

operations as well. ACI's separation from both incumbent cellular operations and from incumbent local exchange operations lessens the Commission's concerns about improper cross-subsidization and discriminatory interconnection practices. Therefore, the Commission decided to permit ACI to provide cellular service with access to the landline facilities, both inside and outside Ameritech's region, as long as ACI remains structurally separate from Ameritech's telephone local exchange operating companies and its cellular affiliate.

### III. Ordering Clauses

It is ordered that, pursuant to Sections 4 and 303 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154 and 303, and Sections 1.3 and 22.119 of the Commission's rules, 47 CFR §§ 1.3 and 22.119, a waiver of Section 22.903(a), 47 CFR § 22.903(a), is GRANTED to Ameritech Communications, Incorporated.

It is further ordered that, pursuant to Sections 4 and 303 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154 and 303, and Section 1.2 of the Commission's rules, 47 CFR § 1.2, Ameritech Communications, Incorporated, IS DECLARED not subject to Section 22.903(e), subject to the conditions discussed herein.

#### List of Subjects in 47 CFR Part 22

##### Radio.

Federal Communications Commission.

Shirley S. Suggs,

Chief, Publications Branch.

[FR Doc. 96-24818 Filed 9-26-96; 8:45 am]

BILLING CODE 6712-01-P

## SOCIAL SECURITY ADMINISTRATION

### 48 CFR Chapter 23

RIN 0960-AE12

#### Establishment of Acquisition Regulations

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Final rule.

**SUMMARY:** This rule establishes an agency acquisition regulation for the Social Security Administration (SSA) to implement and supplement the Federal Acquisition Regulation (FAR). SSA was established as an independent agency March 31, 1995 in accordance with the Social Security Independence and Program Improvements Act (SSPIA). Publication of this rule terminates the

application of the Health and Human Services Acquisition Regulation (HHSAR) to SSA acquisitions and contracts.

**EFFECTIVE DATE:** This regulation is effective October 28, 1996.

**FOR FURTHER INFORMATION CONTACT:** Susan Reed, Division of Policy and Information Management, Office of Acquisition and Grants, 1710 Gwynn Oak Ave., Baltimore, MD, 21207, telephone (410) 965-9547, telefax (410) 966-1261.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

SSA was formerly an operating division of the Department of Health and Human Services (HHS). SSA acquisitions and contracts were subject to requirements and procedures set forth in the FAR, supplemented by the Health and Human Services Acquisition Regulation (HHSAR), contained in Chapter 3 of Title 48 of the Code of Federal Regulations. The SSPIA established SSA as an independent agency on March 31, 1995. Section 106(b) of the SSPIA provided that the Department regulations, such as the HHSAR, continue to apply until such time as the Commissioner of SSA modifies, terminates, suspends, sets aside, or repeals them. Now, because of its independence, SSA will implement and supplement the regulatory parts of the FAR through its own agency supplement, the Social Security Acquisition Regulation (SSAR), maintained in Chapter 23 of Title 48 of the Code of Federal Regulations. By this publication, the SSAR supersedes and terminates HHSAR application to SSA. The SSAR will, however, comprise only those policies and procedures which have a significant effect beyond SSA's internal operating procedures or have a significant cost or administrative impact on contractors or offerors.

In order to implement its own streamlined, yet effective acquisition guidance process, SSA has elected to publish only a skeletal agency acquisition regulation, the SSAR, and to incorporate the bulk of its acquisition and contracting policies and procedures into an internal document, a desktop handbook. The handbook is limited to specific internal contracting and acquisition procedures, including workflow procedures, designations and delegations of authority, and internal reporting requirements.

We anticipate making minimal future additions and changes to the SSAR. We will do so, however, when circumstances warrant. SSA will follow the FAR and SSAR for all regulatory

requirements and our own internal guidance contained within the handbook.

##### B. Regulatory Flexibility Act

The Regulatory Flexibility Act, Public Law 98-577, requires the preparation of a regulatory flexibility analysis for any rule which is likely to have a significant economic impact on a substantial number of small entities. We certify that this rule will not have a significant economic impact on a substantial number of small entities because the rule merely reflects the adoption of a new chapter for the publication of the SSAR and does not initiate any new policies or procedures which would impact the public. Therefore, a regulatory flexibility analysis is not required.

##### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this final rule does not impose information collection requirements, or collections of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, et seq.

##### D. Administrative Procedure Act

This rule is being published as a final rule instead of as a proposed rule. Section 702(a)(5) of the Social Security Act makes the regulations we prescribe subject to the rulemaking procedures established under section 553 of the Administrative Procedure Act (APA), 5 U.S.C. 553. The APA generally requires publication of a notice of proposed rulemaking and the solicitation of comments from interested persons. However, the APA provides exceptions to notice and comment procedures when an agency finds that there is good cause for dispensing with such procedures on the basis that they are impracticable, unnecessary, or contrary to the public interest.

After due consideration, we have determined that, under 5 U.S.C. 553(b)(B), good cause exists for waiver of notice of proposed rulemaking because such procedure is unnecessary. These final regulations will alter no substantive procedures or policies. They will merely terminate the application of the HHSAR to SSA acquisitions and contracts. The procedures and policies in effect after the date SSA gained the status of an independent agency will remain largely unchanged. The differences are of form only and are necessary to adapt the former regulations to the operating structures of this agency. Accordingly, promulgation

of these regulations pursuant to notice and comment rulemaking is unnecessary and may be dispensed with pursuant to 5 U.S.C. 553(b)(B).

*G. Office of Federal Procurement Policy Act*

The Office of Federal Procurement Policy Act, as amended (41 U.S.C. 418b) and FAR subparts 1.3 and 1.5 require publication of agency acquisition regulations for public comment when they have a significant effect beyond the internal operating procedures of the agency or result in significant cost or administrative impact on contractors or offerors. Because this final rule neither significantly affects the Agency's internal operating procedures nor results in significant costs or administrative impact on contractors or offerors, its publication without public comment is in compliance with the Act and FAR subparts 1.3 and 1.5.

List of Subjects in 48 CFR Part 2301

Government procurement, Social Security acquisition regulation.

Dated: September 6, 1996.

Shirley S. Chater,

*Commissioner of Social Security.*

For the reasons stated in the Preamble, Chapter 23 is added to Title 48 to read as follows:

**CHAPTER 23—SOCIAL SECURITY ADMINISTRATION**

**SUBCHAPTER A—GENERAL**

**PART 2301—SOCIAL SECURITY ACQUISITION REGULATION SYSTEM**

**Subpart 2301.1—Purpose, Authority, Issuance**

Sec. 2301.101—Purpose.

Sec. 2301.103—Authority.

Sec. 2301.104—Applicability.

Sec. 2301.105—Issuance.

Sec. 2301.105-1—Publication and code arrangement.

Sec. 2301.105-2—Arrangement of regulations.

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

**PART 2301—SOCIAL SECURITY ACQUISITION REGULATION**

**Subpart 2301.1—Purpose, Authority, Issuance**

**2301.101 Purpose.**

(a) The Social Security Acquisition Regulation (SSAR) is issued to establish uniform acquisition policies and procedures for the Social Security Administration (SSA) which conform to the Federal Acquisition Regulation (FAR) System.

(b) The SSAR implements and supplements the FAR. (Implementing

material expands upon or indicates the manner of compliance with related FAR material. Supplementing material refers to policies or procedures which have no corresponding counterpart in the FAR.)

(c) The SSAR contains only formal agency policies and procedures which have a significant effect beyond SSA's internal operating procedures or which have a significant cost or administrative impact on contractors or offerors.

**2301.103 Authority.**

The SSAR is prescribed under the authority of 5 U.S.C. 301 and section 205(c) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 486(c)).

**2301.104 Applicability.**

The FAR and SSAR apply to all SSA acquisitions as stated in FAR 1.104. Unless specified otherwise, the FAR and SSAR apply to acquisitions within and outside the United States.

**2301.105 Issuance.**

**2301.105-1 Publication and code arrangement.**

(a) The SSAR is also published in the same forms as indicated in FAR 1.105-1(a).

(b) The SSAR is issued in the Code of Federal Regulations (CFR) as Chapter 23 of Title 48, Social Security Acquisition Regulation (SSAR). It may be referenced as "48 CFR chapter 23."

**2301.105-2 Arrangement of regulations.**

(a) *General.* The SSAR conforms to the FAR with respect to divisional arrangements; i.e., subchapters, parts, subparts, sections, subsections, and paragraphs.

(b) *Numbering.* The FAR System of numbering permits the keying of the same or similar subject matter throughout Chapters 1 (FAR) and 23 (SSAR) of Title 48, CFR. However, SSA's system varies somewhat from that of the FAR numbering scheme, in the numbering to the left of the decimal point. Whereas the FAR only identifies the part number of 48 CFR to the left of the decimal point, our corresponding reference identifies the chapter as well. For example, the FAR paragraph corresponding to this SSAR paragraph is numbered 1.105-2(b) where "1" is the part number (may be one or two digits and is followed by a decimal point), "1" (to the right of the decimal point) is the subpart number, "05" (always two digits) is the section number, "2" is the subsection number (always hyphenated), and "(b)" is the paragraph reference. This SSAR reference is 2301.105-2(b) where the "23" is the chapter number assigned to SSA and the

"01" represents the part number (part numbers will always be two digits for agencies implementing the FAR). The remaining numbers to the right of the decimal point are identical to and reflect the same divisions as in the FAR numbering scheme.

(c) *References and citations.* (1)

Unless otherwise stated, references indicate parts, subparts, sections, subsections, etc., of this regulation, the SSAR.

(2) This regulation shall be referred to as the Social Security Acquisition Regulation (SSAR). Any reference may be cited as "SSAR" followed by the appropriate number. Within the SSAR, the number alone will be used.

(3) Citations of authority shall be incorporated where necessary. All FAR reference numbers shall be preceded by "FAR."

[FR Doc. 96-24278 Filed 9-26-96; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 20**

**RIN 1018-AD69**

**Migratory Bird Hunting; Late Seasons and Bag and Possession Limits for Certain Migratory Game Birds**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** This rule prescribes the hunting seasons, hours, areas, and daily bag and possession limits for general waterfowl seasons and those early seasons for which States previously deferred selection. Taking of migratory birds is prohibited unless specifically provided for by annual regulations. This rule permits taking of designated species during the 1996-97 season.

**EFFECTIVE DATE:** September 27, 1996.

**ADDRESSES:** The public may inspect comments during normal business hours in room 634, Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia.

**FOR FURTHER INFORMATION CONTACT:** Paul R. Schmidt, Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, ms 634—ARLSQ, 1849 C Street, NW., Washington, DC 20240, (703) 358-1714.

**SUPPLEMENTARY INFORMATION:**

Regulations Schedule for 1996

On March 22, 1996, the Service published in the Federal Register (61