

features, the relative merits of the two models, and any changes that the proponents make in the two models. These meetings are open to the public. There will be no meeting on Wednesday, October 1, 1997. Instead, a meeting will be held on Tuesday, September 30, 1997. The hour and place will remain unchanged (1:00 pm to 4:00 pm in the conference room of the Universal Service Branch, 2100 M Street, N.W., Eighth Floor). Subsequent meetings will be held each Wednesday until further notice.

DATES: The next meeting will be held on September 30, 1997, 1:00 to 4:00 p.m. Subsequent meetings will be held each Wednesday until further notice.

ADDRESSES: The meetings will be held at the Universal Service Branch, Federal Communications Commission, 2100 M St., NW., Eighth Floor Conference Room, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Astrid Carlson, Universal Service Branch, Accounting & Audits Division, Common Carrier Bureau (202) 418-7369.

SUPPLEMENTARY INFORMATION:

October 1, 1997 Meeting on Forward-Looking Cost Mechanism For Universal Service Support For Non-Rural Carriers Rescheduled to September 30, 1997

In the Universal Service Order released May 8, 1997, the Commission, acting on the recommendation of the Federal-State Joint Board, concluded that universal service support for non-rural carriers should be determined by subtracting a benchmark revenue amount from the forward-looking economic cost of providing the supported services.¹ The Commission concluded that it should continue to review two cost models, the Hatfield Model and the Benchmark Cost Proxy Model (BCPM).² The Commission further concluded that it would select the platform design features³ of a forward-looking economic cost mechanism by December 31, 1997, and

select a complete mechanism, including input values, by August 1998.⁴ In a *Further Notice of Proposed Rulemaking (FNPRM)* in this proceeding, the Commission stated that it would consider a hybrid mechanism, combining the best features of both models, and might also "study alternative algorithms and approaches that could be submitted by parties other than model sponsors or that could be generated internally by Commission staff."⁵

As part of the process of considering mechanisms for computing the forward-looking economic cost of providing the supported services in rural, insular, and high cost areas, the Common Carrier Bureau and the staff of the Federal-State Joint Board on Universal Service hold meetings each Wednesday with the proponents of the Hatfield Model and the Benchmark Cost Proxy Model (BCPM) to solicit the model proponents' individual views on the models' current features, the relative merits of the two models, and any changes that the proponents may make in the two models.

These meetings are open to the public. There will be no meeting on Wednesday, October 1, 1997. Instead, a meeting will be held on Tuesday, September 30, 1997. The hour and the place will remain unchanged (1 pm to 4 pm in the conference room of the Universal Service Branch, 2100 M Street, NW, Eighth Floor). Subsequent meetings will be held each Wednesday until further notice.

For further information about these workshops, contact Chuck Keller, (202) 418-7380, ckeller@fcc.gov.

Federal Communications Commission.

Timothy A. Peterson,
Deputy Chief, Division.

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DEPARTMENT OF DEFENSE

48 CFR Parts 203 and 252

[DFARS Case 97-D020]

Defense Federal Acquisition Regulation Supplement; Employment Prohibition on Persons Convicted of Fraud or Other DoD Contract-Related Felonies

AGENCY: Department of Defense (DoD).

ACTION: Proposed rule with request for comments.

SUMMARY: The Director of Defense Procurement is proposing to amend the

Defense Federal Acquisition Regulation Supplement (DFARS) to expand the list of positions in which contractors may not allow persons convicted of fraud or other DoD contract-related felonies to serve, and to provide that the term of such a prohibition on service may exceed 5 years.

DATES: *Comment date:* Comments on the proposed rule should be submitted in writing to the address shown below on or before December 1, 1997, to be considered in the formulation of the final rule.

ADDRESSES: Interested parties should submit written comments to: Defense Acquisition Regulations Council, Attn: Mr. Michael Pelkey, PDUSD(A&T)DP(DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telefax number (703) 602-0350.

E-mail comments submitted over the Internet should be addressed to: dfars@acq.osd.mil

Please cite DFARS Case 97-D020 in all correspondence related to this issue. E-mail comments should cite DFARS Case 97-D020 in the subject line.

FOR FURTHER INFORMATION CONTACT: Mr. Michael Pelkey, (703) 602-0131.

SUPPLEMENTARY INFORMATION:

A. Background

This proposed rule amends DFARS 203.570-2 and the clause at 252.203-7001 to expand the list of positions in which a person convicted of a felony arising out of a contract with DoD may not serve, and to permit agencies to prohibit such service for periods greater than 5 years, in accordance with 10 U.S.C. 2408.

B. Regulatory Flexibility Act

The proposed rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, et seq., because the rule pertains only to the employment of persons convicted of a felony arising out of a DoD contract. An initial regulatory flexibility analysis has therefore not been performed. Comments are invited from small businesses and other interested parties. Comments from small entities concerning the affected DFARS subparts also will be considered in accordance with 5 U.S.C. 610. Such comments should be submitted separately and should cite DFARS Case 97-D020 in correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the proposed rule does not impose any information collection requirements that require the

¹ Federal-State Joint Board on Universal Service, CC Docket No. 96-45, *Report and Order*, FCC 97-157, (released May 8, 1997) 62 FR 32862 (June 17, 1997) (*Order*) at paras. 199-201.

² The proponents of the Hatfield Model are AT&T and MCI. The proponents of BCPM are US West, Sprint, and BellSouth. See *Order* at Appendix J for a description of the Hatfield Model and BCPM.

³ In the context of a forward-looking economic cost mechanism, the "platform" refers to the fixed algorithms and assumptions built into a cost model, as contrasted with user-specified "inputs" into a cost model. See Federal-State Joint Board on Universal Service, *Forward Looking Mechanism for High Cost Support for Non-Rural LECs*, CC Docket Nos. 96-45 and 97-160, *Further Notice of Proposed Rulemaking*, FCC 97-256 (released July 18, 1997) 62 FR 42457 (August 7, 1997) (*FNPRM*) at paras. 17-18.

⁴ *Order* at para. 245.

⁵ *FNPRM* at para. 35.

approval of the Office of Management and Budget under 44 U.S.C. 3501, et seq.

List of Subjects in 48 CFR Parts 203 and 252

Government procurement.

Michele P. Peterson,

Executive Editor, Defense Acquisition Regulations Council.

Therefore, 48 CFR Parts 203 and 252 are proposed to be amended as follows:

1. The authority citation for 48 CFR Parts 203 and 252 continues to read as follows:

Authority: 41 U.S.C. 421 and 48 CFR Chapter 1.

PART 203—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

2. Section 203.570 is revised to read as follows:

203.570 Prohibition on persons convicted of fraud or other DoD contract-related felonies.

3. Section 203.570-2 is revised to read as follows:

203.570-2 Policy.

(a) Contractors or subcontractors shall not knowingly allow a person, convicted after September 29, 1988, of fraud or any other felony arising out of a contract with DoD, to serve—

(1) In a management or supervisory capacity on any DoD contract or first-tier subcontract;

(2) On its board of directors;

(3) As a consultant, agent, or representative; or

(4) In any capacity with the authority to influence, advise, or control the decisions of any DoD contractor or subcontractor with regard to any DoD contract or first-tier subcontract.

(b) The period covered by the prohibition in paragraph (a) of this subsection is not less than 5 years from the date of conviction unless waived in the interest of national security by the agency head or designee. Prohibition periods greater than 5 years may be imposed upon a written determination by the agency head or designee. A copy of each such determination shall be provided to the Bureau of Justice Assistance, U.S. Department of Justice, 633 Indiana Avenue, NW., Room 470, Washington, DC 20531.

4. Section 203.570-5 is revised to read as follows:

203.570-5 Contract clause.

Use the clause at 252.203-7001, Special Prohibition on Persons Convicted of Fraud or Other DoD

Contract-Related Felonies, in all solicitations and contracts exceeding the simplified acquisition threshold, except solicitations and contracts for commercial items.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

5. Section 252.203-7001 is amended by revising the section heading, the clause title and date, paragraphs (b) and (c), the introductory text of paragraph (d), and paragraph (h) to read as follows:

252.203-7001 Special Prohibition On Persons Convicted of Fraud or Other DoD Contract-Related Felonies.

* * * * *

Special Prohibition on Persons Convicted of Fraud or Other DOD Contract-Related Felonies (XXX 19XX)

* * * * *

(b) Any individual who is convicted after September 29, 1988, of fraud or any other felony arising out of a contract with DoD is prohibited from serving—

(1) In a management or supervisory capacity on any DoD contract or first-tier subcontract;

(2) On the board of directors of any DoD contractor or first-tier subcontractor;

(3) As a consultant, agent, or representative to any DoD contractor or first-tier subcontractor; or

(4) In any other capacity with the authority to influence, advise, or control the decisions of any DoD contractor or subcontractor with regard to any DoD contract or first-tier subcontract.

(c) Unless waived, the prohibition in paragraph (b) of this clause applies for not less than 5 years from the date of conviction.

(d) 10 U.S.C. 2408 provides that a defense contractor or first-tier subcontractor shall be subject to a criminal penalty of not more than \$500,000 if convicted of knowingly—

* * * * *

(h) Pursuant to 10 U.S.C. 2408(c), defense contractors and subcontractors may obtain information as to whether a particular person has been convicted of fraud or any other felony arising out of a contract with DoD by contacting The Office of Justice Programs, The Denial of Federal Benefits Office, U.S. Department of Justice, telephone (202) 616-3507.

(End of clause)

[FR Doc. 97-26115 Filed 10-1-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 192

[Docket No. RSPA-97-2879; Notice 1]

Remotely Controlled Valves on Natural Gas Pipeline Facilities

AGENCY: Research and Special Programs Administration, DOT.

ACTION: Notice of public meeting.

SUMMARY: The Research and Special Programs Administration (RSPA) invites representatives of industry, state and local government, and the public to an open meeting on the use of remotely controlled valves (RCVs) on natural gas pipeline facilities. Congress mandated the use of RCVs on interstate natural gas pipeline facilities if it is determined as a result of a survey and assessment that the use of RCVs is technically and economically feasible and would reduce risks associated with a rupture of a natural gas pipeline facility. The purpose of this meeting is to gather information and discuss issues relevant to the survey and assessment.

DATES: The public meeting will be held on October 30, 1997, beginning at 9:00 a.m. Persons who want to participate in the public meeting should call (202) 366-4046 or e-mail their name, affiliation, and phone number to jenny.donohue@rspa.dot.gov before close of business October 17, 1997. The public meeting is open to all interested parties, but RSPA may limit participation because of space considerations and the need to obtain a wide range of views.

ADDRESSES: The meeting will be held in Houston, Texas at the Adam's Mark Hotel, 2900 Briarpark Drive at Westheimer. The hotel's telephone number is (713) 978-7400.

WRITTEN COMMENTS: Anyone may submit written comments. Persons who are unable to attend the public meeting may submit written comments on or before the deadline of November 28, 1997. Interested persons should submit as part of their written comments all material that is relevant to a statement of fact or argument. Late filed comments will be considered so far as practicable.

Send written comments to the Docket Facility, U.S. Department of Transportation, Plaza 401, 400 Seventh Street SW, Washington, DC 20590-0001. Comments should identify the docket number (RSPA-97-2879). Commenters should submit an original and one copy. Commenters wishing to receive