

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. 99-13168 Filed 5-24-99; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF DEFENSE

48 CFR Parts 201 and 213

[DFARS Case 99-D002]

Defense Federal Acquisition Regulation Supplement; Overseas Use of the Purchase Card

AGENCY: Department of Defense (DoD).

ACTION: Proposed rule with request for comments.

SUMMARY: The Director of Defense Procurement is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to permit use of the Governmentwide commercial purchase card for purchases valued at or below \$25,000 that are made outside the United States for use outside the United States and are for commercial items. Use of the purchase card permits immediate receipt of supplies and services and, therefore, increases mission readiness and accomplishment.

DATES: Comments on the proposed rule should be submitted in writing to the address specified below on or before July 26, 1999 to be considered in the formation of the final rule.

ADDRESSES: Interested parties should submit written comments on the proposed rule to: Defense Acquisition Regulations Council, Attn: Ms. Susan L. Schneider, PDUSD (A&T) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telefax (703) 602-0350. Please cite DFARS Case 99-D002.

E-mail comments submitted over the Internet should be addressed to: dfars@acq.osd.mil.

Please cite DFARS Case 99-D002 in all correspondence related to this proposed rule. E-mail correspondence should cite DFARS Case 99-D002 in the subject line.

FOR FURTHER INFORMATION CONTACT: Ms. Susan L. Schneider, (703) 602-0131. Please cite DFARS Case 99-D002.

SUPPLEMENTARY INFORMATION:

A. Background

Section 13.301 of the Federal Acquisition Regulation (FAR) permits use of the Governmentwide commercial purchase card to make purchases valued at or below the micro-purchase threshold of \$2,500 (\$2,000 for construction purchases). The FAR permits use of the card for purchases exceeding the micro-purchase threshold only as an ordering or payment method in conjunction with a contract. The proposed DFARS revisions would permit use of the card on a stand-alone basis for overseas purchases of commercial items valued at or below \$25,000.

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 the rule applies only to purchases that are made outside the United States for use outside the United States.

An initial regulatory flexibility analysis has, therefore, 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 5 U.S.C. 610. Such comments should be submitted separately and should cite DFARS Case 99-D002 in correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the proposed rule does not impose any information collection requirements that 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 201 and 213

Government procurement.

Michele P. Peterson,

Executive Editor, Defense Acquisition Regulations Council.

Therefore, 48 CFR Parts 201 and 213 are proposed to be amended as follows:

1. The authority citation for 48 CFR Parts 201 and 213 continues to read as follows:

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

PART 201—FEDERAL ACQUISITION REGULATIONS SYSTEM

2. Section 201.603-3 is amended by redesignating the existing text as paragraph (a), and by adding a new paragraph (b) to read as follows:

201.603-3 Appointment.

* * * * *

(b) Agency heads may delegate the purchase authority in 213.301 to DoD civilian employees and members of the U.S. Armed Forces.

PART 213—SIMPLIFIED ACQUISITION PROCEDURES

3. Section 213.301 is added to read as follows:

213.301 Governmentwide commercial purchase card.

(1) "United States," as used in this section, means the 50 States and the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, Wake Island, Johnston Island, Canton Island, the outer Continental Shelf lands, and any other place subject to the jurisdiction of the United States (but not including leased bases).

(2) An individual appointed in accordance with 201.603-3(b) also may use the Governmentwide commercial purchase card to make a purchase that exceeds the micro-purchase threshold but does not exceed \$25,000, if—

- (i) The purchase—
 - (A) Is made outside the United States for use outside the United States; and
 - (B) Is for a commercial item; but
 - (C) Is not for work to be performed by employees recruited within the United States;
 - (D) Is not for supplies or services originating from, or transported from or through, sources identified in FAR Subpart 25.7;
 - (E) Is not for ball or roller bearings as end items; and
 - (F) Does not require access to classified or Privacy Act information; and

(ii) The individual making the purchase—

- (A) Is authorized and trained in accordance with agency procedures;
- (B) Complies with the requirements of FAR Part 8 in making the purchase; and
- (C) Seeks maximum practicable competition for the purchase in accordance with FAR 13.104(b).

[FR Doc. 99-13041 Filed 5-24-99; 8:45 am]

BILLING CODE 5000-04-M