

**FOR FURTHER INFORMATION CONTACT:**

Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-163 adopted August 30, 1996, and released September 25, 1996, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

The coordinates for Channel 279C1 at Pendleton are North Latitude 45-47-51 and West Longitude 118-22-17. Since the Wilson Creek is located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence of the Canadian government has been obtained. With this action, this proceeding is terminated.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

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: Sections 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

**Section 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Washington, is amended by removing Channel 277C3 and adding Channel 278C1 at Wilson Creek.

3. Section 73.202(b), the Table of FM Allotments under Oregon, is amended by removing Channel 278C1 and adding Channel 279C1 at Pendleton.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 96-26361 Filed 10-11-96; 8:45 am]

BILLING CODE 6712-01-F

**47 CFR Part 73**

[MM Docket No. 95-81; RM-8649]

**Radio Broadcasting Services; Temecula, CA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document allots Channel 277A to Temecula, California, as that community's second local FM service, in response to a petition for rule making filed on behalf of BEXT, Inc. See 60 FR 32130, June 20, 1995. Temecula is located within 320 kilometers (199 miles) of the United States-Mexico border and therefore, concurrence of the Mexican government in this proposal was obtained. Coordinates used for Channel 277A at Temecula are 33-29-37 North Latitude and 117-08-51 West Longitude. With this action, the proceeding is terminated.

**DATES:** Effective November 18, 1996. The window period for filing applications will open on November 18, 1996, and close on December 19, 1996.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180. Questions related to the window application filing process for Channel 277A at Temecula, California, should be addressed to the Audio Services Division, Mass Media Bureau, (202) 418-2700.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-81, adopted September 27, 1996, and released October 4, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, located at 1919 M Street, NW., Room 246, or 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

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: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under California, is amended by adding Channel 277A at Temecula.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 96-26363 Filed 10-11-96; 8:45 am]

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**47 CFR Part 73**

[MM Docket No. 96-11; RM-8742]

**Television Broadcasting Services; Waverly, NY and Altoona, PA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of WSKG Public Telecommunications Council, allots UHF TV Channel \*57- to Waverly, New York, and reserves it for noncommercial educational use, as the community's first local television service. In addition, the reference coordinates for vacant and unapplied-for UHF TV Channel \*57+ at Altoona, Pennsylvania, are modified. See 61 FR 6336, February 20, 1996. Channel \*57- can be allotted to Waverly in compliance with the Commission's minimum distance separation requirements with a site restriction of 5.1 kilometers (3.1 miles) north to avoid a short-spacing to Station WGBY-TV, Channel 57+, Springfield, MA, Station WNYS-TV, Channel 43+, Syracuse, NY, and Station CITY-TV, Channel 57, Toronto, Ontario, Canada, at coordinates 42-03-20 North Latitude and 76-32-05 West Longitude. The reference coordinates for Channel \*57+ at Altoona are changed to 40-24-01; 78-32-42, to reflect a transmitter site 18 kilometers (11.2 miles) southwest. Canadian concurrence in the allotment at Waverly and reference coordinate change at Altoona has been obtained since both communities are located within 400 kilometers (250 miles) of the U.S.-Canadian border. The allotment at Waverly is not affected by the temporary freeze imposed by the Commission on new television allotments in certain metropolitan areas but Altoona lies within the freeze zone of Pittsburgh, PA. Therefore, the freeze on applications with respect to Channel \*57+ at Altoona will continue in effect. With this action, this proceeding is terminated.

**DATES:** Effective November 12, 1996. The period for filing applications will open on November 12, 1996. If no acceptable applications are filed by December 13, 1996, there will be no additional opportunity to file applications for this channel allotment.

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 96-11, adopted September 20, 1996, and released September 27, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Television broadcasting.

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: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

#### **§ 73.606 [Amended]**

2. Section 73.606(b), the Table of Television Allotments under New York, is amended by adding Waverly, Channel \*57-

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 96-26362 Filed 10-11-96; 8:45 am]

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## **DEPARTMENT OF AGRICULTURE**

### **Procurement and Property Management**

#### **48 CFR Parts 401 through 453**

RIN 0599-AA00

#### **Agriculture Acquisition Regulation; Revision**

**AGENCY:** Procurement and Property Management, Agriculture.

**ACTION:** Final rule.

**SUMMARY:** The Department of Agriculture is publishing a revised Agriculture Acquisition Regulation (AGAR) as a final rule. We are revising the AGAR to reflect changes in acquisition law and regulations since the AGAR's last major revision in 1988,

to update organizational references throughout the AGAR, and to streamline the AGAR as part of the President's Regulatory Reform Initiative.

**EFFECTIVE DATE:** This regulation is effective November 14, 1996.

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

#### **SUPPLEMENTARY INFORMATION:**

##### I. Background

##### II. Analysis of comments

##### III. Procedural Requirements

- A. Executive Order Nos. 12866 and 12988.
- B. Regulatory Flexibility Act.
- C. Paperwork Reduction Act.
- D. Small Business Regulatory Enforcement Fairness Act.

##### I. Background

The AGAR implements the Federal Acquisition Regulation (FAR) (48 CFR Ch. 1) where further implementation is needed, and supplements the FAR when coverage is needed for subject matter not covered by the FAR. The AGAR is being revised as part of the National Performance Review (NPR) program to eliminate unnecessary regulations and improve those that remain in force.

As an initial step in the NPR regulatory review initiative, the Department of Agriculture (USDA) identified parts of the AGAR which required updating or streamlining. USDA's review indicated that almost all parts required revision. Accordingly, USDA has reviewed and made revisions to substantially all parts of the AGAR. In an Advance Notice of Proposed Rulemaking (61 FR 7456, February 28, 1996), USDA sought comments and suggestions from the public concerning what changes should be made to the AGAR. In a Notice of Proposed Rulemaking (61 FR 37032, July 16, 1996), USDA announced that the proposed revision of the AGAR was available for public review and comment during a 60 day comment period. The proposed rule was made available in hard copy, as an electronic file, and as a file on the Internet. The Department of Agriculture received comments on the proposed rule from 4 Departmental agencies. No comments were received from individuals, private business concerns (large or small), state or local governments, or other Federal agencies. In this rulemaking document, the Department of Agriculture is finalizing the proposed revision to the AGAR, with changes made to reflect certain comments received as well as recent amendments to the FAR.

##### II. Analysis of Comments

As noted, the Department of Agriculture has carefully considered the comments submitted in response to the

Notice of Proposed Rulemaking and, as discussed below, is modifying a few portions of the rule as proposed in adopting it as final. The discussion below is focused on the major areas of comment regarding the proposed rule changes.

One USDA agency commented that it was unclear why the public would need more than the FAR to understand USDA acquisition policy and procedures. We believe that an agency supplement to the FAR provides an accessible source of information about agency acquisition policies which may have an effect on businesses dealing with USDA. An agency supplement may also inform the public in general terms about which official or level of authority may control acquisition decisions within the agency. Furthermore, FAR subpart 1.3 requires that agency acquisition regulations be published in the Federal Register when they have a significant effect beyond the internal operating procedures of the agency or have a significant cost or administrative impact on contractors or offerors. The FAR also may require that FAR policies be implemented in accordance with agency regulations (see FAR 3.301), or may provide that agencies may deviate from FAR procedures if specified in agency acquisition regulations (see FAR 5.303(a)). USDA maintains the AGAR to provide implementing and supplementing regulations in accordance with these provisions of the FAR.

One USDA agency commented that the AGAR, whenever possible, designate the contracting officer as the official responsible for making acquisition determinations and carrying out responsibilities outlined in the FAR and the AGAR. Where this is not possible, the agency commented that the head of the contracting activity (HCA) should be designated as the responsible official with authority to redelegate to any level. We do not disagree that authority to conduct acquisitions and to manage contracts should be delegated to the lowest appropriate level. We have sought to do this throughout the AGAR to the extent permitted by the FAR. In some cases, we have sought to delegate authority to an intermediate level between the contracting officer and the HCA, such as the chief of the contracting office. "Chief of the contracting office" is a term used in the FAR and in the current AGAR, and may be applied by contracting activities to a level of authority consistent with their organizational structure. Accordingly, while we have corrected some references to authority levels which were inconsistent or confusing, we