(Catalog of Federal Domestic Assistance No. 83.100, ''Flood Insurance'')

Issued: November 3, 1998.

Michael J. Armstrong,

Associate Director for Mitigation.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 199

[CGD 84–069]

RIN 2115–AB72

Lifesaving Equipment; Correction

AGENCY: Coast Guard, DOT.

ACTION: Correcting amendments.

SUMMARY: This document corrects the regulations [CGD 84–069], which the Coast Guard published Thursday, October 1, 1998 (63 FR 52802). The regulations revised the lifesaving equipment requirements for U.S. inspected vessels.

DATES: Effective on November 17, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Markle, Chief, Lifesaving and Fire Safety Standards Division (G–MSE–4), U.S. Coast Guard Headquarters, by e-mail at *RMarkle@comdt.uscg.mil,* telephone at 202–267–1444, or fax at 202–267–1069.

SUPPLEMENTARY INFORMATION:

Background

This project is part of the President's Regulatory Review Initiative to remove or revise unnecessary government regulations. This project removed numerous obsolete sections from the Code of Federal Regulations (CFR) and eliminated others by consolidating the lifesaving requirements for most U.S. inspected vessels in the new subchapter W in 46 CFR chapter I. Subchapter W also replaced many prescriptive regulations with performance-based alternatives.

You can find more detailed background information in the preamble of the final rule published on October 1, 1998 (63 FR 52802), under **SUPPLEMENTARY INFORMATION**.

Need for Correction

As published, the final regulations contain typographical errors that may mislead the reader and need to be corrected.

List of Subjects in 46 CFR Part 199

Cargo vessels, Incorporation by reference, Marine safety, Oil and gas exploration, Passenger vessels, Reporting and recordkeeping requirements, Vessels.

Accordingly, 46 CFR part 199 is corrected by making the following amendments:

PART 199—LIFESAVING SYSTEMS FOR CERTAIN INSPECTED VESSELS

1. The authority citation for part 199 continues to read as follows:

Authority: 46 U.S.C. 3306, 3703; 46 CFR 1.46.

§ 199.10 [Amended]

2. In § 199.10(A) amend Table 199.10(a) by, in the first entry for ''D'' and in the first entry for ''I'', under the column heading ''Vessel Type'', removing the symbol ''>'' and adding, in its place, the symbol ''≥''; and in the second entry for ''D'', under the column heading ''Vessel Type'', removing the symbol ''>'' and adding, in its place, the symbol ''<''.

§ 199.630 [Amended]

3. In § 199.630(a) amend Table 199.630(a) by, in the entry for ''199.201(b)'', under the column heading ''Lakes, bays, and sounds'', removing ''199.630(g)[2 3]'' and adding, in its place, ''199.630(g)''.

Dated: November 10, 1998.

Joseph J. Angelo,

Director of Standards, Marine Safety and Environmental Protection.

[FR Doc. 98–30726 Filed 11–16–98; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 2

[ET Docket No. 97–157, FCC 98–261]

Reallocation of Television Channels 60–69, the 746–806 MHz Band

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: By this *Memorandum Opinion and Order,* the Commission reconsiders its decisions in the *Report and Order* in this proceeding, and declines to change its decision to allow no new television (TV) permittees to operate in channels 60–69. The Commission also declines to change the status of low-power TV and TV translators in channels 60–69.

DATES: Effective November 17, 1998.

FOR FURTHER INFORMATION CONTACT: Sean White, Office of Engineering and Technology, (202) 418–2453.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Memorandum Opinon and Order,* adopted October 5, 1998, and released October 9, 1998. The full text of this Commission decision is available for inspection and copying during regular business hours in the FCC Reference Center (Room CY–C404), 445 Twelfth Street, SW, Washington, DC. The complete text of this decision also may be purchased from the Commission's duplication contractor, International Transcription Service, Inc., (202) 857–3800, 2100 M Street, N.W., Suite 140, Washington, D.C. 20037.

Summary of Memorandum Opinion and Order

1. In this *Memorandum Opinion and Order,* the Commission addresses four petitions for reconsideration of the *Report and Order,* 63 FR 6669, February 10, 1998, in this proceeding. In the *Report and Order,* the Commission reallocated TV channels 63, 64, 68, and 69 to the fixed and mobile services, and designated them for the exclusive use of public safety, and channels 60–62 and 65–67 for commercial use pursuant to a future auction. The Commission also declined to adopt additional protections for low-power TV and TV translator stations beyond those adopted in its *DTV Proceeding,* See *In re Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service* (DTV Proceeding), MM Docket No. 87–268, *Fifth Report and Order,* 62 FR 26996, May 16, 1997, (on reconsideration, 63 FR 13546, March 20, 1998); *Sixth Report and Order,* 62 FR 26684, May 14, 1997, (on reconsideration, 63 FR 15774, April 1998), and stated that no new applications will be considered for the provision of analog TV service in channels 60–69, but that current applicants would, at a later date, be afforded an opportunity to amend their applications to seek channels below 60 upon which to provide service. The Commission received petitions for reconsideration of the *Report and Order* from four parties. Three of these parties requested reconsideration of the decision to consider granting no new applications in channels 60–69, and one requested reconsideration of the decision to provide no additional protection to low-power TV and TV translator stations.

2. The Commission found that it had the authority to dismiss license applications when the public interest so demands. The Commission also found that it was the intention of Congress in the Balanced Budget Act of 1997 that channels 60–69 were to be reallocated

with all due haste, with only ''grandfathering'' for current licensees in the band. The Commission also concluded, however, that it was important to maximize the utility of the 746–806 MHz band for public safety and new commercial services. In addition, any TV application granted would have no allotment for a DTV channel and would be required to cease analog operations at the end of the DTV transition period. For these reasons, the Commission decided not to authorize additional new analog full-service television stations on channels 60–69. Upon reconsideration in this *Memorandum Opinion and Order,* the Commission affirmed its authority to make these decisions, and held that it had been presented with no persuasive arguments to change the decisions made in the *Report and Order.* The Commission stated that it would provide applicants a later opportunity to amend their applications to seek a channel below 60, but would not authorize additional new full-service analog TV stations in channels 60–69.

List of Subjects in 47 CFR Part 2

Frequency allocations and radio treaty matters, Radio.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 98–30553 Filed 11–16–98; 8:45 am]

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DEPARTMENT OF DEFENSE

48 CFR Parts 215 and 253

[DFARS Case 97–D025]

Defense Federal Acquisition Regulation Supplement; Weighted Guidelines—Federally Funded Research and Development Centers

AGENCY: Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: The Director of Defense Procurement has issued a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to exempt contract actions with Federally Funded Research and Development Centers (FFRDCs) from the weighted guidelines method of establishing profit and fee objectives. The fee for an FFRDC is based on assessment of need and, therefore, should not be subject to the risk-based approach used in the weighted guidelines method. The rule instead requires contracting officers to establish fee objectives for FFRDCs in accordance with the DoD FFRDC Management Plan.

EFFECTIVE DATE: November 17, 1998.

FOR FURTHER INFORMATION CONTACT: Ms. Amy Williams, (703) 602–0131.

SUPPLEMENTARY INFORMATION:

A. Background

A proposed rule with request for comments was published in the Federal Register on September 15, 1997 (62 FR 48205). Two sources submitted comments in response to the proposed rule. All comments were considered in the development of the final rule.

B. Regulatory Flexibility Act

DoD certifies that this final rule will not 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 applies only to contract actions with Federally Funded Research and Development Centers. The rule is not applicable to small businesses.

C. Paperwork Reduction Act

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

List of Subjects in 48 CFR Parts 215 and 253

Government procurement.

Michele P. Peterson,

Executive Editor, Defense Acquisition Regulations Council.

Therefore, 48 CFR Parts 215 and 253 are amended as follows:

1. The authority citation for 48 CFR Parts 215 and 253 continues to read as follows:

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

PART 215—CONTRACTING BY NEGOTIATION

2. Section 215.404–4 is amended by revising paragraph (b)(1) introductory text, paragraph (c)(2) introductory text, and paragraphs (c)(2)(A) and (c)(2)(B) to read as follows:

215.404–4 Profit.

(b) * * *

(1) Departments and agencies shall use a structured approach for developing a prenegotiation profit or fee objective on any negotiated contract action that requires cost analysis, except on cost-plus-award-free contracts (see 215.404–74) or contracts with Federally Funded Research and Development Centers (FFRDCs) (see 215.404–75). There are three structured approaches—

* * * * *

(c) * * *

(2) When using a structured approach, the contracting officer—

(A) Shall use the weighted guidelines method (see 215.404–71), except as provided in paragraphs (c)(2)(B) and (c)(2)(C) of this subsection.

(B) Shall use the modified weighted guidelines method (see 215.404–72) on contract actions with nonprofit organizations other than FFRDCs.

* * * * *

3. Section 215.404–72 is revised to read as follows:

215.404–72 Modified weighted guidelines method for nonprofit organizations other than FFRDCs.

(a) *Definition.* As used in this subpart, a nonprofit organization is a business entity—

(1) That operates exclusively for charitable, scientific, or educational purposes;

(2) Whose earnings do not benefit any private shareholder or individual;

(3) Whose activities do not involve influencing legislation or political campaigning for any candidate for public office; and

(4) That is exempted from Federal income taxation under section 501 of the Internal Revenue Code.

(b) For nonprofit organizations that are entities that have been identified by the Secretary of Defense or a Secretary of a Department as receiving sustaining support on a cost-plus-fixed-fee basis from a particular DoD department or agency, compute a fee objective for covered actions using the weighted guidelines method in 215.404–71, with the following modifications:

(1) *Modifications to performance risk (Blocks 21–24 of the DD Form 1547).* (i) If the contracting officer assigns a value from the standard designated range (see 215.404–71–2(c)), reduce the fee objective by an amount equal to 1 percent of the costs in Block 18 of the DD Form 1547. Show the net (reduced) amount on the DD Form 1547.

(ii) If the contracting officer assigns a value from the alternate designated range, reduce the fee objective by an amount equal to 2 percent of the costs in Block 18 of the DD Form 1547. Show the net (reduced) amount on the DD Form 1547.

(2) *Modifications to contract type risk (Block 25 of the DD Form 1547).* Use a designated range of −1 percent to 0 percent instead of the values in 215.404–71–3. There is no normal value.