

(c) The laboratory must comply with the basic inspection requirements of § 493.1773.

§ 493.1776 [Removed]

8. Section 493.1776 is removed.

9. Section 493.1777 is revised to read as follows:

§ 493.1777 Standard: Inspection of laboratories that have requested or have been issued a certificate of compliance.

(a) *Initial inspection.* (1) A laboratory issued a registration certificate must permit an initial inspection to assess the laboratory's compliance with the requirements of this part before HCFA issues a certificate of compliance.

(2) The inspection may occur at any time during the laboratory's hours of operation.

(b) *Subsequent inspections.* (1) HCFA or a HCFA agent may conduct subsequent inspections on a biennial basis or with such other frequency as HCFA determines to be necessary to ensure compliance with the requirements of this part.

(2) HCFA bases the nature of subsequent inspections on the laboratory's compliance history.

(c) *Provider-performed microscopy procedures.* The inspection sample for review may include testing in the subcategory of provider-performed microscopy procedures.

(d) *Compliance with basic inspection requirements.* The laboratory must comply with the basic inspection requirements of § 493.1773.

10. Section 493.1780 is revised to read as follows:

§ 493.1780 Standard: Inspection of CLIA-exempt laboratories or laboratories requesting or issued a certificate of accreditation.

(a) *Validation inspection.* HCFA or a HCFA agent may conduct a validation inspection of any accredited or CLIA-exempt laboratory at any time during its hours of operation.

(b) *Complaint inspection.* HCFA or a HCFA agent may conduct a complaint inspection of a CLIA-exempt laboratory or a laboratory requesting or issued a certificate of accreditation at any time during its hours of operation upon receiving a complaint applicable to the requirements of this part.

(c) *Noncompliance determination.* If a validation or complaint inspection results in a finding that the laboratory is not in compliance with one or more condition-level requirements, the following actions occur:

(1) A laboratory issued a certificate of accreditation is subject to a full review by HCFA, in accordance with subpart E of this part and § 488.11 of this chapter.

(2) A CLIA-exempt laboratory is subject to appropriate enforcement actions under the approved State licensure program.

(d) *Compliance with basic inspection requirements.* CLIA-exempt laboratories and laboratories requesting or issued a certificate of accreditation must comply with the basic inspection requirements in § 493.1773.

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program, Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: October 13, 1997.

Nancy-Ann Min DeParle,

Deputy Administrator, Health Care Financing Administration.

Dated: September 18, 1997.

David Satcher,

Director, Centers for Disease Control and Prevention.

Approved: February 2, 1998.

Donna E. Shalala,

Secretary.

[FR Doc. 98-12752 Filed 5-13-98; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF JUSTICE

48 CFR Part 2802 and 2846

[Justice Acquisition Circular 98-1]

Amendment to the Justice Acquisition Regulations (JAR Regarding: Definitions)

AGENCY: Justice Management Division, Justice.

ACTION: Final rule, correction.

SUMMARY: This document contains corrections to the final regulations (Justice Acquisition Regulations) that were published Thursday, April 2, 1998 (63 FR 16118-16136). The regulations related to the reissuance of the JAR to implement regulatory changes resulting from the Federal Acquisition Reform Act, the Federal Acquisition Streamlining Act and the recommendations of the National Performance Review.

EFFECTIVE DATE: May 14, 1998.

FOR FURTHER INFORMATION CONTACT: Janis Sposato, Procurement Executive, Justice Management Division (202) 514-3103.

SUPPLEMENTARY INFORMATION:

A. Background

The final regulations that are the subject of these corrections superseded

the 1985 version of the JAR and all amendments (Justice Acquisition Circulars 85-1 through 97-1) issued prior to the date of publication of that final rule.

B. Regulatory Flexibility Act

The Department of Justice 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 amendment sets forth only corrections to internal departmental procedures.

C. Paperwork Reduction Act

The final rule imposes no new information collection requirements that require approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980 (Pub. L. 96-511). All information collection requirements have been submitted to OMB. In those cases where an OMB control number has been assigned, the control number is included in the regulation.

List of Subjects in 48 CFR Parts 2802 and 2846

Government procurement.

Stephen R. Colgate,

Assistant Attorney General for Administration.

Accordingly, 48 CFR parts 2802 and 2846 are corrected by making the following correcting amendments.

1. The authority citation for 48 CFR Parts 2802 and 2846 continues to read as follows:

Authority: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 28 CFR 0.76(j).

PART 2802—DEFINITIONS OF WORDS AND TERMS—[CORRECTED]

2. On page 16121, in the middle of the first column, the citation set forth as Subpart 2.1—Definitions in the table of contents of part 2802 and in the accompanying text which immediately follows, is corrected to read as follows:

Subpart 2802.1—Definitions

PART 2802—QUALITY ASSURANCE—[CORRECTED]

3. On page 16134, in the lower third of the third column, under Part 2846, a paragraph number and title (2846.610, General) are added as set forth below, to the table of contents and the text that appears directly under Subpart 2846.6—Material Inspection and Receiving reports.

PART 2846—QUALITY ASSURANCE**Subpart 2846.6—Material Inspection and Receiving Reports****2846.601 General.****Subpart 2846.7—Warranties****2846.704 Authority for use of warranties.****Subpart 2846.6—Material Inspection and Receiving reports****§ 2846.601 General.**

Bureaus shall prescribe procedures and instructions for the use, preparation, and distribution of material inspection and receiving reports and commercial shipping document/packing lists to evidence Government inspection.

[FR Doc. 98-12791 Filed 5-13-98; 8:45 am]

BILLING CODE 4410-AR-M

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 23****RIN 1018-AE94**

Amendment to Appendix III Listing of Bigleaf Mahogany Under the Convention on International Trade in Endangered Species of Wild Fauna and Flora

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: This rule announces an amendment to the Appendix III listing of bigleaf mahogany (*Swietenia macrophylla*) under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES or Convention). The species in the Americas and its logs, sawn wood, and veneer sheets have been included in Appendix III since November 1995, based on an action by the Government of Costa Rica. The Government of Bolivia has recently supplied information to the CITES Secretariat to independently include its population in Appendix III to support its national legislation for the species and the need for cooperation of other CITES countries in controlling the international trade. The Service will consider any comments received on whether to enter a reservation on the Republic of Bolivia's action for its population.

DATES: The change to the Appendix III listing for the Bolivian population of the species as set forth in this rule entered into force on March 19, 1998, under the

terms of the Convention. This rule is effective on May 14, 1998.

ADDRESSES: Please send correspondence concerning the amendment announced in this rule to Chief, Office of Scientific Authority, ARLSQ 750; U.S. Fish and Wildlife Service; Washington, DC 20240; fax number 703-358-2276. Express and messenger deliveries should be addressed to Chief, Office of Scientific Authority, Room 750; U.S. Fish and Wildlife Service; 4401 North Fairfax Drive; Arlington, Virginia 22203.

The text of the Appendix III notification from the Convention's Secretariat is available on request, and related materials are available for public inspection by appointment from 8:00 a.m. to 4:00 p.m. Monday through Friday, at the above address in Arlington, Virginia.

Please send certificate/permit questions or any applications concerning this regulation to Chief, Office of Management Authority; U.S. Fish and Wildlife Service; 4401 North Fairfax Drive, Room 700; Arlington, Virginia 22203; fax number 703-358-2281. Express and messenger deliveries should be addressed to Chief, Office of Management Authority, at that Arlington address.

FOR FURTHER INFORMATION CONTACT: Dr. Susan Lieberman, Chief, Office of Scientific Authority, phone 703-358-1708, fax 703-358-2276, e-mail susan_lieberman@mail.fws.gov; or the Office of Management Authority, telephone 800-358-2104, e-mail r9oma_cites@mail.fws.gov

SUPPLEMENTARY INFORMATION:**Background**

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (TIAS 8249) regulates international trade in certain animal and plant species. The species for which trade in particular specimens is controlled are listed in Appendices I, II, and III to the Convention. Appendix III comprises the list of species subject to regulation within any CITES Party country that has requested the cooperation of the other Parties in regulating international trade in the specified specimens of the species.

This rule revises the list of CITES species that is reproduced in the U.S. Code of Federal Regulations (CFR) at 50 CFR 23.23(f). The current information following COP10 (see below) was published in the **Federal Register** of August 22, 1997 (62 FR 44627). As advanced by the Government of Bolivia pursuant to Article XVI paragraph 1 of the Convention, the present rule acknowledges that now both Bolivia and

Costa Rica have added *Swietenia macrophylla* (bigleaf mahogany [called mara or caoba]) to Appendix III in support of their domestic conservation measures and need for cooperation of other Parties.

The species continues to be included in Appendix III in the Americas (i.e., South America, Central America, the Caribbean, and North America), including only its logs, sawn wood, and veneer sheets as the parts or derivatives covered by the provisions of the Convention. Thus, products such as finished furniture are excluded. Moreover, export of specimens from plantations located outside the Americas is not regulated. (At COP10 in June 1997, the categories saw-logs, sawn wood, and veneers were revised slightly to the above for several such listings; cf. 62 FR 44627.)

The CITES Secretariat notified all Party countries on December 19, 1997 (in Notification No. 1011), of this addition to Appendix III by Bolivia of their population of this species. In accordance with Article XVI paragraph 2, such an amendment becomes effective 90 days after notification, in this case on March 19, 1998. All the shipments of bigleaf mahogany originating from Bolivia that are exported on or after that date must be accompanied by the appropriate documentation as required by CITES (usually an export permit), which is to be presented upon import to the Party countries.

International trade in Appendix III species and their parts and derivatives that are specified as being included requires the issuance of either an export permit, a certificate of origin, a re-export certificate, or a pre-Convention certificate, by the exporting or the re-exporting Party. An export permit, which signifies that the specimens were not obtained in contravention of the laws of that country for conservation, is required if the shipment originates from the Party that added the species to Appendix III, in this case Bolivia, as well as Costa Rica, which had earlier added the species to Appendix III, effective November 16, 1995 (see **Federal Register** of February 22, 1996, 61 FR 6793-6795).

Export from the other countries in the Americas requires the issuance of either a certificate from the country of origin, a certificate from the country of re-export, or a pre-Convention certificate (from the country of export). (The species is native from Bolivia and Brazil to Mexico.) These documents legally verify either: (1) that the specimens originated in a non-listing country; (2) that they are being re-exported after a