

law enforcement's capacity requirements.

II. Capacity Requirements for Telecommunications Services Other Than Local Exchange Services, Cellular, and Broadband PCS

Given the dynamic nature of the telecommunications industry and the diverse nature of telecommunications services, the FBI has determined that it is in the best interest of all parties concerned that it solicit input from the telecommunications industry and other interested parties regarding the development of reasonable methodologies for characterizing capacity requirements for telecommunications services other than local exchange, cellular, and broadband PCS, prior to instituting a rulemaking proceeding.¹² The FBI is committed to the consultative process and to maintaining an on-going dialogue with the telecommunications industry. The FBI seeks to draw upon the expertise of industry to gain an understanding of the range of options available for expressing capacity requirements for various telecommunications services. Those services yet to be address by a notice of capacity include, but are not limited to:

- Traditional paging,
- Two-way paging,
- Narrowband PCS,
- MSS,
- SMR and ESMR,
- National and multi-rate services,
- Asynchronous transfer mode (ATM),
- X.25,
- Frame relay,
- Airplane telephony, and
- Railroad telephony.

Any telecommunications carriers whose services were not covered in the March 12, 1998 Final Notice of Capacity but are subject to CALEA, are strongly encouraged to comment on this NOI.

Commenters are asked to address the requirements regarding the basis for capacity notices set forth in CALEA section 104(a)(2):

The notices issued. * * *

(A) may be based upon the type of equipment, type of service, number of subscribers, type or size of carrier, nature of service area, or any other measure; and

(B) shall identify, to the maximum extent practicable, the capacity required at specific geographic locations.

Commenters should address approaches that are best suited to their specific services, with emphasis upon the capacity needed on a geographic basis. However, the FBI recognizes that

certain services may not lend themselves to geographic expression, and therefore also encourages comments on alternative means of characterizing capacity. Commenters are also asked to address any other service-specific capacity issues that the FBI should take into consideration when developing capacity methodologies. While different services will require different methods for characterizing capacity, commenters should review the methodology for determining capacity requirements set forth in the March 12, 1998 Final Notice of Capacity before preparing comments in this proceeding.¹³ Also, because CALEA does not define the term "expeditiously," this NOI solicits from interested parties suggestions for the appropriate length of time to be designated for incremental expansion to the maximum capacity.

The FBI is committed to giving all interested parties the opportunity for meaningful participation in CALEA and will continue to work with the telecommunications industry to develop capacity methodologies and notices of capacity for all telecommunications services subject to CALEA.¹⁴

This is a Notice of Inquiry proceeding where ex parte communications are permitted pursuant to 28 CFR 50.17.

[47 U.S.C. §§ 1001-1010]

Dated: December 15, 1998.

Louis J. Freeh,

*Director, Federal Bureau of Investigation,
Department of Justice.*

[FR Doc. 98-33634 Filed 12-17-98; 8:45 am]

BILLING CODE 4410-02-M

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on

construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is

¹² This action is considered a rulemaking under the Administrative Procedure Act, 5 U.S.C. § 553.

¹³ See 63 FR 12218, and 12224-12227 (March 12, 1998).

¹⁴ The FBI is acting in accordance with the rulemaking requirements of the Administrative Procedure Act, 5 U.S.C. 553.

encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, N.W., Room S-3014, Washington, D.C. 20210.

New General Wage Determination Decisions

Ohio
OH980038 (Dec. 18, 1998)

Modifications to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

Volume I

Connecticut
CT980001 (Feb. 13, 1998)
CT980003 (Feb. 13, 1998)
CT980004 (Feb. 13, 1998)

New York
NY980003 (Feb. 13, 1998)
NY980008 (Feb. 13, 1998)
NY980020 (Feb. 13, 1998)

Volume II

Maryland
MD980002 (Feb. 13, 1998)
MD980010 (Feb. 13, 1998)
MD980015 (Feb. 13, 1998)
MD980019 (Feb. 13, 1998)
MD980023 (Feb. 13, 1998)
MD980024 (Feb. 13, 1998)
MD980026 (Feb. 13, 1998)
MD980031 (Feb. 13, 1998)
MD980043 (Feb. 13, 1998)
MD980055 (Feb. 13, 1998)

Virginia
VA980101 (Feb. 13, 1998)

Maryland
INDEX (Feb. 13, 1998)

Volume III

Florida
FL980016 (Feb. 13, 1998)
FL980017 (Feb. 13, 1998)
FL980032 (Feb. 13, 1998)
FL980076 (Feb. 13, 1998)

Volume IV

Illinois
IL980051 (Feb. 13, 1998)

Indiana
IN980002 (Feb. 13, 1998)

Ohio
OH980001 (Feb. 13, 1998)
OH980002 (Feb. 13, 1998)
OH980003 (Feb. 13, 1998)
OH980026 (Feb. 13, 1998)

OH980029 (Feb. 13, 1998)
OH980034 (Feb. 13, 1998)
OH980038 (Feb. 13, 1998)
INDEX (Feb. 13, 1998)

Volume V

Iowa
IA980005 (Feb. 13, 1998)
Kansas
KS980007 (Feb. 13, 1998)
KS980009 (Feb. 13, 1998)
KS980013 (Feb. 13, 1998)
KS980015 (Feb. 13, 1998)
KS980016 (Feb. 13, 1998)
KS980019 (Feb. 13, 1998)
KS980021 (Feb. 13, 1998)
KS980023 (Feb. 13, 1998)
KS980025 (Feb. 13, 1998)

Texas
TX980001 (Feb. 13, 1998)
TX980002 (Feb. 13, 1998)
TX980003 (Feb. 13, 1998)
TX980007 (Feb. 13, 1998)
TX980008 (Feb. 13, 1998)
TX980009 (Feb. 13, 1998)
TX980016 (Feb. 13, 1998)
TX980019 (Feb. 13, 1998)
TX980033 (Feb. 13, 1998)
TX980034 (Feb. 13, 1998)
TX980037 (Feb. 13, 1998)
TX980064 (Feb. 13, 1998)
TX980069 (Feb. 13, 1998)
TX980081 (Feb. 13, 1998)

Volume VI

None

Volume VII

None

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon and Related Acts." This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

The general wage determinations issued under the Davis-Bacon and related Acts are available electronically by subscription to the FedWorld Bulletin Board System of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1-800-363-2068.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the seven separate volumes, arranged by State. Subscriptions include an annual

edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates are distributed to subscribers.

Signed at Washington, DC this 11th day of December 1998.

Margaret J. Washington,

Acting Chief, Branch of Construction Wage Determinations.

[FR Doc. 98-33314 Filed 12-17-98; 8:45 am]

BILLING CODE 4510-27-M

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Fee Adjustments for Testing, Evaluation, and Approval of Mining Products

AGENCY: Mine Safety and Health Administration (MSHA), Labor.

ACTION: Notice of fee adjustments.

SUMMARY: This notice revises our [MSHA Approval and Certification Center (A&CC)] user fees. Fees compensate us for the costs that we incur for testing, evaluating, and approving certain products for use in underground mines. We based the 1999 fees on our actual expenses for fiscal year 1998. The fees reflect changes both in our approval processing operations and in our costs to process approval actions.

DATES: These fee schedules are effective from January 1, 1999 through December 31, 1999.

FOR FURTHER INFORMATION CONTACT: Steven J. Luzik, Chief, Approval and Certification Center (A&CC), 304-547-2029 or 304-547-0400.

SUPPLEMENTARY INFORMATION:

Background

On May 8, 1987 (52 FR 17506), we published a final rule, 30 CFR Part 5—Fees for Testing, Evaluation, and Approval of Mining Products. The rule established specific procedures for calculating, administering, and revising user fees. We have revised our fee schedule for 1999 in accordance with the procedures of that rule and include this new fee schedule below. For approval applications postmarked before January 1, 1999, we will continue to calculate fees under the previous (1998) fee schedule, published on December 24, 1997.

Fee Computation

In general, we computed the 1999 fees based on fiscal year 1998 data. We calculated a weighted-average, direct