

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

#### PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336.

#### § 73.606 [Amended]

2. Section 73.606(b), the Table of Allotments, Television Broadcast Stations, under Buffalo, New York, is amended by placing an asterisk on Channel 17 and removing an asterisk from Channel \*23.

#### § 73.622 [Amended]

3. Section 73.622(b), the Table of Allotments, Digital Broadcast Television Stations, under Buffalo, New York, is amended by removing the asterisk from Channel \*32.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 99–21766 Filed 8–20–99; 8:45 am]

BILLING CODE 6712–01–P

#### DEPARTMENT OF AGRICULTURE

##### Office of Procurement and Property Management

##### 48 CFR Parts 413 and 453

[AGAR Case 96–05]

RIN 0599–AA04

##### Agriculture Acquisition Regulation; Simplified Acquisition Procedures

**AGENCY:** Office of Procurement and Property Management, USDA.

**ACTION:** Direct final rule.

**SUMMARY:** The Department of Agriculture (USDA) is amending the Agriculture Acquisition Regulation (AGAR) to reorganize part 413, Simplified Acquisition Procedures. USDA is reorganizing part 413 to reflect the reorganization of part 13, Simplified Acquisition Procedures, of the Federal Acquisition Regulation (FAR). This amendment changes the structure, but not the substance, of AGAR part 413. **DATES:** This rule is effective October 22, 1999 without further action, unless we receive written adverse comments or written notice of intent to submit adverse comments on or before September 22, 1999. If we receive adverse comments, the Office of Procurement and Property Management will publish a timely withdrawal of the rule in the **Federal Register**.

**ADDRESSES:** Please submit any adverse comments, or a notice of intent to submit adverse comments, in writing to U.S. Department of Agriculture, Office of Procurement and Property Management, Procurement Policy Division, Stop 9303, 1400 Independence Avenue SW, Washington, DC 20250–9303.

**FOR FURTHER INFORMATION CONTACT:** Joseph J. Daragan, (202) 720–5729.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

##### II. Procedural Requirements

A. Executive Order Nos. 12866 and 12988

B. Regulatory Flexibility Act

C. Paperwork Reduction Act

D. Small Business Regulatory Enforcement Fairness Act

##### III. Electronic Access Addresses

#### I. Background

The AGAR implements the FAR (48 CFR chapter 1) where further implementation is needed, and supplements the FAR when coverage is needed for subject matter not covered by the FAR. USDA is amending the AGAR to reflect the reorganization of FAR Part 13, Simplified Acquisition Procedures (62 FR 64916, December 9, 1997). In this rulemaking document, USDA is amending the AGAR as a direct final rule, since the changes are non-controversial and unlikely to generate adverse comment. The changes are clerical in nature, and do not affect the public.

Rules that an agency believes are noncontroversial and unlikely to result in adverse comment may be published in the **Federal Register** as direct final rules. The Office of Procurement and Property Management published a policy statement in the **Federal Register** (63 FR 9158, February 24, 1998) to notify the public of its intent to use direct final rulemaking in appropriate circumstances.

This rule makes the following changes to the AGAR:

(a) We are revising part 413 to match the numbering structure of FAR part 13 following its revision. We are moving all material in subparts 413.1, 413.4, and 413.5 to a new subpart 413.3, Simplified Acquisition Methods.

(b) We are moving section 413.103, Policy, to section 413.301, Governmentwide commercial purchase card. We are not changing the substance of section 413.103. The new section corresponds to revised FAR section 13.301, Governmentwide commercial purchase card.

(c) We are removing the material in subpart 413.4, Imprest Fund. This subpart referred users to USDA's Departmental Regulations for additional

guidance on the use of imprest funds and third party drafts. USDA is minimizing the use of imprest funds, and no longer uses third party drafts for acquisition or payment. We determined that the material in subpart 413.4 was no longer necessary.

(d) We are moving the material in section 413.505, Purchase Order and related forms, to section 413.306, SF 44, Purchase Order-Invoice-Voucher, and section 413.307, Forms. We are not changing the substance of section 413.505. The new sections correspond to revised FAR sections 13.306, Purchase Order-Invoice-Voucher, and 13.307, Forms.

(e) We are amending section 453.213 to update a reference in that section. We are changing the reference to section 413.505–1 to read 413.307.

#### II. Procedural Requirements

##### A. Executive Order Nos. 12866 and 12988

USDA prepared a work plan for this regulation and submitted it to the Office of Management and Budget (OMB) pursuant to Executive Order No. 12866. OMB determined that the rule was not significant for the purposes of Executive Order No. 12866. Therefore, the rule has not been reviewed by OMB. USDA has reviewed this rule in accordance with Executive Order No. 12988, Civil Justice Reform. The proposed rule meets the applicable standards in section 3 of Executive Order No. 12988.

##### B. Regulatory Flexibility Act

USDA reviewed this rule under the Regulatory Flexibility Act, 5 U.S.C. 601–611, which requires preparation of a regulatory flexibility analysis for any rule which is likely to have significant economic impact on a substantial number of small entities. The reorganization of AGAR part 413 does not affect the way in which USDA conducts its acquisitions or otherwise interacts with the public. USDA certifies that this rule will not have a significant economic effect on a substantial number of small entities, and, therefore, no regulatory flexibility analysis has been prepared.

##### C. Paperwork Reduction Act

No information collection or recordkeeping requirements are imposed on the public by this rule. Accordingly no OMB clearance is required by section 350(h) of the Paperwork Reduction Act, 44 U.S.C. 3501, *et seq.*, or OMB's implementing regulation at 5 CFR Part 1320.

### *D. Small Business Regulatory Enforcement Fairness Act*

This rule has been submitted to each House of Congress and the Comptroller General in accordance with the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 801 *et seq.*

### III. Electronic Access Addresses

You may send electronic mail (E-mail) to JDARAGAN@USDA.GOV, or contact us via fax at (202) 720-8972, if you would like additional information about this rule, or if you wish to submit comments.

### List of Subjects in 48 CFR Parts 413 and 453

Government contracts, Government procurement.

For the reasons set out in the preamble, the Office of Procurement and Property Management amends 48 CFR Chapter 4 as set forth below:

1. Revise Part 413 to read as follows:

### PART 413—SIMPLIFIED ACQUISITION PROCEDURES

#### Subpart 413.3—Simplified Acquisition Methods

- Sec.
- 413.301 Governmentwide commercial purchase card.
- 413.306 SF 44, Purchase Order-Invoice-Voucher.
- 413.307 Forms.

**Authority:** 5 U.S.C. 301 and 40 U.S.C. 486(c).

#### Subpart 413.3—Simplified Acquisition Methods

##### 413.301 Governmentwide commercial purchase card.

USDA policy and procedures on use of the Governmentwide commercial purchase card are established in Departmental Regulation Series 5000.

##### 413.306 SF 44, Purchase Order-Invoice-Voucher.

The Standard Form 44 (and the previously prescribed USDA Form AD-744) is not authorized for use within USDA.

##### 413.307 Forms.

Form AD-838, Purchase Order, is prescribed for use by USDA in lieu of Optional Forms 347 and 348.

2. The authority citation for part 453 continues to read as follows:

**Authority:** 5 U.S.C. 301 and 40 U.S.C. 486(c).

### 453.213 [Amended]

3. In section 453.213, remove “413.505-1” and add, in its place, “413.307”.

Done at Washington, DC, this 12th day of August, 1999.

**W.R. Ashworth,**

*Director, Office of Procurement and Property Management.*

[FR Doc. 99-21743 Filed 8-20-99; 8:45 am]

BILLING CODE 3410-XE-P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[DOT Docket No. NHTSA-99-6010]

RIN 2127-AH18

### Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices and Associated Equipment

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Final rule.

**SUMMARY:** The Federal Motor Vehicle Safety Standard on lamps, reflective devices, and associated equipment includes a provision regulating headlamp concealment devices. In this document, NHTSA amends that Standard so that manufacturers of motor vehicles with headlamp concealment devices may choose between complying with that existing provision, or with a new provision incorporating by reference the United Nations Economic Commission for Europe's standard (ECE standard) on those devices.

This rulemaking was initiated in response to a petition from the domestic and foreign motor vehicle industry. Our notice of proposed rulemaking was based on our tentative conclusion, after reviewing the U.S. and UN/ECE requirements, that the UN/ECE requirements were essentially identical to the U.S. requirements and thus would yield at least as much safety benefit as the U.S. requirements. Since NHTSA did not receive any response to its request for public comments, the agency reaffirms that conclusion and adopts the proposed amendment as final.

**DATES:** Effective date. This rule is effective October 22, 1999. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** as of October 22, 1999.

*Early compliance date.* You have the option of early compliance with the

changes made in this final rule beginning August 23, 1999.

### *Petitions for reconsideration deadline.*

If you wish to petition for reconsideration of this final rule, you must submit it so that we (NHTSA) receive your petition not later than October 7, 1999.

**ADDRESSES:** In your petition for reconsideration, you should refer to the docket number for this action (cited in the heading of this final rule) and submit the petition to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** You may contact the following persons at the National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590.

For technical issues: Mr. Patrick Boyd, Office of Crash Avoidance. Mr. Boyd's telephone number is: (202) 366-6346, and his FAX number is (202) 493-2739.

For legal issues: Ms. Dorothy Nakama, Office of the Chief Counsel. Ms. Nakama's telephone number is (202) 366-2992, and her FAX number is (202) 366-3820.

### SUPPLEMENTARY INFORMATION:

#### Background

The United States is a party to several international agreements, including the General Agreement on Tariffs and Trade. That agreement was most recently amended by the Uruguay Round Agreements. One of those agreements is the Agreement on Technical Barriers to Trade (TBT). The TBT Agreement seeks to avoid the creation of unnecessary obstacles to trade, while recognizing the right of signatory countries to establish and maintain technical regulations for the protection of human, animal and plant life and health and the environment.

Among other things, the TBT Agreement also provides that a party to the Agreement will consider accepting as equivalent the technical regulations of other party nations, provided they adequately fulfill the objectives of the party's existing domestic standards. On May 13, 1998, the National Highway Traffic Safety Administration (NHTSA) amended 49 CFR part 553, *Rulemaking Procedures*, by adding a new appendix B setting forth a statement of policy about an agency process for making tentative findings that the vehicle safety standards of other countries are functionally equivalent to the corresponding Federal Motor Vehicle Safety Standards (FMVSSs) (63 FR 26508).