

Dated: June 3, 1998.

**Carol M. Browner,**  
Administrator.

For the reasons set forth in the preamble, the Environmental Protection Agency amends 40 CFR Part 141 as follows:

## **PART 141—NATIONAL PRIMARY DRINKING WATER REGULATIONS**

1. The authority citation for Part 141 continues to read as follows:

**Authority:** 42 U.S.C. 300f, 300g, 300g-1, 300g-2, 300g-3, 300g-4, 300g-5, 300g-6, 300j-4, and 300j-9.

2. Revise § 141.101 to read as follows:

### **§ 141.101 Use of bottled water.**

Public water systems shall not use bottled water to achieve compliance with an MCL. Bottled water may be used on a temporary basis to avoid unreasonable risk to health.

[FR Doc. 98-15448 Filed 6-10-98; 8:45 am]

BILLING CODE 6560-50-P

## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Part 76**

[CS Docket No. 96-46; FCC 97-130]

### **Open Video Systems**

**AGENCY:** Federal Communications Commission.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the final rules which were published in the **Federal Register** of Tuesday, May 13, 1997 (62 FR 26235). These regulations related to the filing requirements for open video system certification applications.

**DATES:** Effective date is May 13, 1997.

**FOR FURTHER INFORMATION CONTACT:** Carolyn A. Fleming, 202-418-1026.

### **SUPPLEMENTARY INFORMATION:**

#### **Background**

The final regulations that are the subject of these corrections were adopted in *Implementation of Section 302 of the Telecommunications Act of 1996, Open Video Systems* ("Fourth Report and Order"). The *Fourth Report and Order* amended our regulations to reflect the provisions of the Telecommunications Act of 1996 (the "1996 Act") which pertain to the filing requirements for certification applications, comments and oppositions, Notices of Intent and complaints concerning channel carriage.

### **Need For Correction**

As published, the final regulations contain errors which may prove to be misleading and need to be clarified. Certain language was inadvertently omitted from § 76.1502(d) as published in the rule changes.

### **List of Subjects in 47 CFR Part 76**

Cable television service, Open video systems, Certification.

Accordingly, 47 CFR Part 76 is corrected by making the following correcting amendments:

### **PART 76—CABLE TELEVISION SERVICE**

1. The authority citation for part 76 continues to read as follows:

**Authority:** 47 U.S.C. 151, 152, 153, 154, 301, 302, 303, 303a, 307, 308, 309, 312, 315, 317, 325, 503, 521, 522, 531, 532, 533, 534, 535, 536, 537, 543, 544, 544a, 545, 548, 552, 554, 556, 558, 560, 561, 571, 572, 573.

#### **§ 76.1502 [Corrected]**

2. In 76.1502, paragraph (d) is redesignated as paragraph (d)(2) and a new paragraph (d)(1) is added to read as follows:

\* \* \* \* \*

(d)(1) On or before the date an FCC Form 1275 is filed with the Commission, the applicant must serve a copy of its filing on all local communities identified pursuant to paragraph (c)(6) of this section and must include a statement informing the local communities of the Commission's requirements in paragraph (e) of this section for filing oppositions and comments. Service by mail is complete upon mailing, but if mailed, the served documents must be postmarked at least three days prior to the filing of the FCC Form 1275 with the Commission.

\* \* \* \* \*

Federal Communications Commission

**Magalie Roman Salas,**

Secretary.

[FR Doc. 98-15496 Filed 6-10-98; 8:45 am]

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## **DEPARTMENT OF DEFENSE**

### **48 CFR Part 204**

[DFARS Case 97-D039]

### **Defense Federal Acquisition Regulation Supplement; Contract Distribution to Defense Finance and Accounting Service Offices**

**AGENCY:** Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** The Director of Defense Procurement has issued a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to update requirements for distribution of contracts to the Defense Finance and Accounting Service and the Defense Contract Audit Agency, and to update references to publications and activity names and addresses.

**EFFECTIVE DATE:** June 11, 1998.

**FOR FURTHER INFORMATION CONTACT:** Melissa Rider, Defense Acquisition Regulations Council, PDUSD (A&T) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington DC 20301-3062. Telephone (703) 602-0131; telefax (703) 602-0350. Please cite DFARS Case 97-D039.

### **SUPPLEMENTARY INFORMATION:**

#### **A. Background**

This final rule amends DFARS Subpart 204.2 to add a requirement to distribute copies of contracts and modifications to the cognizant Defense Finance and Accounting Service (DFAS) accounting station, in addition to the DFAS funding office; to add an Internet address for obtaining the Directory of Defense Contract Audit Agency Offices; to clarify the types of fixed-price contracts that must be distributed to the Defense Contract Audit Agency; to reflect the change in name of the "Defense Subsistence Region, Europe" to the "Defense Supply Center Philadelphia European Region" and to remove an obsolete reference to a directory of contract administration services.

#### **B. Regulatory Flexibility Act**

The final rule does not constitute a significant revision within the meaning of FAR 1.501 and Public Law 98-577 and publication for public comment is not required. However, comments from small entities concerning the affected DFARS subpart will be considered in accordance with 5 U.S.C. 610. Such comments should cite DFARS Case 97-D039.

#### **C. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the final rule does not impose any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

**List of Subjects in 48 CFR Part 204**

Government procurement.

**Michele P. Peterson,**  
*Executive Editor, Defense Acquisition  
Regulations Council.*

Therefore, 48 CFR Part 204 is amended as follows:

1. Authority citation for 48 CFR Part 204 continues to read as follows:

**Authority:** 41 U.S.C. 421 and 48 CFR Chapter 1.

**PART 204—ADMINISTRATIVE MATTERS**

2. Section 204.201 is amended by adding paragraph (c) after paragraph 2, and by revising paragraph (e)(i) introductory text and paragraph (e)(i)(D) to read as follows:

**§ 204.201 Procedures.**

\* \* \* \* \*

(c) Distribute one copy to each Defense Finance and Accounting Service (DFAS) accounting station cited in the contract, in addition to the copy provided to each DFAS funding office.

(e)(i) Distribute one copy of each of the following types of contracts or modifications to the appropriate Defense Contract Audit Agency (DCAA) field audit office (listed in DCAAP 5100.1, Directory of DCAA Offices, available on the World Wide Web, Internet address <http://www.deskbook.osd.mil>, under reference library documents)—

\* \* \* \* \*

(D) Fixed-price contracts with provisions for redetermination, cost incentives, economic price adjustment based on cost, or cost allowability; and

\* \* \* \* \*

3. Section 204.202 is amended by revising paragraphs (1)(ii)(B) and (1)(iv) to read as follows:

**204.202 Agency distribution requirements.**

(1) \* \* \*

(ii) \* \* \*

(B) The Defense Logistics Agency is authorized to prescribe alternate procedures for distribution of contract documents in Defense Supply Center Philadelphia European Region;

\* \* \* \* \*

(iv) One copy to the contract administration office (CAO) automatic data processing point, except when the DoDAAD code is the same as that of either the CAO or payment office; and

\* \* \* \* \*

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BILLING CODE 5000-04-M

**DEPARTMENT OF DEFENSE****48 CFR Parts 222 and 252**

[DFARS Case 97-D318]

**Defense Federal Acquisition Regulation Supplement; Contractor Use of Nonimmigrant Aliens—Guam**

**AGENCY:** Department of Defense (DoD).

**ACTION:** Interim rule with request for comments.

**SUMMARY:** The Director of Defense Procurement has issued an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement Section 390 of the National Defense Authorization Act for Fiscal Year 1998. Section 390 requires that each DoD contract for base operations support to be performed on Guam prohibit performance of work under the contract by any alien who is issued a visa or otherwise provided nonimmigrant status under the Immigration and Nationality Act.

**DATES:** *Effective date:* June 11, 1998.

*Comment date:* Comments on the interim rule should be submitted in writing to the address shown below on or before August 10, 1998, to be considered in the formulation of the final rule.

**ADDRESSES:** Interested parties should submit written comments to: Defense Acquisition Regulations Council, Attn: Michael Pelkey, PDUSD (A&T) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telefax (703) 602-0350.

E-mail comments submitted over the Internet should be addressed to: [dfars@acq.osd.mil](mailto:dfars@acq.osd.mil)

Please cite DFARS Case 97-D318 in all correspondence related to this issue. E-mail comments should cite DFARS Case 97-D318 in the subject line.

**FOR FURTHER INFORMATION CONTACT:** Michael Pelkey, telephone (703) 602-0131.

**SUPPLEMENTARY INFORMATION:****A. Background**

This interim rule adds a new DFARS Subpart 222.73 and a new contract clause at DFARS 252.222-7005 to implement Section 390 of the National Defense Authorization Act for Fiscal Year 1998 (Pub. L. 105-85). Section 390 provides that each DoD contract for base operations support to be performed on Guam shall contain a condition that work under the contract may not be performed by any alien who is issued a visa or otherwise provided nonimmigrant status under Section 101(a)(15)(H)(ii) of the Immigration and

Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)).

**B. Regulatory Flexibility Act**

The interim rule is not expected to 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 application of the rule is limited to contracts for base operations support to be performed on Guam. Therefore, an initial regulatory flexibility analysis has not been performed. Comments are invited from small businesses and other interested parties. Comments from small entities concerning the affected DFARS subpart also will be considered in accordance with 5 U.S.C. 610. Such comments should be submitted separately and should cite DFARS Case 97-D318 in correspondence.

**C. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the interim rule does not impose any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

**D. Determination To Issue an Interim Rule**

A determination has been made under the authority of the Secretary of Defense that urgent and compelling reasons exist to promulgate this interim rule without prior opportunity for public comment. This interim rule implements Section 390 of the National Defense Authorization Act for Fiscal Year 1998, which requires that each DoD contract for base operations support to be performed on Guam prohibit performance of work under the contract by any alien worker who is issued a visa or otherwise provided nonimmigrant status under the Immigration and Nationality Act. Immediate implementation is necessary to preclude violation of Section 390, which was effective upon enactment on November 18, 1997. Comments received in response to the publication of this interim rule will be considered in the formulation of the final rule.

**List of Subjects in 48 CFR Parts 222 and 252**

Government procurement.

**Michele P. Peterson,**  
*Executive Editor, Defense Acquisition  
Regulations Council.*

Therefore, 48 CFR Parts 222 and 252 are amended as follows:

1. The authority citation for 48 CFR Parts 222 and 252 continues to read as follows: