

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission  
John A. Karousos,  
*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*  
[FR Doc. 97-49 Filed 1-2-97; 8:45 am]  
BILLING CODE 6712-01-P

#### 47 CFR Part 73

[MM Docket No. 96-258; RM-8967]

##### Radio Broadcasting Services; Valdez, AK

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed on behalf of North Wave Communications, Inc., seeking the allotment of FM Channel 227A to Valdez, Alaska, as that community's first local FM transmission service. Coordinates used for this proposal are 61-07-00 and 146-16-00. As Valdez, Alaska, is located within 320 kilometers (199 miles) of the Canadian border, the Commission must obtain the concurrence of the Canadian government to this proposal.

**DATES:** Comments must be filed on or before February 18, 1997, and reply comments on or before March 5, 1997.

**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Michael H. Bader, Esq., Haley Bader & Potts, P.L.C., 4350 North Fairfax Drive, Suite 900, Arlington, VA 22203-1633.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 96-258, adopted December 20, 1996, and released December 27, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC'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 Service,

Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission  
John A. Karousos,  
*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*  
[FR Doc. 97-48 Filed 1-2-97; 8:45 am]  
BILLING CODE 6712-01-P

#### 47 CFR Part 73

[MM Docket No. 96-260, RM-8965]

##### Radio Broadcasting Services; Mankato, Minnesota

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Mid-Minnesota Broadcasting Company proposing the allotment of Channel 231A to Mankato, Minnesota. The coordinates for Channel 231A at Mankato are 44-10-12 and 94-00-24.

**DATES:** Comments must be filed on or before February 18, 1997, and reply comments on or before March 5, 1997.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Abdolmajid Khalizadeh, Philip A. Rubin & Associates, Inc., 1350 Connecticut Avenue, Suite 610, Washington, DC 20036.

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

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 96-260, adopted December 20, 1996, and released December 27, 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, D.C. 20037, (202) 857-3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission  
John A. Karousos,  
*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*  
[FR Doc. 97-45 Filed 1-2-97; 8:45 am]  
BILLING CODE 6712-01-P

#### 47 CFR Part 73

[MM Docket No. 96-257, RM-8966]

##### Radio Broadcasting Services; Cloudcroft, New Mexico

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Robert J. Flotte seeking the allotment of Channel 250C1 to Cloudcroft, New Mexico, as the community's first local aural transmission service. Channel 250C1 can be allotted to Cloudcroft in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 32-57-30 North Latitude and 105-44-42 West Longitude. Mexican concurrence in the allotment is required since the community is located within 320 kilometers (199 miles) of the U.S.-Mexican border.

**DATES:** Comments must be filed on or before February 18, 1997, and reply comments on or before March 5, 1997.

**ADDRESSES:** Federal Communications Commission, Washington, D.C. 20554.

In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Barry D. Wood, Esq., Mark A. Brinton, Esq., Jones, Waldo, Holbrook & McDonough, P.C., 2300 M Street NW., Suite 900, Washington, DC 20037 (Counsel to petitioner).

**FOR FURTHER INFORMATION CONTACT:**

Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 96-257, adopted December 20, 1996, and released December 27, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

**List of Subjects in 47 CFR Part 73**

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 97-40 Filed 1-2-97; 8:45 am]

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**DEPARTMENT OF DEFENSE**

**48 CFR Parts 225, 231, and 242**

[DFARS Case 95-D040]

**Defense Federal Acquisition Regulation Supplement; Independent Research and Development/Bid and Proposal Costs for FY96 and Beyond**

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

**ACTION:** Proposed rule with request for comment.

**SUMMARY:** The Department of Defense is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to reflect proposed changes to the Federal Acquisition Regulation (FAR) to treat Independent Research and Development and Bid and Proposal cost for fiscal year 1996 and beyond as fully allowable, subject only to the FAR normal standards of reasonableness and allocability.

**DATES:** Comments on the proposed rule should be submitted in writing to the address shown below on or before March 4, 1997, to be considered in the formulation of the final rule.

**ADDRESSES:** Interested parties should submit written comments to, Defense Acquisition Regulations Council, Attn: Ms. Sandra G. Haberlin, PDUSD (A&T) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062, telefax number (703) 602-0350. Please cite DFARS Case 95-D040 in all correspondence related to this issue.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandra Haberlin, at (703) 602-0131. Please cite DFARS Case 95-D040.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

The current Independent Research and Development (IR&D)/Bid and Proposal (B&P) cost principle at DFARS 231.205-18 covers the limited allowability of IR&D/B&P costs for major contractors through a 3-year transition period (fiscal years 1993-1995), based on the requirements of section 802 of the National Defense Authorization Act for fiscal years 1992 and 1993 (Pub. L. 102-190). Section 802 does not address the allowability of IR&D/B&P costs after fiscal year 1995. This proposed DFARS rule supplements a proposed FAR rule (FAR Case 95-032), which treats IR&D/B&P costs for fiscal year 1996 and beyond as 100 percent allowable for all contractors, subject only to the FAR normal standards of reasonableness and allocability. The proposed FAR rule was published in the Federal Register on November 14, 1996 (61 FR 58452). In addition, this DFARS rule continues to require, in accordance with 10 U.S.C. 2372, that IR&D/B&P activities of major contractors have a potential interest to DoD for the costs to be allowable.

The proposed DFARS rule revises 231.205-18 and 242.771 to delete (1) the requirement for advance agreement negotiations or formal IR&D technical reviews and evaluations after contractors' fiscal year 1992; and (2) the limited allowability restriction of IR&D/B&P costs for fiscal years 1993-1995. Also, the rule revises 225.7303-2(c) to indicate that the "potential interest to

DoD" requirement of DFARS 231.205-18(c)(3) does not apply to contracts for foreign military sales.

**B. Regulatory Flexibility Act**

The proposed 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 most contracts awarded to small entities use simplified acquisition procedures or are awarded on a competitive fixed-price basis and do not require application of the cost principle contained in this rule. An initial regulatory flexibility analysis, therefore, has not been performed. Comments are invited from small businesses and other interested parties. Comments from small entities concerning the affected DFARS subparts also will be considered in accordance with Section 610 of the Act. Such comments must be submitted separately and cite DFARS Case 95-D040 in correspondence.

**C. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the proposed rule does not impose any new recordkeeping, information collection requirements, or collections of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 225, 231, and 242

**Government procurement**

Michele P. Peterson,

Executive Editor, Defense Acquisition Regulations Council.

Therefore, it is proposed that 48 CFR Parts 225, 231, and 242 be amended as follows:

1. The authority citation for 48 CFR Parts 225, 231, and 242 continues to read as follows:

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

**PART 225—FOREIGN ACQUISITION**

2. Section 225.7303-2 is amended by revising paragraph (c) to read as follows:

**225.7303-2 Cost of doing business with a foreign government or an international organization.**

\* \* \* \* \*

(c) The cost limitation for major contractors on independent research and development and bid and proposal (IR&D/B&P) costs for projects which are of potential interest to DoD, in 231.205-18(c)(iii), does not apply to foreign military sale contracts, except as provided in 225.7303-5. The