

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 1**

[MD Docket No. 96-186; DA 97-1463]

Assessment and Collection of Regulatory Fees For Fiscal Year 1997

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission revised its Schedule of Regulatory Fees on June 16, 1997, in order to recover the amount of regulatory fees that Congress has required it to collect for fiscal year 1997. See *Report and Order in the Matter of Assessment and Collection of Regulatory Fees for Fiscal Year 1997*, Md Docket 96-186, FCC 97-215, released June 26, 1997, 62 FR 37408 (July 11, 1997). The attached *Order* establishes the dates when these regulatory fees must be paid.

DATES: September 15, 1997, through September 19, 1997, for all annual fee payors. Beginning on September 15, 1997, for applicants who pay fees in advance in combination with their application fee for new, renewal and reinstatement authorizations in the private wireless services.

FOR FURTHER INFORMATION CONTACT: Terry D. Johnson, Office of Managing Director at (202) 418-0445.

SUPPLEMENTARY INFORMATION:

Adopted: July 14, 1997.

Released: July 16, 1997.

1. The Managing Director has determined the dates for collection of the fees adopted in the above-captioned proceeding. See *Assessment and Collection of Regulatory Fees for Fiscal Year 1997*, FCC 97-215, released June 26, 1997, 62 FR 37408 (July 11, 1997). We are establishing collection dates as indicated below.

2. Annual regulatory fees for regulatees in the cable television, common carrier, international, mass media, and commercial wireless services are due during the period beginning *September 15, 1997*, and ending *September 19, 1997*. Parties paying these fees electronically are requested to submit them on *September 15th* or *September 16th*.

3. Applicants for new, renewal and reinstatement licenses in the private wireless services (also includes the domestic public fixed microwave services) which pay annual fees of \$10.00 in advance for each year of their license term in combination with the appropriate application fee are to begin paying the new fee on *September 15,*

1997. For private wireless licensees paying \$5.00 in advance for each year of their license term in combination with the appropriate application fee, they also are to begin paying the new fee on *September 15, 1997*.

4. Since the time for collecting fees is extremely limited, we are unable to offer installment payments for fiscal year 1997.

5. Accordingly, *it is ordered* that the dates for collection of fiscal year 1997 regulatory fees are as provided in paragraphs 2 and 3 of this *Order*. This action is taken under delegated authority pursuant to § 0.231(a) and § 1.1157(b)(1) of the Commission's rules. 47 U.S.C. § 0.231(a) and § 1.1157(b)(1).

Federal Communications Commission.

William F. Caton,*Acting Secretary.*

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GENERAL SERVICES ADMINISTRATION**48 CFR Part 552**

[APD 2800.12A, CHGE 75]

RIN 3090-AG30

Acquisition Regulation; Remittance of Industrial Funding Fee in U.S. Dollars Under Federal Supply Schedules Program

AGENCY: Office of Acquisition Policy, GSA.

ACTION: Final rule.

SUMMARY: The General Services Administration Acquisition Regulation (GSAR) is amended to revise the contract clauses at 552.238-72 and 552.238-77 to require remittance of the industrial funding fee under Federal Supply Schedules (FSS) program in U.S. dollars, define the basis for converting the value of sales in foreign currency, update references to termination for cause, and clarify reporting and remittance requirements.

DATES: Effective Date July 18, 1997.

FOR FURTHER INFORMATION CONTACT: Gloria Sochon, GSA Acquisition Policy Division, (202) 208-6726.

SUPPLEMENTARY INFORMATION:**A. Background**

The General Services Administration's FSS program charges ordering activities an industrial funding fee (IFF) to recoup the program's operating costs. The IFF is included in contract prices, collected by contractors, and remitted quarterly to GSA. Some

contractors under the International Federal Supply Schedule have remitted the IFF in foreign currency. This practice causes many problems, particularly impeding GSA's ability to meet U.S. Department of the Treasury requirements to record deposits timely. Checks in foreign currency require significant processing, often taking several weeks to complete the deposit. The government loses interest on the funds during this delay.

The revised contract clauses require payment of the IFF in U.S. dollars. It also establishes standards for conversion to address fluctuations in rates of exchange. Contractors will use the U.S. Department of the Treasury, "Treasury Reporting Rates of Exchange," in effect on the last day of the reporting period to convert the value of sales in foreign currency to U.S. dollars. In addition, the references to termination for cause are revised, as different clauses now apply in different situations. It also clarifies reporting and remittance requirements by defining the close-out report, defining how the contractor is to provide supporting information when reimbursing GSA by check, and updating information on electronic funds transfers.

B. Executive Order 12866

This rule was submitted to the Office of Management and Budget (OMB) under Executive Order 12866.

C. Regulatory Flexibility Act

This final 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.* The rule requires only that FSS contractors use U.S. dollars to report the value of sales and to remit the IFF to GSA. The only additional administrative burden on contractors is the need to calculate the conversion of sales made in foreign currency once each quarter. Most of the contractors affected by this rule will be foreign entities, with their place of business located outside of the U.S.

D. Paperwork Reduction Act

The revised clause at 552.238-72, Contractor's Report of Sales, contains an information collection requirement subject to the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). However, the revisions to the clause made by this rule do not affect the information collection requirement which was approved previously by OMB and assigned control number 3090-0121.

The revised clause at 552.238-77, Industrial Funding Fee, contains an information collection requirement