

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-153, adopted April 16, 1996, and released May 3, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

#### **PART 73—[AMENDED]**

1. The authority citation for part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

#### **§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Oregon, is amended by adding Channel 231A at Tillamook.

Federal Communications Commission.

Andrew J. Rhodes,

*Acting Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 96-11762 Filed 5-9-96; 8:45 am]

**BILLING CODE 6712-01-F**

#### **47 CFR Part 73**

[MM Docket No. 95-162; RM-8714]

#### **Radio Broadcasting Services; Wellsville, NY**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Erin Communications, Inc., substitutes Channel 278A for Channel 228A at Wellsville, NY, and modifies Station WJQZ(FM)'s license to specify operation on the alternate Class A channel. See 60 FR 55821, November 3, 1995. The substitution of channels could allow Station WJQZ(FM) to improve its facilities from its present 3 kW to 6 kW. With this action, this proceeding is terminated.

**EFFECTIVE DATE:** June 17, 1996.

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-162, adopted April 16, 1996, and released May 3, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

#### **PART 73—[AMENDED]**

1. The authority citation for part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

#### **§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under New York, is amended by removing Channel 228A and adding Channel 278A at Wellsville.

Federal Communications Commission.

Andrew J. Rhodes,

*Acting Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 96-11761 Filed 5-9-96; 8:45 am]

**BILLING CODE 6712-01-F**

#### **47 CFR Part 97**

[PR Docket No. 93-305; FCC 96-184]

#### **Implementation of a Vanity Call Sign System**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This action revises the amateur service rules to make clear that a renewal application, filed at the address specified by the Commission on the same date as the license expiration, is timely. Also, an application for a vanity call sign, filed at the address specified in the Wireless Telecommunications Bureau Fee Filing Guide on the same date as the license expiration, is timely. The rule amendments are necessary so that licensees will know that they have

continuing authority to operate, pending action on their applications. The effect of this action is to assure licensees that their operating authority is continued until the final disposition of the applications.

**EFFECTIVE DATE:** June 10, 1996.

#### **FOR FURTHER INFORMATION CONTACT:**

Maurice J. DePont, Federal Communications Commission, Washington, D. C. 20554, (202) 418-0690.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Second Memorandum Opinion and Order*, adopted April 23, 1996, and released May 3, 1996. The complete text of this Commission action, including the rule amendments, is available for inspection and copying at the Federal Communications Commission, Room 246, 1919 M Street, N. W., Washington, D. C. The complete text of this *Second Memorandum Opinion and Order* may also be obtained from the Commission's copy contractor, International Transcription Services, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, telephone (202) 857-3800.

Summary of Second Memorandum Opinion and Order

1. By this action, we are amending the amateur service rules to state that an application for license renewal, received at the address specified by the Commission on the same date as the license expiration, is timely.

2. Also, by this action, we are amending the amateur service rules to state that an application for a vanity call sign, received at the address specified in the Wireless Telecommunications Bureau Fee Filing Guide on the same date as the license expiration, is timely.

3. These amendments will assure licensees that they have continuing authority to operate until there is a final disposition of the application.

4. The amended rules are set forth below, effective June 10, 1996.

5. This *Second Memorandum Opinion and Order* and the rule amendments are issued under the authority contained in 47 U.S.C. 154(i) and 303(r).

List of Subjects in 47 CFR Part 97

Call signs, Radio.

Federal Communications Commission.

William F. Caton,

*Acting Secretary.*

Final Rules

Part 97 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 97—AMATEUR RADIO SERVICE**

1. The authority citation for Part 97 continues to read as follows:

Authority: 48 Stat. 1066, 1082, as amended; 47 U.S.C. §§ 154, 303. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. 151–155, 301–609, unless otherwise noted.

2. Section 97.21 is amended by revising the last sentence of paragraphs (a)(3)(i) and (a)(3)(ii) to read as follows:

**§ 97.21 Application for a modified or renewed license.**

(a) \* \* \*

(3) \* \* \*

(i) \* \* \* When the application for renewal of the license has been received by the FCC at 1270 Fairfield Road, Gettysburg, PA 17325–7245 on or before the license expiration date, the license operating authority is continued until the final disposition of the application.

(ii) \* \* \* When the application has been received at the proper address specified in the Wireless Telecommunications Bureau Fee Filing Guide on or before the license expiration date, the license operating authority is continued until final disposition of the application.

\* \* \* \* \*

[FR Doc. 96–11644 Filed 5–9–96; 8:45 am]

BILLING CODE 6712–01–P

**DEPARTMENT OF TRANSPORTATION****Office of the Secretary****49 CFR Parts 18 and 90**

[OST Docket No. OST–96–1343]

RIN 2105–AC44

**Audits of State and Local Governments**

**ACTION:** Final rule.

**SUMMARY:** In connection with the President's Regulatory Reform Initiative, the Department of Transportation (DOT) is reviewing all of its existing regulations. As a result of the review we have identified 49 CFR part 90 as an unnecessary regulation that should be removed. The rule essentially repeats verbatim the requirements of Office Management and Budget (OMB) Circular A–128, Audits of State and Local Governments. The rule is being replaced by minor amendments to 49 CFR part 18, to reference Federal audit requirements in OMB circulars.

**DATES:** This regulation is effective June 10, 1996.

**FOR FURTHER INFORMATION CONTACT:** Robert G. Taylor, U.S. Department of

Transportation, Office of Acquisition and Grant Management, M–62, 400 Seventh Street, S.W., Room 9401, Washington, D.C. 20590, (202) 366–4289.

**SUPPLEMENTARY INFORMATION:****Background**

Audit requirements for State and local grantees are based on the Single Audit Act of 1984 (31 U.S.C. 7501–7507).

These requirements have been implemented in OMB Circular A–128, Audits of State and Local Governments (50 FR 19114–19119). These audit requirements have been implemented in DOT in 49 CFR part 18 and in 49 CFR part 90, Audits of State and Local Governments. Part 90 is merely a republication of OMB Circular A–128. The Department has determined that part 90 is unnecessary, and has decided to rescind part 90 and add a reference to OMB Circular A–128 in Section 26, Non-Federal Audits, of part 18.

This action represents no change in DOT audit policy, but makes implementation of OMB Circular A–128 consistent with the manner other OMB management circulars are implemented. A copy of OMB Circular A–128 can be obtained from the information contact above.

A reference to OMB Circular A–133, “Audits of Institutions of Higher Education and Other Nonprofit Institutions,” has also been added to Section 26 of part 18 to inform subrecipients of State or local governments who are institutions of higher education or other nonprofit organizations of the audit requirements imposed on them. This requirement is contained in 49 CFR part 19, Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations.

**Regulatory Analyses and Notices**

*Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures*

The Department of Transportation has determined that this rulemaking is not a significant regulatory action within the meaning of Executive Order 12866, nor a significant regulation under the Department's Regulatory Policies and Procedures. The action is a reissuance of current requirements. Because of this, the Department certifies that this regulatory action is insignificant under the Department of Transportation's Regulatory Policies and Procedures.

**Regulatory Flexibility Act of 1980**

The Regulatory Flexibility Act (5 U.S.C. 605(b)) requires that, for each rule with a “significant economic impact on a substantial number of small entities,” an analysis be prepared describing the rule's impact on small entities and identifying any significant alternatives to the rule that would minimize the economic impact on small entities. We certify that these regulations will not have a significant economic impact on a substantial number of small entities because they do not affect the amount of funds provided in the covered programs, but rather reissue administrative and procedural requirements.

**Executive Order 12612 (Federalism Assessment)**

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612. The rules primarily apply to State and local governments, but this is merely a reissuance of current requirements. Accordingly, the Department certifies that this action does not have sufficient Federalism implications to warrant a full Federalism Assessment under the principles and criteria contained in Executive Order 12612.

**Paperwork Reduction Act**

There are no additional collection of information requirements in this final rule.

**Justification to Issue Final Rule**

Under the Administrative Procedure Act, to issue a final rule without an NPRM, it is necessary to make a finding that issuing an NPRM would be impractical, unnecessary, or contrary to the public interest. This action involves no substantive change in policy, but makes implementation of OMB Circular A–128 consistent with implementation of other OMB Circulars. Instead of a rule that republished OMB Circular A–128, we are incorporating the Circular by reference. Since an NPRM would not result in the receipt of useful information, its issuance is unnecessary. The action is in the public interest because, in accordance with the President's regulatory reinvention efforts, we are eliminating a duplicative regulation.

**List of Subjects****49 CFR Part 18**

Accounting, Contract programs, Grant programs, Grants administration, Intergovernmental relations, Reporting and recordkeeping requirements. List of