

b. Identify by fiscal year quarter the planned milestone dates for (i) release of solicitation document and (ii) contract award.

Estimated Contract Life and Cost: Identify the estimated contract cost of the acquisition (not the overall systems life cost) for the contract life. Include all anticipated optional quantities, services, and periods. Detailed cost breakdowns may be included when necessary to describe clearly the estimated costs. The estimated contract cost (for all years) should correspond to the planned contract life. (NOTE.—The FPMR approval resulting from the submission will be limited to quantities and years described herein.)

Regulatory Compliance: Provide the date of completion or most recent update of the following documentation or indicate not applicable:

- Requirement analysis.
- Comparative cost analysis.

Agency/GSA references: Provide references to previous GSA FPMR approvals (including previous GSA case number), meetings, telephone discussions, etc.

Agency authorized signature, position title, organizational identity, date: Provide these data. (NOTE.—GSA will process only those agency submissions signed by an authorized official. See para. 7c of the temporary regulation.)

[FR Doc. 83-28946 Filed 10-24-83; 8:45 am]

BILLING CODE 6820-25-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 6467

[U-15264]

Utah; Partial Revocation of Reclamation Withdrawals

Correction

In FR Doc. 83-28703 beginning on page 44788 in the issue of Friday, September 30, 1983, in the middle column, in the land description, the twentieth line from the bottom of the page should read as follows: "and 14, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$."

BILLING CODE 1505-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6567]

Suspension of Community Eligibility Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: This document makes a correction to a final rule, Suspension of

Community Eligibility under the National Flood Insurance Program (NFIP), published September 30, 1983, 48 FR 44796. The County of La Porte, Indiana is listed as being suspended from the regular program in error. The county is suspended from the emergency program effective September 30, 1983.

FOR FURTHER INFORMATION CONTACT: Richard W. Krimm, Assistant Associate Director, Office of Natural and Technological Hazards Programs, (202) 287-0176, 500 C Street Southwest, Donohoe Building, Room 506, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: La Porte County, Indiana was erroneously listed as being suspended from the regular phase of the NFIP. The community was not enrolled in the regular program. Effective September 30, 1983, La Porte County was suspended from the emergency program. Please adjust records to reflect the correction.

List of Subject in 44 CFR Part 64

Flood insurance—Flood plains.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: October 18, 1983.

Dave McLoughlin,

Deputy Associate Director, State and Local Programs and Support.

[FR Doc. 83-28940 Filed 10-24-83; 8:45 am]

BILLING CODE 6718-03-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 25

[CC Docket No. 83-370; RM-3973; FCC 83-425]

Procurement of Apparatus, Equipment, and Services Required for the Establishment and Operation of the Communications Satellite System and Satellite Terminal Stations

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This Report and Order raises minimum dollar amount of procurements subject to the communications satellite procurement regulations from \$25,000 to \$100,000. Action is taken to establish a fair and reasonable cut-off figure in light of inflation and passage of time. This action should result in substantial

administrative savings for industry and government.

EFFECTIVE DATE: October 24, 1983.

FOR FURTHER INFORMATION CONTACT: Stuart Chiron, Common Carrier Bureau, (202) 632-3214.

List of Subjects in 47 CFR Part 25

Communications common carriers, Communications equipment, Communications Satellite Act, Federal Communications Commission, Government procurement, Radio, Satellite radio communications, Satellites, Securities.

Report and Order

In the matter of amendment of Part 25 of Commission's Rules and Regulations with respect to the procurement of apparatus, equipment, and services required for the establishment and operation of the communications satellite system and satellite terminal stations; CC Docket No. 83-370, RM 3973.

Adopted: September 21, 1983.

Released: September 23, 1983.

By the Commission.

1. On April 18, 1983, we released a Notice of Proposed Rulemaking (NPRM) in this proceeding in which we tentatively concluded that raising the minimum dollar level of procurements subject to our communications satellite procurement rules from \$25,000 to \$100,000 would be in the public interest.¹ In response to the NPRM comments were filed by the Communications Satellite Corporation (Comsat), RCA Global Communications, Inc. (RCA), and the American Satellite Company (Amsat). Below we summarize the existing communications satellite procurement rules. Comsat's petition for rulemaking, the NPRM, and the comments submitted in this proceeding. We then analyze the filings and reach final conclusions.

2. Part 25 of the Commission's Rules establishes uniform policies and

¹ Part 25 of the Commission's Rules governs satellite and terminal station procurements. Section 25.151 presently states, in part:

Section 25.151. *Scope, purpose and application of this subpart.*

The provisions of this subpart govern the administration of Section 201(c)(1) of the Communications Satellite Act of 1962. . . . This subpart establishes uniform policies and procedures applicable to all procurements except where:

(a) The value of the procurement is less than \$25,000, except as provided in Section 25.176(c).

Section 25.176(c) presently states: In addition to complying with the requirements applicable to procurements of \$25,000 or more, all parties making procurements shall cooperate with the Small Business Administration to the extent feasible even if the value of the procurement is less than \$25,000, for the purpose of insuring that small business has an equitable opportunity to participate in all procurements.

procedures applicable to procurements of \$25,000 or more by Comsat for apparatus, equipment, and services required for establishment and operation of the communications satellite system and satellite terminal stations.² The \$25,000 figure has remained unchanged since its adoption in 1964³ and was selected to maximize competition in the provision of equipment and services utilized by the satellite system,⁴ to insure effective competition in Comsat's procurement practices,⁵ to establish a framework of procurement practices in which all entities, particularly small businesses, could fairly participate,⁶ and to prevent an unfair competitive advantage accruing to any manufacturing interest who may participate in Comsat's ownership.⁷

3. In its petition for rulemaking Comsat stated that the \$25,000 amount for contracts subject to the Commission's Rules was too low and requested the amount be raised to \$100,000. Comsat asserted that inflation and the development of the satellite system made the \$25,000 cut-off amount obsolete. Comsat further stated that the present figure made far too many transactions subject to an undue burden of paperwork and procedures which were not commensurate with the value of the procurements. In addition to in-house administrative cost savings, Comsat also indicated that a higher cut-off figure for the implementation of the Part 25 procurement procedures would reduce inventories and ease the operations, maintenance and training of personnel, and enhance standardizing the documentation of earth station equipment.

² Subpart B of Part 25 requires, for example, Comsat to notify the Commission upon selecting a prime contractor, 47 CFR 25.162. Comsat may award the proposed contract at any time subsequent to 10 days after the date of filing notification unless within such period either: (a) Comsat voluntarily extends the period; or (b) the Commission notifies Comsat that the notice is defective or the Commission finds that it cannot, without further investigation, determine whether its procurement rules have been complied with. In the latter case, the Commission may issue a public notice inviting comments on the proposed award, 47 CFR, Section 25.166. The contract may be awarded unless within thirty days after issuance of the public notice the Commission finds that the procurement rules have not been complied with and so notifies Comsat, 47 CFR 25.166(b).

³ Amendment of Part 25 of the Commission's Rules and Regulations (Communications Satellite Procurement), 1 RR 2d 1611 (1964).

⁴ See Section 102(c) of the Communications Satellite Act of 1962, 47 U.S.C. 701(c).

⁵ See Section 201(c)(1) of the Communications Satellite Act of 1962, 47 U.S.C. 721(c)(1).

⁶ 1 RR 2d at 1612-13.

⁷ *Id.*

4. In our NPRM we tentatively concluded that the existing \$25,000 figure should be raised. We noted that: (a) The \$25,000 amount had remained unchanged since its adoption in 1964; (b) several inflation indices justified substantial modification of the cut-off figure; (c) the growth of domestic and international satellite system had created a ready market for earth station equipment in which many buyers and sellers existed; and (d) administrative savings to both Comsat and the Commission would result from raising the cut-off figure. In selecting the figure of \$100,000, as proposed by Comsat, we recognized that \$25,000 in 1964 dollars was equivalent to \$71,193 based upon the GNP Price Deflator, \$75,085 based upon the Producer Price Index for Machinery and Equipment, and \$77,799 based upon the Consumer Price Index. Further, our desire to use a fixed figure which could be used by the industry for several years to come caused us to tentatively conclude that raising the cut-off amount to \$100,000 would be desirable. We specifically requested further comments on the indexing scheme proposed by Comsat under which the new cut-off figure would be tied to a price index. This proposal is more fully described below.

5. In its comments Comsat supports our tentative conclusion to raise the minimum dollar level of procurements subject to our regulations from \$25,000 to \$100,000. Additionally, Comsat supports the inclusion of a self implementing price index in order to eliminate certain inequities and to eliminate future proceedings initiated solely to revise the cut-off figure. Comsat forseees no uncertainty or loss of control in adopting a price index which would be employed on an annual basis. Amsat, which owns two earth stations, also supports our tentative conclusion to raise the cut-off figure to \$100,000. Amsat views such a new figure as reasonable in view of the inflation over the last eighteen years. RCA states that the current cut-off figure of \$25,000 is unrealistically low and places an undue burden on both the industry and the Commission. RCA recommends that we revamp our procurement notification rules with a view toward their elimination or raising the minimum level for their application to at least \$250,000.

Discussion

6. The impact of inflation since 1964 and the development of competition in the supply of satellite and earth station equipment warrant the revision of the minimum dollar level of procurements subject to our procurement rules.

Therefore, as more fully explained below, we shall affirm our tentative conclusion and raise the cut-off amount found in Sections 25.151(a) and 25.176(c) of our Rules from \$25,000 to \$100,000. We shall not, as also described below, adopt any plan which would mandate adjustment of the minimum dollar in accordance with changes in the national economy.

7. Our decision here, which is generally supported by all three carriers filing comments, is based on five considerations. First, increases in the Gross National Product Price Deflator, the Producer Price Index for Machinery and Equipment, and the Consumer Price Index for the 1964-1982 period justify raising the cut-off figure to over \$70,000. Second, the increased number of suppliers and buyers in this field warrants a relaxation of regulatory oversight and thus an increase in the cut-off figure. We anticipate that the proportion of procurements below the \$100,000 figure will be small and, for the most part, cover readily available goods and services. Third, we believe that simplicity and certainty are desirable characteristics for our rules. A specific figure satisfies this goal. A figure which is tied to an index and changes annually is likely to confuse the industry, particularly small businesses. In addition, we believe that a rule that sets dollar limits to determine the applicability of a Commission regulatory program should be under Commission control and not subject to some external factor over which the Commission has no control. A fixed figure can always be revised if necessary through rulemaking procedures. Fourth, there may be little difference in administrative costs between making annual modifications as proposed by Comsat and a periodic rulemaking procedure which is generally noncontroversial. Finally, we desire to establish a figure high enough to be reasonable, usable and fair for a number of years to come. In our judgement a cut-off figure for Sections 25.151(a) and 25.177(c) of \$100,000 would appear to satisfy all of the above considerations while creating real administrative savings for both industry and government.⁸

8. Accordingly, in view of all the above, it is ordered that §§ 25.151(a) and 25.176(c) are amended to increase the cut-off figure for the applicability of our

⁸ The record does not support raising the cut-off figure tenfold to \$250,000 or eliminating the procurement rules outright as urged by RCA. Comsat is still a rate base regulated entity and we have on several occasions received requests from suppliers to review or clarify a Comsat procurement decision.

procurement rules from \$25,000 to \$100,000, effective October 24, 1983.

9. Pursuant to Section 605(b) of the Regulatory Flexibility Act (Pub. L. 96-345) It is certified, that Sections 603 and 604 of the Act do not apply because this rule will not have a significant economic impact on a substantial number of small entities. See 5 U.S.C. 603, 604, 605(b). As stated above, the rule change is in large part an adjustment for inflation and does not alter the intent of the original rule.

10. It is further ordered, that the Secretary shall cause a copy of this Report and Order to be published in the Federal Register and shall mail a copy of this Report and Order to the Chief for Advocacy of the Small Business Administration.

11. It is further ordered, that this rulemaking proceeding is terminated.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 305)

Federal Communications Commission.

William J. Tricarico,
Secretary.

Appendix

47 CFR Part 25 is amended to read as set forth below.

Section 25.151 is amended by revising paragraph (a), and § 25.176 is amended by revising paragraph (c) to read as follows:

§ 25.151 Scope, purpose and application of this subpart.

(a) The value of the procurement is less than \$100,000, except as provided in § 25.176(c).

(c) In addition to complying with the requirements applicable to procurements of \$100,000, or more, all parties making procurements shall cooperate with the Small Business Administration to the extent feasible even if the value of the procurement is less than \$100,000, for the purpose of insuring that small business has an equitable opportunity to participate in all procurements.

[FR Doc. 83-29011 Filed 10-24-83; 8:45 am]
BILLING CODE 6712-01-M

47 CFR Part 97

[PR Docket No. 83-27; RM-4229]

Use of Volunteers To Prepare and Administer Operator Examinations in the Amateur Radio Service; Correction.

AGENCY: Federal Communication Commission.

ACTION: Final rule; correction

SUMMARY: This document corrects an FCC Rule regarding Volunteer-Examiner Coordinators (VEC's) in the Amateur Radio Service. This correction is necessary in order to clarify that VEC's will not be required to coordinate amateur radio operator examinations for the Novice Class.

FOR FURTHER INFORMATION CONTACT: John J. Borkowski, Private Radio Bureau, Washington, D.C. 20554 (202) 632-4964.

Erratum

In the matter of amendment of parts 0, 1 and 97 of the commission's rules to allow the use of volunteers to prepare and administer operator examinations in the Amateur Radio Service; PR Docket No. 83-27, RM-4229.

Released: October 12, 1983.

1. On September 29, 1983, the Commission released a *Report and Order*, FCC 83-433, in the above captioned proceeding. In the *Report and Order*, the Commission amended Parts 0, 1 and 97 of its Rules to allow the use of volunteers to prepare and administer operator examinations in the Amateur Radio Service.

2. At paragraph 9 of the *Report and Order*, the Commission indicated that it was adopting new rules to apply above the Novice Class, while retaining rules recently adopted in another proceeding for the Novice Class. See *Report and Order*, PR Docket No. 82-727, 48 FR 32586 (July 18, 1983). However, paragraph (d) of newly added Section 97.507 of the Rules in the Appendix would appear to require Volunteer-Examiner Coordinators (VEC's) to coordinate examinations for all classes, including the Novice Class. This was not intended.

3. Accordingly, paragraph (d) of Section 97.507 of the Rules in the Appendix is corrected to read as follows:

§ 97.507 VEC Qualifications.

(d) Agree to coordinate all amateur radio operator examination elements for all amateur radio operator license classes except Novice Class;

Federal Communications Commission.

William J. Tricarico,
Secretary.

[FR Doc. 83-29009 Filed 10-24-83; 8:45 am]
BILLING CODE 6712-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Preparation of Environmental Assessments for Listing Actions under the Endangered Species Act

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Rule-related notice.

SUMMARY: The Fish and Wildlife Service has determined that Environmental Assessments, as defined by the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to Section 4(a) of the Endangered Species Act of 1973, as amended. These documents will no longer be prepared for such routine actions.

DATES: This procedural change became effective on September 21, 1983.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (703/235-2771).

SUPPLEMENTARY INFORMATION:

Background

In the past, the U.S. Fish and Wildlife Service has prepared Environmental Assessments (EA's), as described by the National Environmental Policy Act of 1969 (NEPA), for all Endangered species listing regulations. As of September 21, 1983, the Service has ceased preparing EA's in connection with regulations adopted pursuant to Section 4(a) of the Endangered Species Act of 1973 (ESA), as amended. This procedural change was based on recommendations from the Council on Environmental Quality (CEQ). The Service has accepted CEQ's judgment that Section 4 listing actions are exempt from NEPA review "as a matter of law."

Three other considerations supported the decision to alter procedures.

1. Over the past 10 years the Service had approved approximately 130 EA's in connection with Section 4(a) actions (listings, delistings, reclassifications, and Critical Habitat designations), none of which resulted in a decision to prepare an Environmental Impact Statement (EIS).

2. A decision delivered in a Sixth Circuit Court of Appeals case [*Pacific Legal Foundation v. Andrus*, 657 F. 2d 829 (1981)] found that as a matter of law an Environmental Impact Statement is

not required for listings under the Act. The decision further noted that preparing EIS's on listing actions does not further the goals of NEPA or ESA.

3. The Endangered Species Act Amendments of 1982 further support this action by requiring listing decisions under the Endangered Species Act to be based solely upon biological grounds and not upon consideration of economic or socioeconomic factors.

This notice is being published to inform the public of the Service's action. The Service believes this action will allow better utilization of personnel and fiscal resources and will eliminate the preparation of documents that did not further the goals of either NEPA or ESA. This action will be incorporated in the Departmental NEPA procedures (516DM6, Appendix 1) as soon as practicable.

Author

The primary author of this notice is Ms. E. LaVerne Smith, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (703/235-1975).

Dated: October 13, 1983.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 83-28806 Filed 10-24-83; 8:45 am]
BILLING CODE 4310-55-M

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Population of Woodland Caribou Found in Washington, Idaho, and Southern British Columbia

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Emergency rule.

SUMMARY: The Fish and Wildlife Service determines as Endangered the population of woodland caribou (*Rangifer tarandus caribou*), sometimes known as the southern Selkirk Mountain herd, found in extreme northeastern Washington, northern Idaho, and southern British Columbia. This isolated herd is the only population of caribou that still regularly occurs in the conterminous United States. The population has fallen to only about 30 individuals, a level that probably cannot sustain the herd much longer. At least one or two adults and subadults are being lost each year, calf survival is apparently low, and there is evidently no immigration from other herds in Canada. The population is jeopardized

by such factors as poaching, habitat loss to timber harvesting and wildfires, collisions with motor vehicles, and genetic problems through inbreeding. The population was first listed as Endangered through an emergency rule on January 14, 1983. The present rule will reestablish this emergency coverage until a new final rule, providing permanent protection of the Endangered Species Act, can take effect.

DATE: The effective date of this rule is October 25, 1983.

ADDRESS: The complete file for this rule is available for inspection during normal business hours, by appointment, at the Service's Regional Office, Lloyd 500 Building, Suite 1692, 500 NE Multnomah Street, Portland, Oregon 97232.

FOR FURTHER INFORMATION CONTACT: Mr. Sanford R. Wilbur at the above address (503/231-6131 or FTS 429-6131).

SUPPLEMENTARY INFORMATION:

Background

According to the most recent taxonomic work (Banfield, 1961; Hall, 1981), the reindeer of Eurasia and the caribou of North America belong to a single species, *Rangifer tarandus*. This species is divided into a number of subspecies, among which is the woodland caribou (*Rangifer tarandus caribou*). This subspecies once occupied nearly the entire forested region from southeastern Alaska and British Columbia to Newfoundland and Nova Scotia. In the 48 conterminous States of the United States, the subspecies is known to have occurred in Washington, Idaho, North Dakota, Montana, Minnesota, Wisconsin, Michigan, Vermont, New Hampshire, and Maine. Largely because of killing and habitat alteration by people, indigenous caribou disappeared from New England by about 1908 and from the Great Lakes States by 1940. A few individuals, probably wanderers from Canada, were observed in northeastern Minnesota in 1980-1981 (Mech, Nelson, and Drabik, 1982). There have been scattered reports from northwestern Montana during the last decade (Carlton, 1983), but the animals involved are probably not members of the herd that is the subject of this rule. There are still substantial numbers of woodland caribou in Canada, though populations there have been generally declining.

The only caribou population that is still known to regularly occupy the conterminous United States is found in northern Idaho and northeastern Washington. This population, sometimes called the southern Selkirk Mountain herd, also occurs in southern British Columbia. The total approximate area of

normal utilization is bounded as follows: starting at the point where the Columbia River crosses the Washington-British Columbia border; thence northward along the Columbia River to its confluence with the Kootenay River in British Columbia; thence northeastward along the Kootenay River to its confluence with Kootenay Lake; then southward along Kootenay Lake and the Kootenay River, and across the Idaho-British Columbia border, to the town of Bonners Ferry, Idaho; thence southward along U.S. Highway 95 to the Pend Oreille River; thence westward and northward along the Pend Oreille River, and across the Idaho-Washington State line, to the Washington-British Columbia border; thence westward along the Washington-British Columbia border to the point of beginning.

Early records suggest that in the 19th century, caribou were plentiful in the mountains of northeastern Washington, northern Idaho, northwestern Montana, and adjacent parts of southwestern Canada. As in the case of other big game animals of North America, unrestricted hunting probably led to a major reduction of caribou numbers in this region by 1900. Subsequently, the numerical status of the southern Selkirk herd has not been completely clear. Various estimates, including some of those published by the Service in earlier Federal Register notices on this herd, now appear to have been incorrect. Only since January 1983, after initiation of radio-tracking studies and other survey work funded through the Federal Pittman-Robertson program and section 6 of the Endangered Species Act, has a definitive picture begun to emerge. The estimates by Flinn (1956) and Evans (1960), that there were still about 100 individuals in the population during the 1950's, do seem reasonable. It also is apparent that numbers then continued to decline, but not to as few as 13-20 individuals, as had been previously suggested. In the spring of 1983, an actual count of 26 caribou was obtained, and several other animals were thought to exist. Therefore, it is likely that the herd currently contains about 30 individuals.

In the Federal Register of February 9, 1981 (46 FR 11567-11568), the Service published a notice accepting two petitions to add the southern Selkirk mountain population of woodland caribou to the U.S. List of Endangered and Threatened Wildlife, and announced its intention to issue a proposal to this effect. As further evidence accumulated relative to the precarious status of the population, the Service came to consider it necessary to