change, we find good cause for exempting the provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public comment, and delay in effective date. If you would like to comment, you may submit comments on this rule by writing to the previously cited address. We will consider these comments but will not respond to them in the **Federal Register**.

Executive Order 12866

This regulation has been drafted and reviewed in accordance with Executive Order 12866, "Regulatory Planning and Review", section 1(b), Principles of Regulation. The Department of Justice has determined that this rule is not a "significant regulatory action" under Executive Order 12866, section 3(f), and accordingly this rule has not been reviewed by the Office of Management and Budget.

Executive Order 13132

This regulation will not have substantial direct effects on the States, on the relationship between the National government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, it is determined that this rule does not have sufficient federalism implications

to warrant the preparation of a Federalism Assessment.

Regulatory Flexibility Act

The Director of the Bureau of Prisons, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and by approving it certifies that this regulation will not have a significant economic impact upon a substantial number of small entities for the following reasons: This rule pertains to the correctional management of offenders committed to the custody of the Attorney General or the Director of the Bureau of Prisons, and its economic impact is limited to the Bureau's appropriated funds.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by § 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

List of Subjects in 28 CFR Part 548

Prisoners.

Harley G. Lappin,

Director, Bureau of Prisons.

■ Under the rulemaking authority vested in the Attorney General in 5 U.S.C. 552(a) and delegated to the Director, Bureau of Prisons, we amend part 548 in subchapter C of 28 CFR, chapter V as follows.

SUBCHAPTER C—INSTITUTIONAL MANAGEMENT

PART 548—RELIGIOUS PROGRAMS

■ 1. The authority citation for 28 CFR part 548 continues to read as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 3621, 3622, 3624, 4001, 4042, 4081, 4082 (Repealed in part as to offenses committed on or after November 1, 1987), 5006–5024 (Repealed October 12, 1984 as to offenses committed after that date), 5039; 28 U.S.C. 509, 510; 42 U.S.C. 1996; 28 CFR 0.95–0.99.

§ 548.20 [Amended]

■ 2. Revise the phrase "common fare" in the first and second sentences of paragraph (a) and in the first sentence of paragraph (b) to read "religious diet".

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Parts, 341, 342, 348, 350, 353, 363, 364, 365, 366, 367A, 368, 369, 370, 373, 376, 377, 380, 381, 382, 384, 385, 386, 387, 391, 394, 396, and 399

Removal of Parts

AGENCY: Department of Defense.

ACTION: Final rule.

SUMMARY: The Department of Defense is removing various parts (organizational charters) from chapter I, Office of the Secretary of Defense. This administrative action removes obsolete information from the Code of Federal Regulations and notifies readers of the availability of the current version of the DoD documents.

DATES: This rule is effective December 29, 2003.

FOR FURTHER INFORMATION CONTACT: L. Bynum or P. Toppings, (703) 601–4722

SUPPLEMENTARY INFORMATION: The chart below identifies the parts being removed. All documents listed are DoD Directives which may be found at the Washington Headquarters Services website at <http://www.dtic.mil/whs/directives/corres/html/ai7.htm>.

Part No.	DoD Directive	Status
341	5105.2	Current.
342	5124.4	Canceled by DoD Directive 5100.89.
348	5136.11	Canceled by DoD Directive 5136.12.
350	5137.1	Current.
353	5142.1	Current.
363	5105.38	Canceled by DoD Directive 5105.65.
364	5110.4	Current.
365	3030.1	Current.