• Carriers will continue using the same fiscal year 1998 wage index values that they are using currently to standardize ASC payment rates for wage differences, for services furnished on or after October 1, 1998 and until rebased ASC rates are implemented to be concurrent with implementation of the Medicare outpatient PPS.

• Additions to and deletions from the ASC list (other than procedure codes deleted by the American Medical Association from Physicians' Current Procedural Terminology (CPT)) are deferred until APC groups are implemented as the basis for setting payment rates for ASC services, to be concurrent with implementation of APC groups under the hospital outpatient PPS proposed in the September 8, 1998 **Federal Register**.

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh).

(Catalog of Federal Domestic Assistance No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: September 10, 1998.

Nancy-Ann Min DeParle,

Administrator, Health Care Financing Administration.

Dated: September 22, 1998.

Donna E. Shalala,

Secretary.

[FR Doc. 98–26249 Filed 9–30–98; 8:45 am]

BILLING CODE 4120–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 20

[CC Docket No. 94–102; DA 98–1936]

Compatibility of Wireless Services With Enhanced 911

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission seeks additional comment in wireless Enhanced 911 (E911) rulemaking proceeding with respect to an *ex parte* presentation filed by Ad Hoc Alliance for Public Access to 911 (Alliance) on September 17, 1998. In its *ex parte* filing and its accompanying engineering report, Alliance has presented an approach under which the Commission would require that, if the signal from the user's provider is ''inadequate'' at the time a 911 call is placed through the use of an analog cellular handset, then the handset must have the capability to select automatically the strongest available compatible channel of communications for purpose of completing the 911 call. Additional comment is sought to assist the Commission in determining whether to adopt the approach presented by the Alliance in its September 17 *ex parte* filing. The effect of adopting the Alliance approach would be to improve reliability of 911 services to wireless customers.

DATES: Comments must be filed on or before October 7, 1998 and reply comments must be filed on or before October 19, 1998.

ADDRESSES: Federal Communications Commission, 1919 M St. N.W. Room 222, Washington, D.C. 20554

FOR FURTHER INFORMATION CONTACT: Won Kim, Policy Division, Wireless Telecommunications Bureau, (202) 418–1310.

SUPPLEMENTARY INFORMATION: On September 17, 1998, Ad Hoc Alliance for Public Access to 911 (Alliance) filed an *ex parte* presentation in the wireless Enhanced 911 (E911) rulemaking proceeding,[1] 61 FR 40348, 40374 (August 2, 1996), 63 FR 2631 (January 16, 1998), accompanied with an engineering report prepared by the Trott Communications Group (Trott). In addition, a letter addressing the Alliance *ex parte* filing was jointly submitted to the Commission on September 21, 1998, by the Association of Public-Safety Communications Officials-International, Inc. (APCO) and the National Association of State Nine-One-One Administration (NASNA). A separate letter addressing the Alliance *ex parte* filing was submitted to the Commission on September 22, 1998, by the National Emergency Number Association (NENA). The full text of the Alliance *ex parte* presentation, its accompanying Trott report, and the letters filed by APCO, NASNA, and NENA are available for inspection and duplication during regular business hours in the FCC Reference Center, Federal Communications Commission, 1919 M Street, N.W., Room 239, Washington, D.C. 20554. Copies may also be obtained from International Transcription Service, Inc. (ITS), 1231 20th Street, N.W., Suite 140, Washington, D.C. 20036, (202) 857–3800.

Pursuant to Section 1.415(d) of the Commission's Rules, 47 CFR. 1.415(d), the Commission seeks additional comment in the wireless Enhanced 911 (E911) rulemaking proceeding with respect to an *ex parte* presentation filed by Alliance on September 17, 1998. In its *ex parte* filing, Alliance has presented an approach under which the Commission would require that, if the signal from the user's provider is ''inadequate'' at the time a 911 call is placed through the use of an analog cellular handset, then the handset must have the capability to select automatically the strongest available compatible channel of communication for purposes of completing the 911 call. Alliance also has provided the Commission with an engineering report regarding the minimum level of signal strength at the cellular handset considered necessary for ''good'' communication.

In the wireless E911 rulemaking proceeding, the Commission established rules requiring wireless carriers to implement basic 911 and E911 services. One of the important issues in the E911 Second NPRM concerned the Alliance proposal to require that all 911 calls be sent to the cellular system with the strongest control channel signal.[2] To address issues raised by Alliance's strongest signal proposal, the Wireless E911 Implementation Ad Hoc Committee (WEIAD) recommended to the Commission, in an *ex parte* report, the use of an ''A over B,'' or ''B over A'' option in the case of all analog cellular phones.[3] Public safety organizations have expressed concerns about Alliance's original proposal because, they have maintained, the strongest signal would be selected even if there is a reliable communications channel available from the user's provider.[4]

In its *ex parte* filing, Alliance states that it commissioned a report by Trott to address two aspects of its proposed solution. Trott has recommended a signal strength threshold of −80 dBm as being necessary to establish and maintain a ''good'' channel of communication between a handset and the cellular system. Trott also has concluded that minimal effort and cost would be required to provide handsets with the capability to make such a threshold determination and to enable strongest compatible signal selection

[1] See Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94–102, Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 18676 (1996) (E911 First Report and Order) (E911 Second NPRM); Memorandum Opinion and Order, 12 FCC Rcd 22665 (1997).

[2] *See* E911 Second NPRM, 11 FCC Rcd at 18746–48 (paras. 144–148).

[3] *See* Report of the Cellular Telecommunications Industry Association (CTIA), the Personal Communications Industry Association (PCIA), APCO, NENA, NASNA, and Alliance, filed Jan. 30, 1998 (1997 E911 Annual Joint Status Report).

[4] *See* Public Safety Organizations (NENA, APCO, NASNA) response to Alliance's January 27, 1998, Trott Communications Group Report, filed Feb. 23, 1998.

when the handset receives a signal below this level upon dialing 9–1–1.

Additional comment hereby is sought to assist the Commission in determining whether to adopt the approach presented by the Alliance in its September 17 *ex parte* filing. Interested parties may file comments no later than October 7, 1998, and reply comments no later than October 19, 1998. To file formally in this proceeding, participants must file an original and five copies of all comments. If participants want each Commissioner to receive a personal copy of their comments, an original and nine copies must be filed. All comments should be filed with the Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, D.C. 20554, referencing CC Docket No. 94–102. This proceeding is a permit-but-disclose proceeding governed by the provisions of Section 1.1206 of the Commission's Rules, 47 CFR 1.1206.

For further information, contact Won Kim at (202) 418–1310, Wireless Telecommunications Bureau, Policy Division.

Federal Communications Commission.

Kathleen O'Brien Ham,

Deputy Chief, Wireless Telecommunications Bureau.

[FR Doc. 98–26233 Filed 9–30–98; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

48 CFR Parts 1201, 1205, 1206, 1211, 1213, 1215, 1237, 1252 and 1253

Amendment of Department of Transportation Acquisition Regulations

AGENCY: Office of the Secretary, DOT.

ACTION: Proposed rule.

SUMMARY: The Department of Transportation (DOT) is proposing to amend the Transportation Acquisition Regulation (TAR) to implement and supplement the Federal Acquisition Regulation (FAR) Circulars 97–01 through 97–03, to delete unnecessary FAR implementation, and to sequentially align Coast Guard Supplements with the applicable TAR Parts 1205, 1206, 1211, 1213, 1237, 1252 and 1253.

DATES: Comments should be submitted by November 2, 1998 to be considered in the formulation of a final rule.

ADDRESSES: Interested parties should submit written comments to:

Charlotte Hackley, Office of Acquisition and Grant Management, M–60, 400 Seventh Street SW., Washington, DC 20590 or e-mail comments to charlotte.hackley@ost.dot.gov.

FOR FURTHER INFORMATION CONTACT: Charlotte Hackley, Office of Acquisition and Grant Management, M–60, 400 Seventh Street SW., Washington, DC 20590: (202) 366–4267.

SUPPLEMENTARY INFORMATION:

A. Background

These proposed changes were initiated after the quarterly review of the TAR and the changes cited in FAR Circulars 97–01 through 97–03. The significant changes are to—

1. Provide DOT policy and standard procedures for the receipt, handling and disposition of unsolicited proposals; and

2. Delete Form DOT F 4220.44 and the instructions for completing the form to coincide with the changes made to FAR Part 15. The form is approved under the Office of Management and Budget Control Number 2105–0517 which expires on May 31, 2000.

B. Regulatory Flexibility Act

The Department certifies that this 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.* The rule makes primarily administrative changes to the TAR and provides DOT policy and procedures for the receipt, handling and disposition of unsolicited proposals. Therefore, an Initial Regulatory Flexibility Analysis has not been performed. Comments from small entities concerning the affected TAR parts will be considered in accordance with 5 U.S.C. 610 of the Act. Any comments should reference the Act.

C. Paperwork Reduction Act

The Department certifies that the Paperwork Reduction Act (44 U.S.C. 3501, *et seq.*) does not apply because this proposed rule does not contain information collection requirements.

List of Subjects in 48 CFR Parts 1201, 1205, 1206, 1211, 1213, 1215, 1237, 1252 and 1253

Government procurement.

The proposed rule is issued under the delegated authority of 49 CFR Part 1.59(p).

This authority is delegated to the Senior Procurement Executive, issued this 24th day of September, 1998, at Washington, DC.

Robert G. Taylor,

Acting Director of Acquisition and Grant Management.

Adoption of Amendments

For the reasons set out in the preamble, 48 CFR Chapter 12 is amended as follows:

1. The authority citation for 48 CFR Chapter 12, parts 1201, 1205, 1206, 1211, 1213, 1215, 1237, 1252 and 1253 continues to read as follows:

Authority: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.

PART 1201—FEDERAL ACQUISITION REGULATIONS SYSTEM

2. Section 1201.103 is removed.

2a. In § 1201.201–1, paragraph (d) is removed.

3. Section 1201.301 is amended by adding paragraphs (a)(2) introductory text, (a)(2)(i), (a)(2)(ii), and (b) as follows:

1201.301 Policy.

(a) * * *

(2) *Acquisition procedures.* The authority of the agency head under (FAR) 48 CFR 1.301(a)(2) to issue or authorize the issuance of internal agency guidance at any organizational level has been delegated to the SPE.

(i) *Departmentwide acquisition procedures.* DOT internal operating procedures are contained in the Transportation Acquisition Manual (TAM).

(ii) *OA acquisition procedures.* Procedures necessary to implement or supplement the FAR, TAR, or TAM may be issued by the HCA, who may delegate this authority to any organizational level deemed appropriate. OA procedures may be more restrictive or require higher approval levels than those permitted by the TAM unless specified otherwise.

(b) The authority of the agency head under (FAR) 48 CFR 1.301(b) to establish procedures to ensure that agency acquisition regulations are published for comment in the **Federal Register** in conformance with the procedures in FAR Subpart 1.5 is delegated to the Assistant General Counsel for Regulation and Enforcement (C–50).

PART 1205—PUBLICIZING CONTRACT ACTIONS

4. Subpart 1205.90 is revised to read as follows: