

24.720 is amended by revising the heading of paragraph (b); redesignating paragraphs (b)(2) and (b)(3) as paragraphs (b)(3) and (b)(4) and revising them; redesignating paragraph (l)(11)(i) as paragraph (l)(11) and removing paragraph (l)(11)(ii); adding new paragraphs (b)(2) and (b)(5); and revising paragraphs (c)(2), (e), (f), (g), (j)(2), (n)(1), (n)(3) and (n)(4) * * *."

As corrected, paragraph (l)(11) reads as follows:

§ 24.720 Definitions.

* * * * *

(l) * * *

(11) For purposes of §§ 24.709(a)(2) and paragraphs (b)(2) and (d) of this section, Indian tribes or Alaska Regional or Village Corporations organized pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 *et seq.*), or entities owned and controlled by such tribes or corporations, are not considered affiliates of an applicant (or licensee) that is owned and controlled by such tribes, corporations or entities, and that otherwise complies with the requirements of § 24.709 (b)(3) and (b)(5) or § 24.709 (b)(4) and (b)(6), except that gross revenues derived from gaming activities conducted by affiliated entities pursuant to the Indian Gaming Regulatory Act (25 U.S.C. 2701 *et seq.*) will be counted in determining such applicant's (or licensee's) compliance with the financial requirements of § 24.709(a) and paragraphs (b) and (d) of this section, unless such applicant establishes that it will not receive a substantial unfair competitive advantage because significant legal constraints restrict the applicant's ability to access such gross revenues.

* * * * *

Dated: September 25, 1996.

Federal Communications Commission
Kathleen O'Brien Ham,
Chief, Auctions Division, Wireless
Telecommunications Bureau.

[FR Doc. 96-25136 Filed 9-30-96; 8:45 am]

BILLING CODE 6712-01-P

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

**48 CFR Parts 702, 706, 715, 716, 722,
726, 733, 737, and 752**

[AIDAR Notice 96-1]

RIN 0412-AA29

Miscellaneous Amendments to Acquisition Regulations; Corrections

AGENCY: U.S. Agency for International
Development (USAID), IDCA.

ACTION: Final rule; Correction.

SUMMARY: This document contains corrections to rule document 96-18495, AIDAR Notice 96-1, Miscellaneous Amendments to Acquisition Regulations, in the issue of Friday, July 26, 1996 (61 FR 39089).

EFFECTIVE DATE: October 31, 1996.

FOR FURTHER INFORMATION CONTACT:
M/OP/P, Ms. Diane M. Howard, (703)
875-1310.

SUPPLEMENTARY INFORMATION: AIDAR Notice 96-1, Miscellaneous Amendments to Acquisition Regulations, published on July 26, 1996 (61 FR 39089), contained 59 amendments to the AID Acquisition Regulation (AIDAR). Several omissions from and errors in the Notice have been identified and require corrective action. The specific corrections to the Notice are:

(1) The Preamble and section 702.170-13 are corrected to show the new Agency Procurement Executive.

(2) Three amendments, numbers 15, 18 and 46, should have included language to reserve the section heading (in #15 for section 715.605), the Subpart heading (in #18 for Subpart 716.5) and the Part heading (in #46 for Part 737), respectively.

(3) Amendment 26 redesignated section 722.103-70 as 722.103-1 which already existed with the title "Definitions". This part of the Amendment should have removed the heading "722.103-70 Compensatory time off." and allowed the definition that followed this heading to fall under the existing 722.103-1. The entire instruction is corrected, even though the remaining instructions under this Amendment were right.

(4) Section 726.302 was omitted from the chart in Amendment 37 and should have been redesignated as 726.7008, and the heading for subpart 726.3 should be removed; further, several references in section 706.302-71 require correction due to the redesignations of 726.101 to 726.7002 and 726.103 to 726.7004.

(5) FAC 90-40 was published on the same day as AIDAR Notice 96-1 and contained changes to FAR 33.103 which in turn rendered incorrect references in Amendment 43, which revised new sections 733.103-71 and 733.103-72.

(6) Amendment 44 incorrectly redesignated sections 733.7101 and 733.7102 as 733.2701 and 733.2702, respectively; the correct redesignations should be 733.270-1 and 733.270-2, respectively.

(7) Amendment 58 incorrectly removed "living quarters allowance". The phrase that should have been removed was "temporary lodging allowance", since this is the term that "temporary quarters subsistence allowance" replaced in the Standardized Regulations (Government Civilians, Foreign Areas) upon which these allowances are based.

Correction of Publication

Accordingly, the publication on July 26, 1996 of final rule [AIDAR Notice 96-1] Miscellaneous Amendments to Acquisition Regulations (61 FR 39089), the subject of FR document 96-18495, is corrected as follows:

1. In the Preamble on page 39090, in the first column under D. Administrative Changes and Clarifications, items (2) through (9) are redesignated as (3) through (10) respectively, and insert item (2) to read as follows: "(2) Section 702.170-13 is amended to name the new Agency Procurement Executive."

702.170 [Corrected]

2. On page 39091 in the second column, between amendatory instruction 8 and the heading for Part 706—Competition Requirements, insert the following:

8a. Paragraph (b) of section 702.170-13 is amended in the first sentence by removing "Mr. Michael D. Sherwin, the Principal Deputy Assistant Administrator for Management" and replacing it with "Mr. Marcus L. Stevenson, the Director, Office of Procurement, Bureau for Management", in the second sentence by removing "Mr. Sherwin" and replacing it with "Mr. Stevenson", and in the third sentence by removing "Principal Deputy Assistant Administrator" and replacing it with "Director, Office of Procurement".

706.302-71 [Corrected]

3. On the same page and column, between amendatory instruction 9 and the heading for Part 709—Contractor Qualifications, insert the following:

706.302-71 [Amended]

9a. In section 706.302-71, paragraph (a)(2) is amended by removing "726.101" wherever it appears and replacing it with "726.7002", and paragraph (b) is amended by removing "726.103" and replacing it with "726.7004".

715.605 [Corrected]

4. On the same page in the third column, in amendatory instruction 15, insert "and 715.605 is reserved" after "removed".

716.501 [Corrected]

5. On page 39092, in the first column, in amendatory instruction 18, insert "and Subpart 716.5 is reserved" after "removed".

722.103 [Corrected]

6. In the second column on the same page, amendatory instruction 26 is corrected to read as follows:

26. The heading "722.103-70 Compensatory time off." is removed and Sections 722.103-2 and 722.103-4 respectively, and section 722.103-3 is added and reserved.

726.101-726.310 [Corrected]

7. On page 39093, in the third column, in the chart under amendatory instruction 37, insert "726.302" below "726.301 under "Old section", and "726.7008" below "726.7007" under "New section"; in instruction 37a, "Subpart 726.2 is" is corrected to read "Subparts 726.2 and 726.3 are".

733.103-71 [Corrected]

8. On page 39094, in the third column, under section 733.103-71, in paragraph (b) on the third line, "33.103(b)(3)" is corrected to read "33.103(d)(2)", and in paragraph (c) on the first line, "protestor" is corrected to read "protester".

733.103-72 [Corrected]

9. On the same page and column, in section 733.103-72, paragraph (b) is corrected to read as follows:

(b) Contracting Officer. The Contracting Officer is responsible for requesting an extension of time for acceptance of offers as described in FAR 33.103(f)(2).

733.27 [Corrected]

10. On page 39095, in the first column, in amendatory instruction 44 on the fourth line, "733.2701" and "733.2702" are corrected to read "733.270-1" and "733.270-2" respectively.

PART 737.2—CORRECTED

11. On the same page and column, in amendatory instruction 46, insert "and Part 737 is reserved" after "removed".

752. 7028 [Corrected]

12. On page 39096, in the second column, in lines six and seven of amendatory instruction 58, "living quarters allowance" is corrected to read "temporary quarters allowance".

Dated: September 18, 1996.

Marcus L. Stevenson,
Procurement Executive.

[FR Doc. 96-25059 Filed 9-30-96; 8:45 am]

BILLING CODE 6116-01-M

DEPARTMENT OF TRANSPORTATION**Research and Special Programs Administration****49 CFR Part 171**

[Docket HM-207C, Amdt. No. 171-141]

RIN 2137-AC63

Exemption, Approval, Registration and Reporting Procedures; Miscellaneous Provisions

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Response to petition for reconsideration.

SUMMARY: RSPA is publishing a letter in which it denied a petition for reconsideration of a provision in the final rule in the HM-207C proceeding which revised procedures for applying for exemptions and established procedures for applying for approvals, and registering and filing reports with RSPA. That provision deleted a paragraph that specified when State or local hazardous waste requirements would be preempted.

EFFECTIVE DATE: The effective date for the final rule published under Docket HM-207C on May 9, 1996 (61 FR 21084) remains October 1, 1996.

FOR FURTHER INFORMATION CONTACT: Kathleen Stokes Molinar, Office of the Chief Counsel, (202) 366-4400, or Diane LaValle, Office of Hazardous Materials Standards, (800) 467-4922, RSPA, US Department of Transportation, 400 7th Street S.W., Washington, D.C. 20590-0001.

SUPPLEMENTARY INFORMATION: On May 9, 1996, RSPA published a final rule which amended the Hazardous Materials Regulations by changing and clarifying RSPA's procedures and requirements for its exemptions, approvals, registration, reporting,

preemption, and enforcement procedures and programs. These changes and clarifications included a modification of 49 CFR 171.3 pertaining to hazardous waste.

RSPA deleted 49 CFR 171.3(c) concerning preemption of State or local hazardous waste transportation requirements. That section preempted a requirement if it applied because the material in issue was a waste material and if the non-Federal requirement applied differently from, or in addition to, the HMR requirements concerning packaging, marking, labeling, or placarding, format or contents of discharge reports, and format or contents of shipping papers (including hazardous waste manifests).

RSPA received one petition for reconsideration of this issue. On September 20, 1996, RSPA denied the petition for reconsideration in a letter which has been sent to the petitioner. This document publishes verbatim the letter of denial as follows:

September 20, 1996.

Mr. Charles Dickhut,

Chairman, Association of Waste Hazardous Materials Transporters, 2200 Mill Road, Alexandria, Virginia 22314

Dear Mr. Dickhut: This letter responds to your May 22, 1996 Petition for Reconsideration (Petition) regarding a provision of the Final Rule issued under Docket HM-207C, published in the Federal Register on May 9, 1996, at 61 FR 21084. The Petition requests that the Research and Special Programs Administration (RSPA) reconsider the decision to delete 49 C.F.R. 171.3(c), which provided that certain requirements of a State or political subdivision pertaining to hazardous waste which applied differently from, or were in addition to, the Federal requirements would be found to be inconsistent with the Federal requirements.

The Petition is based upon four considerations. First, you state that "no mention, let alone justification, of RSPA's intent to delete the provision was included in the notice of proposed rulemaking on docket HM-207C," and you further state that "no support was voiced for this amendment. On the other hand, several comments asked that the provision be retained." Second, you state that 49 C.F.R. 171.3(c) has served as regulatory support for voluntary harmonization of non-Federal requirements with Federal requirements. Third, you contend that where voluntary harmonization has not been achieved, 49 C.F.R. 171.3(c) has been relied upon and cited by RSPA in each binding preemption determination issued since 1990 which has dealt exclusively with hazardous waste. Fourth, you assert that deletion of 49 C.F.R. 171.3(c) undermines the Congressional mandate for implementation of a uniform program of regulation for the transportation of hazardous waste.