

⁴Federal agencies may submit a request to GSA for review of the costs covered by per diem in a particular city or area where the standard CONUS rate applies when travel to that location is repetitive or on a continuing basis and travelers' experiences indicate that the prescribed rate is inadequate. Other per diem localities listed in this appendix will be reviewed on an annual basis by GSA to determine whether rates are adequate. Requests for per diem rate adjustments shall be submitted by the agency headquarters office to the General Services Administration, Office of Governmentwide Policy, Attn: Travel and Transportation Management Policy Division (MTT), Washington, DC 20405. Agencies should designate an individual responsible for reviewing, coordinating, and submitting to GSA any requests from bureaus or subagencies. Requests for rate adjustments shall include a city designation, a description of the surrounding location involved (county or other defined area), and a recommended rate supported by a statement explaining the circumstances that cause the existing rate to be inadequate. The request also must contain an estimate of the annual number of trips to the location, the average duration of such trips, and the primary purpose of travel to the locations. Agencies should submit their requests to GSA no later than May 1 in order for a city to be included in the annual review.

Dated: November 15, 1996.
 Thurman M. Davis, Sr.,
Acting Administrator of General Services.
 [FR Doc. 96-29768 Filed 11-20-96; 8:45 am]
 BILLING CODE 6820-34-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Part 440

[MB-102-F]

Medicaid Program: Family Planning Services and Supplies for Individuals of Child-bearing Age

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Correcting amendment.

SUMMARY: This document makes a technical amendment to a Medicaid regulation under 42 CFR 440.40(c) to restore an inadvertent omission of a paragraph designation related to family planning services and supplies for individuals of child-bearing age.

EFFECTIVE DATE: November 10, 1994.

FOR FURTHER INFORMATION CONTACT: Linda Tavener, (410) 786-3838.

SUPPLEMENTARY INFORMATION: On November 10, 1994, we published a final rule in the Federal Register (59 FR 56116) related to Survey, Certification and Enforcement of Skilled Nursing Facilities and Nursing Facilities. In that rule, we inadvertently omitted a heading and reserved designation of § 440.40(c). This paragraph designation must be included to show that family planning services and supplies for individuals of child-bearing age are covered Medicaid services under § 440.40. At the present time, there are no Federal regulations regarding these services but we are reserving this paragraph for future use. The States can define these services as they see appropriate.

List of Subjects in 42 CFR Part 440

Grant programs—health, Medicaid.

42 CFR part 440 is amended as set forth below:

PART 440—SERVICES: GENERAL PROVISIONS

A. The authority citation for part 440 continues to read as follows:

Authority: Sec. 1102 of the Social Security Act (42) U.S.C. 1302).

§ 440.40 [Corrected]

B. In § 440.40 the section heading is revised and paragraph (c) is added to read as follows:

§ 440.40 Nursing facility services for individuals age 21 or older (other than services in an institution for mental disease, EPSDT, and family planning services and supplies.

* * * * *

(c) *Family planning services and supplies for individuals of child-bearing age. [Reserved]*

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program)

Dated: November 7, 1996.

Neil J. Stillman,

Deputy Assistant Secretary for Information Resources Management.

[FR Doc. 96-29397 Filed 11-20-96; 8:45 am]

BILLING CODE 4120-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 43

[CC Docket No. 90-337, FCC 96-160]

Regulation of International Accounting Rates

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: On April 9, 1996, the Federal Communications Commission adopted a *Third Report and Order and Order on Reconsideration* ("Order") that establishes standards for reporting when a carrier interconnects an international private line to the U.S. Public Switched

Network (PSN). With this Order we require that any carrier that interconnects an international private line to the PSN at the central office report on an annual basis its arrangements for such interconnection. However, we require these carriers to fulfill their § 43.15 notification requirements by filing only information on the country of origin, and number and type of private lines interconnected for each customer during the reporting period. This decision reaffirms our longstanding policy of allowing end users to interconnect their international private lines to the public switched network for their own use, while enabling us to better monitor the effects of our resale rules.

In taking this action, the Commission's objective is to enhance its ability to monitor and assess the impact of end user interconnections on our international settlements policy, and to enhance the ability of the Commission and interested parties to monitor for unauthorized private line resale, while being sensitive to end users' reluctance to disclose commercially sensitive or proprietary information.

EFFECTIVE DATE: This rule is effective December 23, 1996, except § 43.51(d) which contains new information collections which will not become effective until approval by Office of Management and Budget (OMB). The Commission will publish a document in the Federal Register at a later date establishing the effective date.

ADDRESSES: Submit all comments concerning the Paperwork Reduction Act to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, N.W., Washington, D.C. 20554, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725—17th Street, N.W., Washington, D.C. 20503 or via the Internet to fain_t@al.cop.gov.

FOR FURTHER INFORMATION CONTACT:

Susan O'Connell, Attorney, International Bureau, (202) 418-1460. For additional information concerning

the information collections contained in the Order contact Dorothy Conway at (202) 418-0217, or via the Internet to dconway@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Third Report and Order and Order on Reconsideration* adopted on April 9, 1996, and released on May 20, 1996 (FCC 96-160). The full text of this Order is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M St., N.W., Washington D.C. The complete text also may be purchased from the Commission's Copy contractor, International Transcription Service, Inc. (202) 857-3800, 2100 M St., N.W., Suite 140, Washington D.C. 20037.

Paperwork Reduction Act

This *Third Report and Order and Order on Reconsideration* contains a proposed information collection subject to the Paperwork Reduction Act of 1995 (PRA). It has been submitted to the Office of Management and Budget (OMB) for review under Section 3507(d) of the PRA. OMB, the general public, and other Federal agencies are invited to comment on the proposed or modified information collections contained in this proceeding.

The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collections contained in this Order. Comments should address: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

This Order contains a proposed information collection. Written comments by the public on the information collections should be submitted on or before December 23, 1996. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

A copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street,

N.W., Washington, DC 20554, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725-17th Street, N.W., Washington, DC 20502 or via the Internet to fain_t@al.eop.gov.

OMB Approval Number: 3060-.

Title: Common Carrier International Telecommunications Services.

Form No.: N/A.

Type of Review: New collection.

Respondents: Carriers interconnecting their private lines to the U.S. Public Switched Network.

Number of Respondents: 10.

Estimated Time Per Response: 8.

Total Annual Burden: 80.

Estimated costs per respondent: none.

Needs and Uses: The collections of information for which approval is here sought are contained in amendments to Part 43 and in the Order adopting such amendments. These information collections are authorized and necessary for the Commission to carry out its statutory mandate, pursuant to Sections 1, 4, 201-205, 211, 214, 218-220, and 303 of the Communications Act of 1934, as amended, 47 U.S.C. Sections 151, 154, 201-205, 211, 214, 218-220, and 303, and Part 43 of the Commission's Rules.

The information collections contained in amendments to Part 43 are necessary to assist us in reviewing the impact, if any, that end user private line interconnections have on our international settlements policies. The information collections will also enhance the ability of the Commission and interested parties to monitor for unauthorized resale, thus preserving the integrity of our international resale policy.

The information will be used by the Commission staff in carrying out its duties under the Communications Act. Common carriers that interconnect an international private line to the PSN at the carrier's switch, including any switch in which the carrier obtains capacity either through lease or otherwise, would report on an annual basis certain information about its arrangements for such interconnection under Part 43 of the Commission's rules, as modified by the Commission's Order.

Summary of the Third Report and Order and Order on Reconsideration

1. In response to the *Order on Reconsideration and Third Further Notice Proposed Rulemaking* in Phase II of Regulation of International Accounting Rates (57 FR 62543 (December 31, 1992)), the Commission adopts this *Third Report and Order and Order on Reconsideration* ("Order"). This Order modifies current standards

for reporting the interconnection of international private lines to the U.S. PSN.

2. Our December 1991 *International Resale Order* authorized the resale of international private lines to provide switched services. However, we recognized that "one-way" resale of international private lines would tend to divert International Message Telephone Service (IMTS) traffic from the settlements process and increase the U.S. net settlements deficit. We accordingly required U.S. carriers to permit resale of their international private lines only to those countries that afford U.S.-based resellers "equivalent" resale opportunities. Our international resale policy, however, did not alter our policy of allowing end users to attach their private lines to the U.S. PSN for their own use. Section 43.51(a)(3) currently requires U.S. carriers to file a notification of any *intercarrier* agreement for the interconnection of an international private line to the U.S. PSN at the carrier's central office, whether on behalf of a reseller or an end user. In the Order, we discerned no reason to distinguish between intercarrier interconnection agreements entered into on behalf of end users, and interconnection agreements entered into directly by the carrier and the end users itself. Accordingly, we ordered that Section 43.51 be amended to require that carriers also notify the Commission of any agreement for private line interconnection entered into directly by a carrier and an end user.

3. Addressing commenters' concerns over the potential disclosure of commercially sensitive information, we also ordered an amendment to 47 CFR §43.51 to require only certain limited information. Specifically, we will require carriers interconnecting an international private line to the U.S. PSN to report on the country of origin and the number and type (e.g., 64-kbps circuit) of private lines interconnected for each customer (whether a reseller or end user). The identity of the customer need not be reported. In recognition of commenters' concerns over the disclosure of the country of origin, we will treat the country of origin information as confidential. Further, we only require that this information be reported on an annual basis. We clarify that the carrier that we require to report the interconnection is the carrier that is itself making the physical interconnection at its switch, including any switch in which the carrier obtains capacity, whether by lease or otherwise.

4. We believe that this data will assist us in reviewing the impact, if any, that end user private line interconnections

have on our international settlements policies, and will also enhance the ability of the Commission and interested parties to monitor for unauthorized resale, thus preserving the integrity of our international resale policy. We further conclude that, by requiring interconnecting carriers to file only this limited information, and by keeping the country of origin confidential, we address the commenting parties' concern that we not require the disclosure of commercially sensitive or proprietary information. We believe that this policy strikes the proper balance between our need for such data and the need to protect against the unnecessary disclosure of such data. Finally, because the equivalency of such markets obviates the need for such data, interconnections of international private lines to Canada, the United Kingdom, Sweden, and any other countries which we find to satisfy our equivalency standard need not be reported. We exempt private lines to these points from this requirement.

5. By making these changes to § 43.51 we grant in part CITU's Petition for Reconsideration. Rather than require that carriers file copies of their intercarrier agreements for private line interconnection, we require only that carriers file certain limited information. This change responds to CITU's concern that we permit carriers to file redacted versions of interconnection agreements. It is also less burdensome than requiring that the actual interconnection agreement be filed. While CITU's Petition appeared concerned primarily with disclosure of proprietary information of end users, as opposed to resellers, we find no reason on reconsideration to require copies of any agreements for private line interconnection to be filed.

Final Regulatory Flexibility Act Analysis

Pursuant to Section 603 of Title 5, United States Code, 5 U.S.C. 603, an initial Regulatory Flexibility Analysis was incorporated in the Notice of Proposed Rulemaking in CC Docket 90-337. Written comments on the proposals in the Notice, including the Regulatory Flexibility Analysis, were requested.

A. Need and Purpose of Rules

With this Order we modify § 43.51 of our Rules to require any carrier that interconnects an international private line to the U.S. PSN at the carrier's switch, including any switch in which the carrier obtains capacity, whether by lease or otherwise, to report all such interconnections on an annual basis. Interconnections of private lines

between the United States and countries deemed by the Commission to offer "equivalent" private line resale opportunities are exempt from this requirement. We are requiring that only certain limited information be submitted. This information is limited to the country of origin (which will be treated as confidential) and the number and type of circuits for each customer. This reporting requirement enhances our ability to monitor and assess the impact of end user interconnections on our international settlements policy, as well as the Commission's and interested parties' ability to monitor for unauthorized resale of private lines, while also being sensitive to end users' reluctance to disclose commercially sensitive or proprietary information.

B. Issues Raised by the Public in Response to the Initial Analysis

In this proceeding commenters requested that we clarify our current notification requirements, protect from disclosure commercially sensitive business information of end users, and exempt from the notification requirement interconnections of private lines to countries found to offer equivalent resale opportunities.

C. Significant Alternatives Considered

We have attempted to balance all of the commenters' concerns with our public interest mandate under the Act. We modify § 43.51 to require that carriers notify us of all private line interconnection agreements. Based on the record before us, we see no reason to distinguish between intercarrier interconnection agreements entered into on behalf of end users, and interconnection agreements entered into directly by a carrier and an end user itself. We modify this section, however, to require notification only on an annual basis and to require only certain limited information: the country of origin and the number and type of private lines interconnected for each customer. Additionally, we will treat the country of origin as confidential, and exempt from the scope of § 43.51 private lines to countries that we find to satisfy our equivalency standard. These modifications will reduce unnecessarily burdensome filing requirements and responds to carriers' and end users' concerns over disclosing commercially sensitive information.

Ordering Clauses

Accordingly, *it is ordered* that pursuant to authority contained in Sections 1, 4, 201-205, 211, 214, 218-220, and 303 of the Communications Act of 1934, as amended, 47 U.S.C.

Sections 151, 154, 201-205, 211, 214, 218-220, and 303, Part 43 of the Commission's Rules, 47 CFR Part 43 is amended as set forth below.

It is further ordered that the policies, rules, and requirements set forth herein are adopted.

It is further ordered that CITU's Petition for Clarification and in the Alternative for Partial Reconsideration is granted in part and denied in part as set forth herein.

It is further ordered that this rule is effective December 23, 1996, except § 43.51(d) which contains new information collections which will not become effective until approval by Office of Management and Budget (OMB). The Commission will publish a document in the Federal Register at a later date establishing the effective date.

List of Subjects in 47 CFR Part 43

Communications common carriers, Reporting and recordkeeping requirements.

Federal Communications Commission.
William F. Caton,
Acting Secretary.

Rule Changes

Part 43 of title 47 of the Code of Federal Regulations is amended as follows:

PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND CERTAIN AFFILIATES

1. The authority citation for Part 43 continues to read as follows:

Authority: Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154, unless otherwise noted. Interpret or apply secs. 211, 219, 220, 48 Stat. 1073, 1077, as amended; 47 U.S.C. 211, 219, 220.

2. Section 43.51 is amended by removing paragraph (a)(3), redesignating paragraph (a)(4) as paragraph (a)(3), adding the word "and" at the end of paragraph (a)(2), redesignating paragraph (d) as paragraph (e) and adding a new paragraph (d) to read as follows:

§ 43.51 Contracts and concessions.

* * * * *

(d) Any U.S. carrier that interconnects an international private line to the U.S. Public Switched Network, at its switch, including any switch in which the carrier obtains capacity either through lease or otherwise, shall file annually with the Chief of the International Bureau a certified statement containing the number and type (e.g., 64-kbps circuits) of private lines interconnected in such a manner. The certified statement shall specify the number and

type of interconnected private lines on a country specific basis. The identity of the customer need not be reported, and the Commission will treat the country of origin information as confidential.

Carriers need not file their contracts for such interconnections, unless they are specifically requested to do so. These reports shall be filed on a consolidated basis on February 1 (covering international private lines interconnected during the preceding January 1 to December 31 period) of each year. International private lines to countries which we find to satisfy our equivalency standard at any time during a particular reporting period are exempt from this requirement.

* * * * *

[FR Doc. 96-29295 Filed 11-20-96; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 63

Common Carrier Applications; Correction

AGENCY: Federal Communications Commission.

ACTION: Correcting amendments.

SUMMARY: This document contains corrections to the final regulations

which were published on November 18, 1980 (45 FR 76169). The regulations related to requirements for common carrier applications under section 214 of the Communications Act of 1934.

EFFECTIVE DATE: November 21, 1996.

FOR FURTHER INFORMATION CONTACT: Richard Cameron, (202) 418-2326.

SUPPLEMENTARY INFORMATION:

Background

Sections 63.91 and 63.502 were removed by the Commission in the publication of January 16, 1980 (45 FR 3037) and in § 61.15(a), the definition of "non-dominant", was redesignated as § 61.3(u) in the publication of April 25, 1995 (60 FR 20052).

Need for Correction

As published, the final regulations contain errors which may prove to be misleading and are in need of clarification.

List of Subjects in 47 CFR Part 63

Communications common carriers, Reporting and recordkeeping requirements, Telegraph, Telephone.

Accordingly, 47 CFR Part 63 is corrected by making the following correcting amendments:

PART 63—EXTENSION OF LINES AND DISCONTINUANCE, REDUCTION, OUTAGE AND IMPAIRMENT OF SERVICE BY COMMON CARRIERS; AND GRANTS OF RECOGNIZED PRIVATE OPERATING AGENCY STATUS

1. The authority citation for Part 63 continues to read as follows:

Authority: Secs. 1, 4(i), 4(j), 201-205, 218 and 403 of the Communications Act of 1934, as amended; 47 U.S.C. Secs. 154, 154(i), 154(j), 201-205, 218 and 403, unless otherwise noted.

§ 63.52 [Corrected]

2. Section 63.52 is amended by removing the references "63.91," and "63.502," in the first sentence of paragraph (b).

§ 63.61 [Corrected]

3. Section 63.61 is amended by removing the reference "61.15(a)" and adding in its place the reference "61.3(u)".

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96-29637 Filed 11-20-96; 8:45 am]

BILLING CODE 6712-01-P