

stated, the radiated limits shown are based on the use of measurement instrumentation employing an average detector function. When average radiated emission measurements are specified in the regulations, including emission measurements below 1000 MHz, there is also a limit on the radio frequency emissions, as measured using instrumentation with a peak detector function, corresponding to 20 dB above the maximum permitted average limit for the frequency being investigated. Unless otherwise specified, measurements above 1000 MHz shall be performed using a minimum resolution bandwidth of 1 MHz. Measurements of AC power line conducted emissions are performed using a CISPR quasi-peak detector, even for devices for which average radiated emission measurements are specified.

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5. Section 15.205 is amended by adding a new paragraph (d)(4) to read as follows:

§ 15.205 Restricted bands of operation.

* * * * *

(d) * * *

(4) Any equipment operated under the provisions of § 15.253 or § 15.255.

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6. A new § 15.253 is added to Subpart C to read as follows:

§ 15.253 Operation within the bands 46.7–46.9 GHz and 76.0–77.0 GHz.

(a) Operation within the bands 46.7–46.9 GHz and 76.0–77.0 GHz is restricted to vehicle-mounted field disturbance sensors used as vehicle radar systems. The transmission of additional information, such as data, is permitted provided the primary mode of operation is as a vehicle-mounted field disturbance sensor. Operation under the provisions of this section is not permitted on aircraft or satellites.

(b) The radiated emission limits within the bands 46.7–46.9 GHz and 76.0–77.0 GHz are as follows:

(1) If the vehicle is not in motion, the power density of any emission within the bands specified in this section shall not exceed 200 nW/cm² at a distance of 3 meters from the exterior surface of the radiating structure.

(2) For forward-looking vehicle-mounted field disturbance sensors, if the vehicle is in motion the power density of any emission within the bands specified in this section shall not exceed 60 µW/cm² at a distance of 3 meters from the exterior surface of the radiating structure.

(3) For side-looking or rear-looking vehicle-mounted field disturbance sensors, if the vehicle is in motion the

power density of any emission within the bands specified in this section shall not exceed 30 µW/cm² at a distance of 3 meters from the exterior surface of the radiating structure.

(c) The power density of any emissions outside the operating band shall consist solely of spurious emissions and shall not exceed the following:

(1) For vehicle-mounted field disturbance sensors operating in the band 46.7–46.9 GHz: 2 pW/cm² at a distance of 3 meters from the exterior surface of the radiating structure.

(2) For forward-looking vehicle-mounted field disturbance sensors operating in the band 76–77 GHz: 600 pW/cm² at a distance of 3 meters from the exterior surface of the radiating structure.

(3) For side-looking or rear-looking vehicle-mounted field disturbance sensors operating in the band 76–77 GHz: 300 pW/cm² at a distance of 3 meters from the exterior surface of the radiating structure.

(4) Radiated emissions below 40 GHz shall not exceed the general limits in § 15.209.

(d) The provisions in § 15.35 limiting peak emissions apply.

(e) Fundamental emissions must be contained within the frequency bands specified in this section during all conditions of operation. Equipment is presumed to operate over the temperature range –20 to +50 degrees celsius with an input voltage variation of 85% to 115% of rated input voltage, unless justification is presented to demonstrate otherwise.

(f) Regardless of the power density levels permitted under this section, devices operating under the provisions of this section must comply with the requirements of the RF safety standards specified in § 1.1307(b) of this chapter. Compliance with these standards for the fundamental emissions and the unwanted emissions must be demonstrated in the application for certification.

7. A new § 15.255 is added to Subpart C and suspended to read as follows:

§ 15.255 Operation within the band 59.0–64.0 GHz.

(a) Operation under the provisions of this section is not permitted for field disturbance sensors, including vehicle radar systems, nor is the operation of this equipment permitted on aircraft or satellites.

(b) Within the 59.0–64.0 GHz band, the power density of any emission shall not exceed 9 µW/cm² at a distance of 3 meters.

(c) The power density of any emissions outside the 59.0–64.0 GHz

band shall consist solely of spurious emissions and shall not exceed 90 pW/cm² at a distance of 3 meters. The levels of the spurious emissions shall not exceed the level of the fundamental emission.

(d) Radiated emissions below 40 GHz shall not exceed the general limits in § 15.209.

(e) The provisions in § 15.35 limiting peak emissions apply.

(f) Fundamental emissions must be contained within the frequency bands specified in this section during all conditions of operation. Equipment is presumed to operate over the temperature range –20 to +50 degrees celsius with an input voltage variation of 85% to 115% of rated input voltage, unless justification is presented to demonstrate otherwise.

(g) Regardless of the power density levels permitted under this section, devices operating under the provisions of this section must comply with the requirements of the RF safety standards specified in § 1.1307(b) of this chapter. Compliance with these standards for the fundamental emissions and the unwanted emissions must be demonstrated in the application for certification. The use of professional installation to install the equipment is not sufficient to provide this demonstration.

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47 CFR Part 73

[MM Docket No. 95–169; RM–8722]

Radio Broadcasting Services; Machias, ME

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 266B to Machias, Maine, in response to a request from Dr. James Whalen. See 60 FR 62061, December 4, 1995. The coordinates for Channel 266B are 44–45–22 and 67–36–50. There is a site restriction 12.8 kilometers (7.9 miles) west of the community. Canadian concurrence has been obtained for this allotment. With this action, this proceeding is terminated.

DATES: Effective May 10, 1996. The window period for filing applications will open on May 10, 1996, and close on June 10, 1996.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-169, adopted March 15, 1996, and released March 26, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission'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 Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857-3800.

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 Maine, is amended by adding Channel 266B at Machias.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 96-7891 Filed 4-1-96; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

48 CFR Parts 1516 and 1552

[FRL-5449-9]

Acquisition Regulation; Cost-Sharing Contracts

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document adds coverage to the EPA Acquisition Regulation (EPAAR) on cost-sharing contracts. This rule is necessary to provide Contracting Officers guidance for awarding and administering cost-sharing contracts.

EFFECTIVE DATE: April 17, 1996.

FOR FURTHER INFORMATION CONTACT: Paul Schaffer at (202) 260-9032, Environmental Protection Agency, 401 M Street SW., Washington, DC 20460 (Mail Code 3802F).

SUPPLEMENTARY INFORMATION:

A. Background

Cost-sharing applies only to contracts awarded by EPA in which the Government and contractor agree to share in the costs of a project. Cost-sharing is relevant when a contractor has the opportunity to acquire technology, expertise or other benefits which will enable the contractor to profit after contract completion. Generally, potential benefits to the contractor are less likely where basic research is involved and the extent of commercial application is unknown.

A proposed rule was published in the Federal Register for public comment on August 17, 1995 (60 FR 42828). No comments were received.

B. Executive Order 12866

This rule is not a significant regulatory action as defined in Executive Order 12866. Therefore, no review is required at the Office of Information and Regulatory Affairs within OMB.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this rule does not propose any information collection requirements which would require the approval of OMB under 44 U.S.C. 3501, et seq.

D. Regulatory Flexibility Act

The EPA certifies this rule does not exert a significant economic impact on a substantial number of small entities. The rule primarily establishes EPA policies and internal procedures for awarding and administering cost sharing contracts. The contract clause will require small entities to maintain records for costs claimed as its cost share.

Most small entities should presently be compiling information in their accounting systems for all costs incurred under cost reimbursable contracts in order to monitor financial progress under a contract. Any adjustments to existing accounting systems should require only minimal cost and effort. The EPA certifies this rule will have no significant impact on small entities. Therefore, no regulatory flexibility analysis has been prepared.

E. Unfunded Mandates

This rule will not impose unfunded mandates on state or local entities, or others.

List of Subjects in 48 CFR Parts 1516 and 1552

Government procurement, Solicitation provisions and contract clauses.

For the reasons set out in the preamble, Chapter 15 of Title 48 Code of Federal Regulations is amended as set forth below:

1. The authority citation for Parts 1516 and 1552 continues to read as follows:

Authority: Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c).

2. Section 1516.303 is added to read as follows:

1516.303 Cost-sharing contracts.

1516.303-71 Definition.

Cost-sharing is a generic term denoting any situation where the Government does not fully reimburse a contractor for all allowable costs necessary to accomplish the project under the contract. This term encompasses cost-matching and cost-limitations, in addition to cost-sharing. Cost-sharing does not include usual contractual limitations such as indirect cost ceilings in accordance with FAR 42.707, or ceilings on travel or other direct costs. Cost-sharing contracts may be required as a result of Congressional mandate.

1516.303-72 Policy.

(a) The Agency shall use cost-sharing contracts where the principal purpose is ultimate commercialization and utilization of technologies by the private sector. There should also be a reasonable expectation of future economic benefits for the contractor and the Government beyond the Government's contract.

(b) Cost-sharing may be accomplished by a contribution to either direct or indirect costs, provided such costs are reasonable, allocable and allowable in accordance with the cost principles of the contract. Allowable costs which are absorbed by the contractor as its share of contract costs may not be charged directly or indirectly to the Agency or the Federal Government.

(c) Unsolicited proposals will be considered on a case-by-case basis by the Contracting Officer as to the appropriateness of cost-sharing.

1516.303-73 Types of cost-sharing.

(a) Cost-sharing may be accomplished in various forms or combinations. These include, but are not limited to: cash outlays, real property or interest therein, personal property or services, cost matching, or other in-kind contributions.