

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-32, adopted March 20, 1995, and released March 20, 1995. 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 contractors, International Transcription Service, Inc., (202) 857-3800, 1919 M Street, NW, Room 246, or 2100 M Street, NW, Suite 140, Washington, D.C. 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. 95-7122 Filed 3-22-95; 8:45 am]

BILLING CODE 6712-01-F

DEPARTMENT OF DEFENSE

48 CFR Parts 245 and 252

Defense Federal Acquisition Regulation Supplement; Demilitarization

AGENCY: Department of Defense (DoD).

ACTION: Supplementary notice of proposed rulemaking with request for public comments.

SUMMARY: The Defense Acquisition Regulations Council is proposing changes to the Defense FAR Supplement (DFARS) to cover control of Munitions List items (MLI) and Strategic List items (SLI) and demilitarization of excess property.

DATES: Comments on the proposed rule should be submitted to the address

shown below on or before May 22, 1995 to be considered in the formulation of a final rule.

ADDRESSES: Interested parties should submit written comments to: Defense Acquisition Regulations Directorate, ATTN: IMD 3D139, PDUSD (A&T), 3062 Defense Pentagon, Washington, D.C. 20301-3062. FAX (703) 602-0350. Please cite DFARS Case 92-D024 in all correspondence related to this case.

FOR FURTHER INFORMATION CONTACT: LTC Ed King; (703) 602-0131.

SUPPLEMENTARY INFORMATION:

A. Background

A proposed rule was published in the *Federal Register* on March 16, 1994 (59 FR 12223). The rule proposed amendments to the DFARS by adding a subsection at 245.604-70 and a clause at 252.245-7XXX, and by revising 245.601, 245.604, 245.610-4, and 245.7310-1 to improve control of Munitions List items (MLI) and Strategic List items (SLI) and demilitarization of excess contractor inventory. Twenty comments from four respondents were received during the public comment period. After evaluating the public comments, the DAR Council agreed to publish another proposed rule incorporating the following changes:

—The term "Security Trade Controls" is changed to read "Trade Security Controls."

—DFARS 245.604-70(a) and 252.245-7XXX(b) are rewritten for clarity.

—Subparagraph (b)(4) to DFARS 252.245-7XXX is added to cover those situations where contractor acquired property is transferred to another Government contract and is treated as Government-Furnished Property.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act applies, but 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 the vast majority of property to be demilitarized, including MLI and SLI, is in the custody of large contractors. An initial Regulatory Flexibility Analysis (IRFA) has therefore not been performed. Comments are invited from small businesses and other interested parties. Comments from small entities concerning the affected DFARS subparts will be considered in accordance with Section 610 of the Act. Such comments must be submitted separately and should cite DAR Case 92-D024 in all correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act applies because the proposed rule imposes additional reporting requirements which require the approval of OMB under 44 U.S.C. 3501, *et seq.* On May 10, 1994, OMB approved OMB Clearance 0704-0363 for 17,500 hours. That clearance covered the reporting requirements associated with the proposed rule published on March 16, 1994 (59 FR 12223). This supplemental proposed rule imposes an additional reporting requirement at 252.245-7XXX(b)(4). As a result, a request for revision to the previously approved clearance has been submitted to OMB reflecting an increase of 2500 hours.

List of Subjects in 48 CFR Parts 245 and 252

Government procurement.

Claudia L. Naugle,

Executive Editor, Defense Acquisition Regulations Directorate.

Therefore it is proposed that 48 CFR Parts 245 and 252 be amended as follows:

1. The authority citation for 48 CFR Parts 245 and 252 continues to read as follows:

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

2. Section 245.601 is amended by revising paragraph (2) to read as follows:

§ 245.601 Definitions

* * * * *

(2) *Demilitarization* is defined in the clause at 252.245-7XXX, Demilitarization and Trade Security Controls.

* * * * *

§ 245.604 [Amended]

3. Section 245.604 is amended by removing paragraph (3) and redesignating paragraphs (4) and (5) as paragraphs (3) and (4).

4. Section 245.604-70 is added to read as follows:

§ 245.604-70 Demilitarization and security trade controls.

(a) Contracting officers shall ensure that solicitations and contracts include a demilitarization code for each item of Government-furnished property in accordance with DoD 4160.21-M-1, Defense Demilitarization Manual.

(b) *Contract clause.*

Use the clause at 252.245-7XXX, Demilitarization and Trade Security Controls, in solicitations and contracts whenever Government property is either furnished to contractors, or whenever the contractor is authorized to acquire/manufacture items for the Government's

account for use in performance of the contract.

5. Section 245.7310-1 is amended by revising paragraph (a) to read as follows:

§ 245.7310-1 Demilitarization.

* * * * *

(a) *Demilitarization.*

Item(s) _____ require demilitarization by the Purchaser in the manner and to the degree set forth in the Defense Demilitarization Manual, DoD 4160.21-M-1.

* * * * *

6. Section 252.245-7XXX is added to read as follows:

§ 252.245-7XXX Demilitarization and Trade Security Controls.

As prescribed in 245.604-70(b), use the following clause:

Demilitarization and Trade Security Controls (XXX 1995)

(a) *Definitions.*

Demilitarization means the act of destroying the military offensive or defensive advantage inherent in certain types of equipment or material. The term includes mutilation, dumping at sea, cutting, crushing, scrapping, melting, burning or alteration designed to prevent the further use of this equipment and material for its originally intended military or lethal purpose and applies equally to material in unserviceable or serviceable condition, that has been screened through the Inventory Control Point (ICP) and declared surplus or foreign excess.

Munitions List item means any item contained in the U.S. Munitions list (22 CFR Part 121).

Trade Security Controls means control procedures designed to preclude the sale or shipment of Munitions List of Strategic List property to any entity whose interests are inimical to those of the United States. These controls are also applicable to such other selected property as may be designated by the Deputy Under Secretary of Defense (Trade Security Policy).

Strategic List item means an item assigned a code letter "A" or "B" following the export control classification number (ECCN) on the Commerce Control List, Supplement No. 1 to Section 799.1 of the Export Administration Regulations Department of Commerce.

(b) When Government property becomes excess to the needs of the Contractor in performing this contract, the Contractor shall—

(1) Ensure the appropriate demilitarization code is included in the item description on inventory schedules generated to report the excess Government property, utilizing the guidelines provided in the Defense Demilitarization Manual, DoD 4160.21-M-1;

(2) Ensure demilitarization of the items, if required; and

(3) Apply trade security controls as required by the Arms Export Control Act and 22 CFR Parts 120-130, the International Traffic in Arms Regulations; the Export Administration Act of 1979 and 15 CFR parts 700-799, the Export Administration Regulations; and DoD 4160.21-M-1, Defense Demilitarization Manual.

(4) Ensure a demilitarization code is included in the item description on all transfer documents when Contractor-acquired property is transferred to a follow on contract, utilizing the guidelines provided in the Defense Demilitarization Manual, DoD 4160.21-M-1.

(c) The Contractor also shall include this clause, including this paragraph (c) in any subcontract issued under this contract.

(End of clause)

[FR Doc. 95-7014 Filed 3-22-95; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 14

RIN 1018-AB49

Importation, Exportation, and Transportation of Wildlife

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; supplemental.

SUMMARY: The U.S. Fish and Wildlife Service (Service) is proposing additional changes to its regulations providing for uniform rules and procedures for the importation, exportation, and transportation of wildlife. The Service is proposing to allow the importation and exportation of dead, preserved, dried, or embedded scientific wildlife specimens by accredited scientists or accredited scientific institutions at any U.S. Customs port, or by way of the international mail. This proposed rule is a supplement to the Service's previous proposal published on September 14, 1994.

DATES: Comments must be submitted on or before May 22, 1995.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Director, U.S. Fish and Wildlife Service, P.O. Box 3247, Arlington, Virginia 22203-3247. Comments and materials may be hand-delivered to the U.S. Fish and Wildlife Service, Division of Law Enforcement, 4401 N. Fairfax Drive, Room 500, Arlington, Virginia, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Frank Shoemaker, Special Agent in Charge, Branch of Investigations, Division of Law Enforcement, telephone (703) 358-1949.

SUPPLEMENTARY INFORMATION: On Wednesday, September 14, 1994, the Service published in the **Federal Register** (59 FR 47212) a proposed rule amending 50 CFR parts 13 and 14. Since the date of the publication of this prior

proposed rule, the Service has received numerous inquiries from the scientific community concerned about the effects of the Service's regulations upon the ordinary scientific exchange of dead, preserved, dried, or embedded taxonomic or systematic collection specimens, or parts thereof, being imported or exported through the international mail or by way of ports other than Service designated ports of entry. The Service's proposed rule of September 14, 1994, made no substantive changes to the prior requirements of the existing regulations related to such matters and only touched upon such requirements tangentially. The Service has become aware, however, in responding to the numerous public inquiries regarding the scope of the proposed rule that some reasonable concerns exist with respect to its present requirements governing the importation or exportation of taxonomic or systematic collection specimens, or parts thereof, and acknowledges that some substantive changes to those requirements are necessarily in order. The Service, therefore, is making supplementary proposals at this time, in addition to those already published in the proposed rule of September 14, 1994. The Service makes these proposals in an effort to facilitate the importation and exportation of dead, preserved, dried, or embedded scientific specimens or parts thereof, encompassed within the definition of wildlife, and thereby alleviate any unnecessary impediments to scientific exchange its existing regulations may have imposed.

The Service is proposing to facilitate the importation or exportation of dead, preserved, dried, or embedded scientific taxonomic or systematic collection specimens, or parts thereof, by accredited scientists or accredited institutions by making several changes in its current regulations. The Service, in order to clarify its requirements, will define the terms "Accredited scientific institutions" and "Accredited scientist" in the definition section provided in § 14.4. The term "Accredited scientific institutions" is defined to include any public museum, public zoological park, accredited institution of higher education, accredited member of the American Zoological Association, accredited member of the American Association of Systematic Collections, or any State or Federal government agency that conducts biological or medical research. The term "Accredited scientist" is defined to include any individual associated with, employed by, or under contract to and accredited