

27. The Commission considered certain alternatives and found the measures adopted herein to be the most appropriate. For example, for Spanish language relay, we considered the alternative of requiring these costs to be collected separately and tested to determine whether they are significantly different from English relay costs. After careful analysis, however, we concluded that Spanish and English relay costs were sufficiently similar to calculate reimbursement based on completed conversation minutes for both Spanish and English relay.

28. In addition, because of the unique characteristic of the developing VRS market, we declined to adopt permanently the alternatives suggested by the Advisory Council and the Fund Administrator, *i.e.* the recommendation to use the same methodology for rate development in place today for traditional TRS interstate cost recovery for the development of a VRS reimbursement rate. We also declined to develop, as an alternative, a VRS reimbursement rate based on completed conversation minutes of use at a national average reimbursement rate. Although the national average compensation methodology has all the benefits that we described above, we are not convinced that this methodology will provide adequate incentives to carriers to provide video relay services. Instead, we found that additional comments on these recommendations are necessary and seek comment in the *Further NPRM* related to this *MO&O* (Published elsewhere in this issue of the **Federal Register**).

29. Accordingly, this *MO&O* directs the TRS administrator to adopt an interim VRS cost recovery rate using the average per minute compensation methodology used for traditional TRS. Such an interim methodology will allow the Commission time to further consider VRS cost recovery and evaluate the comments on these recommendations that will be received in response to the *Further NPRM* related to this *MO&O*.

30. Thus, while significant alternatives have been considered, we believe that the actions taken herein are in the best interests of all entities, including small businesses.

#### Report to Congress

31. The Commission will send a copy of the *Memorandum Opinion and Order*, including this FRFA, in a report to be sent to Congress pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A). In addition, the Commission will send a copy of the *Memorandum Opinion and Order* including FRFA, to the Chief Counsel

for Advocacy of the Small Business Administration. A copy of the *Memorandum Opinion and Order* and FRFA (or summaries thereof) will also be published in the **Federal Register**. 5 U.S.C. 604(b).

#### Ordering Clauses

32. Pursuant to the authority contained in § 64.604 of the Commission's Rules, 47 CFR 64.604, and in sections 1, 2, 4, 225, 255 and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154, 225, 255, 303(r) the recommendations of the Advisory Council and the Fund Administrator relating to traditional TRS and STS *are adopted* to the extent described herein.

33. Pursuant to the authority contained in § 64.604 of the Commission's Rules, 47 CFR 64.604, and in sections 1, 2, 4, 225, 255 and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154, 225, 255, 303(r) the recommendations of the Advisory Council and the Fund Administrator relating to the need for a separate reimbursement rate for VRS and expansion of the TRS Data Center Request to include specific sections for VRS reporting *are adopted* as described herein.

34. Pursuant to the authority contained in § 64.604 of the Commission's Rules, 47 CFR 64.604, and in sections 1, 2, 4, 225, 255 and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154, 225, 255, 303(r) the TRS administrator *shall use* the TRS reimbursement rate methodology, on an interim basis, to develop the VRS reimbursement rate, pending further action by the Commission.

35. Pursuant to the authority contained in § 64.603 of the Commission's Rules, 47 CFR 64.603, and in sections 1, 2, 4, 225, 255 and 303(r), of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154, 225, 255, 303(r) § 64.603 of the Commission's rules does not require VRS providers to offer Speech-to-Speech services or Spanish relay services at this time.

36. The collections of information contained herein are contingent upon approval by the Office of Management and Budget and will go into effect upon announcement in the **Federal Register**.

37. The Commission's Consumer Information Bureau, Reference Information Center, *shall send* a copy of this *Memorandum Opinion and Order*, including the Final Regulatory Flexibility Analysis, to the Chief

Counsel for Advocacy of Small Business Administration.

Federal Communications Commission.

**William F. Caton,**

*Deputy Secretary.*

[FR Doc. 02-1982 Filed 1-28-02; 8:45 am]

BILLING CODE 6712-01-P

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## DEPARTMENT OF DEFENSE

### 48 CFR Parts 202, 215, 219, 242, and 246, and Appendix G to Chapter 2

#### Defense Federal Acquisition Regulation Supplement; Technical Amendments

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

**ACTION:** Final rule.

**SUMMARY:** DoD is making technical amendments to the Defense Federal Acquisition Regulation Supplement to update activity names and addresses, to reflect the extension of a memorandum of understanding, and to delete text that duplicates text found in the Federal Acquisition Regulation.

**EFFECTIVE DATE:** January 29, 2002.

**FOR FURTHER INFORMATION CONTACT:** Ms. Michele Peterson, Defense Acquisition Regulations Council, OUSD(AT&L)DP(DAR), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-0311; facsimile (703) 602-0350.

#### List of Subjects in 48 CFR Parts 202, 215, 219, 242, and 246

Government procurement.

**Michele P. Peterson,**

*Executive Editor, Defense Acquisition Regulations Council.*

Therefore, 48 CFR Parts 202, 215, 219, 242, and 246, and Appendix G to Chapter 2 are amended as follows:

1. The authority citation for 48 CFR Parts 202, 215, 219, 242, and 246, and Appendix G to subchapter I continues to read as follows:

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

#### PART 202—DEFINITIONS OF WORDS AND TERMS

##### 202.101 [Amended]

2. Section 202.101 is amended in the definition of "Contracting activity", under the heading "NAVY" as follows:

- a. By removing the entry "Headquarters, U.S. Marine Corps"; and
- b. In the entry "Marine Corps Material Command" by revising "Material" to read "Materiel".

**PART 215—CONTRACTING BY NEGOTIATION**

**215.404-76 [Amended]**

3. Section 215.404-76 is amended in paragraph (b), in the table, under the heading "ARMY", by removing "U.S. Army, Contracting Support Agency, ATTN: SARD-RS, 5109 Leesburg Pike, Suite 916" and adding in its place "Headquarters, Department of the Army, ATTN: SAAL-PA, Skyline 6, Suite 302, 5109 Leesburg Pike".

**PART 219—SMALL BUSINESS PROGRAMS**

**219.800 [Amended]**

4. Section 219.800 is amended in paragraph (a), in the third sentence, by removing "December 31, 2001" and adding in its place "March 31, 2002".

**PART 242—CONTRACT ADMINISTRATION AND AUDIT SERVICES**

5. Section 242.1203 is amended in paragraph (b)(2)(A) by revising the Navy entry to read as follows:

**242.1203 Processing agreements.**

(b)(2)(A) \* \* \*

Navy ..... Office of the Assistant Secretary of the Navy, Research, Development & Acquisition, Acquisition and Business Management, 2211 South Clark Place, Room 578, Arlington, VA 22202-3738.

\* \* \* \* \*

**PART 246—QUALITY ASSURANCE**

**246.407 [Amended]**

6. Section 246.407 is amended by removing paragraphs (1) and (2).

**Appendix G—Activity Address Numbers**

7. Appendix G to Chapter 2 is amended in Part 3 by adding a new entry "N39826", and by removing entry "N62913" the second time it appears. The added text reads as follows:

**PART 3—NAVY ACTIVITY ADDRESS NUMBERS**

\* \* \* \* \*

N39826, L5L Fleet and Industrial Supply Center, Norfolk Detachment Earle, 201 Highway 34 South,

Building C-33, Colts Neck, NJ 07722-5019

\* \* \* \* \*

[FR Doc. 02-2054 Filed 1-28-02; 8:45 am]

**BILLING CODE 5001-08-U**

**DEPARTMENT OF DEFENSE**

**48 CFR Parts 209, 212, 213, 217, 222, and 252**

**[DFARS Case 97-D314]**

**Defense Federal Acquisition Regulation Supplement; Veterans Employment Emphasis**

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

**ACTION:** Final rule.

**SUMMARY:** DoD has issued a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to remove text pertaining to contractor reporting on employment of veterans, because the reporting requirements have been added to the Federal Acquisition Regulation.

**EFFECTIVE DATE:** January 29, 2002.

**FOR FURTHER INFORMATION CONTACT:** Ms. Angelena Moy, Defense Acquisition Regulations Council, OUSD(AT&L)DP(DAR), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-1302; facsimile (703) 602-0350. Please cite DFARS Case 97-D314.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

This final rule removes DFARS requirements pertaining to contractor reporting on employment of veterans. The DFARS requirements were published as an interim rule at 63 FR 11850 on March 11, 1998. The DFARS text is no longer necessary, because the reporting requirements were added to the Federal Acquisition Regulation in Item IV of Federal Acquisition Circular 2001-01 on October 22, 2001 (66 FR 53487).

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

**B. Regulatory Flexibility Act**

DoD certifies that this final rule will not 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 merely eliminates requirements that duplicate those found in the Federal Acquisition Regulation.

**C. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the 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 209, 212, 213, 217, 222, and 252**

Government procurement.

**Michele P. Peterson,**

*Executive Editor, Defense Acquisition Regulations Council.*

Therefore, 48 CFR Parts 209, 212, 213, 217, 222, and 252 are amended as follows:

1. The authority citation for 48 CFR Parts 209, 212, 213, 217, 222, and 252 continues to read as follows:

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

**PART 209—CONTRACTOR QUALIFICATIONS**

**209.104-1 [Amended]**

2. Section 209.104-1 is amended by removing paragraph (g)(iii).

**209.104-70 [Amended]**

3. Section 209.104-70 is amended by removing paragraph (c).

**PART 212—ACQUISITION OF COMMERCIAL ITEMS**

**212.503 [Amended]**

4. Section 212.503 is amended by removing paragraph (a)(xii).

**PART 213—SIMPLIFIED ACQUISITION PROCEDURES**

**213.005 [Removed]**

5. Section 213.005 is removed.

**PART 217—SPECIAL CONTRACTING METHODS**

**217.207 [Removed]**

6. Section 217.207 is removed.

**PART 222—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS**

**222.1304 [Removed]**

7. Section 222.1304 is removed.