

filed a motion to extend the dates that initial and reply comments are due in the above-referenced docket.

Specifically, NARUC requests that the date that initial comments are due be extended from February 26, 1996 to March 1, 1996 and the date reply comments are due be extended from March 18, 1996 to March 26, 1996.

2. NARUC states that the present deadline of February 26, 1996 for filing initial comments falls two days before the conclusion of its previously scheduled winter meeting. With respect to the date for filing reply comments, NARUC states that the deadline does not give its members sufficient time to review initial comments and formulate a response. Therefore, the Commission is issuing this *Order* to extend the period which comments and reply comments must be filed in the CMRS Flex proceeding (WT Docket No. 96-6).

3. The deadlines for the filing of all comments and reply comments in this proceeding are revised. The Commission recognizes that NARUC is attempting to overcome concrete timing problems beyond its own control and that granting an extension permits NARUC to develop a consensus position and ensures that each of its members has a chance to actively participate in these proceedings. Accordingly, initial comments will be due on March 4, 1996 and reply comments will be due on March 25, 1996.

4. Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments on or before March 4, 1996, and reply comments on or before March 25, 1996. To file formally in this proceeding, parties must file an original and four copies of all comments, reply comments, and supporting comments. For each Commissioner to receive a personal copy of the comments, parties must file an original and nine copies. Comments and reply comments should be sent to Office of the Secretary, Federal Communications Commission, 1919 M Street NW., Room 222, Washington, DC 20554. Parties should also file one copy of any documents filed in this docket with the Commission's copy contractor, International Transcription Services, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center, 1919 M Street NW., Room 239, Washington, DC 20554.

#### *Ex Parte Rules—Non-Restricted Proceeding*

This is a non-restricted notice and comment rulemaking proceeding. *Ex parte* presentations are permitted, except during the Sunshine Agenda period, provided that they are disclosed as provided in the Commission's rules. 47 CFR §§ 1.1202, 1.1203, 1.1206.

#### *Ordering Clauses*

It is ordered that, pursuant to Sections 1, 4, 201-205, 215, 218, 220, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154, 201-205, 215, 218, 220, and 303(r), the motion for extension of time filed by NARUC is granted to the extent described herein and otherwise denied.

It is further ordered, that comments in WT Docket No. 96-6 will be due March 4, 1996 and reply comments will be due March 25, 1996.

Federal Communications Commission.  
David Furth,  
*Acting Chief, Commercial Wireless Division,  
Wireless Telecommunications Bureau.*  
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## DEPARTMENT OF AGRICULTURE

### Office of Operations

#### 48 CFR Parts 401 through 453

RIN 0599-AA00

#### **Agriculture Acquisition Regulation; Review and Revision**

**AGENCY:** Office of Operations, Department of Agriculture.

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** The Agriculture Acquisition Regulation (AGAR) is the Department of Agriculture's agency acquisition regulation, issued to implement or supplement the Federal Acquisition Regulation (FAR). The Department of Agriculture has started to revise the AGAR to eliminate obsolete and unnecessary material and to incorporate regulatory changes required by recent statutes, Executive Orders, Office of Federal Procurement Policy Letters, and changes to the FAR. The Department of Agriculture is seeking public comment to assist its effort to streamline and to revise the AGAR.

**DATES:** Comments must be submitted on or before April 29, 1996. However, the revision is an ongoing process and comments received after the due date will be considered.

**ADDRESSES:** Submit written comments to: U.S. Department of Agriculture, Office of Operations, Procurement Policy Division, Room 1546-S, Department of Agriculture, Washington, DC 20250.

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

Joseph J. Daragan, Office of Operations, U.S. Department of Agriculture, Washington, DC 20250, (202) 720-5729.

**SUPPLEMENTARY INFORMATION:** The AGAR implements the FAR, where further implementation is needed, and supplements the FAR when coverage is needed for subject matter not covered by the FAR. The AGAR was first published in the Federal Register in March, 1984 (49 FR 12111, March 28, 1984). Since then, three changes to the AGAR have been published in the Federal Register. The last published change to the AGAR was Agriculture Acquisition Circular Number 3, which was published in March, 1990 (55 FR 7334, March 1, 1990). The bulk of material in the AGAR dates to its initial publication, or to Agriculture Acquisition Circular Number 2, an amendment to the AGAR published in February, 1988 (53 FR 6062, February 29, 1988). The AGAR thus contains a number of obsolete references which must be updated or stricken from the AGAR. A thorough revision of the AGAR is necessary to reflect the regulatory changes in the FAR which implement the Federal Acquisition Streamlining Act of 1994. The AGAR must also incorporate other changes necessitated by Executive Orders and recent Office of Federal Procurement Policy Letters. Furthermore, the AGAR is being revised as part of the National Performance Review (NPR) program to eliminate unnecessary regulations and improve those that remain in force.

As an initial step in the NPR regulatory review initiative, the Department of Agriculture identified parts of the AGAR which required updating or streamlining. The Department's review indicated that almost all parts required revision. Accordingly, the Department plans to revise all parts of the AGAR and to republish the entire regulation in the Federal Register. To develop the revised regulation, the Department is seeking comments and suggestions from the public concerning what changes should be made to the AGAR. Both general comments concerning the AGAR and comments concerning specific sections of the AGAR (48 CFR parts 401 through 453) are invited.

List of Subjects in 48 CFR Parts 401 through 453

Government contracts, Government procurement.

Ira L. Hobbs,

Director of Operations.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

#### Endangered and Threatened Species; Notice of Reclassification of 96 Candidate Taxa

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of candidate taxa reclassification.

**SUMMARY:** In this document, the U.S. Fish and Wildlife Service (Service) provides explanation for changes in the status of 96 taxa of plants and animals that are under review for possible addition to the List of Endangered and Threatened Wildlife and Plants (List) under the Endangered Species Act (Act) of 1973, as amended.

**ADDRESSES:** Comments and questions concerning this notice should be sent to the Chief, Division of Endangered Species, U.S. Fish and Wildlife Service, 1849 C Street, N.W., Mail Stop ARLSQ-452, Washington, D.C., 20240.

**FOR FURTHER INFORMATION CONTACT:** E. LaVerne Smith, Chief, Division of Endangered Species, at telephone number (703/358-2171).

#### SUPPLEMENTARY INFORMATION:

##### Background

In December 1992, the Service reached a settlement agreement (agreement) with the plaintiffs in the *Fund For Animals et al. v. Lujan et al.* case (D.D.C. Civ. No. 92-800) that provides for the Service to review the listing status of species regarded as Category 1 candidates as of September 1, 1992. For any species covered by the agreement and removed from candidate (Category 1) status because listing is no longer considered to be warranted, the Service must publish a notice in the Federal Register that provides explanation for the reclassification. This notice is published to comply with the above requirement.

It is important to note that candidate assessment is an ongoing function and changes in status should be expected. Species that are removed from the

candidate list may very well be restored to candidate status if additional information supporting such a change becomes available to the Service. Requests for such information were issued by the Service in the 1993 Plant Notice of Review (58 FR 51144; September 30, 1993) and the 1994 Animal Notice of Review (59 FR 58982; November 15, 1994). A combined plant and animal notice of review, requesting updated information on candidate species, is being published elsewhere in today's Federal Register.

##### Findings

Candidate species are those species for which the Service has on file sufficient information to support issuance of a proposed rule to list under the Act. The Service recently completed a review of all candidate species to assure that this definition is uniformly applicable. The results of this review indicate that 88 plant taxa and 8 animal taxa included in the settlement exhibits should be removed from candidate status. There are four primary explanations for these reclassifications: (1) The taxon is believed or known to be extinct; (2) the taxon is not a listable entity or is the subject of taxonomic review; (3) the taxon is more widespread than previously thought or not subject to identified threats; and (4) Service files contain insufficient information on status and threats to justify issuing a proposed rule. This notice provides specific explanations for each of the 96 reclassifications.

The Ciervo aegialian scarab beetle (*Aegialia concinna*) is a flightless, fossorial beetle that was first described in 1977: long-term information on species trends is not available. General threats from urban, suburban, and agricultural development were identified when this species was first designated as a candidate. Additional populations have been discovered in Fresno, San Joaquin, and Costa Counties. These discoveries include new habitat types and suggest that the species is not likely to become threatened or endangered in the foreseeable future. The species is removed from candidate status because of the recent discoveries and limited information on habitat requirements, life history, and status needed to prepare a proposed listing.

*Allium aaseae* (Aase's onion) is a small, perennial plant that is endemic to southwestern Idaho. The species occurs on relatively barren, xeric habitats with gentle to steep slopes and is usually associated with sparsely vegetated bitterbrush (*Purshia tridentata*) or bitterbrush/sagebrush (*Artemisia*

*tridentata*) communities. Recent survey information indicates there are at least 66 extant populations of Aase's onion (containing approximately 400,000 individuals), with 49 of these populations having more than 1,000 individuals. Because threats from suspected hybridization with other species have been shown to be unfounded and because of the size and distribution of extant populations, *A. aaseae* is removed from candidate status.

*Allium dictuon* (Blue Mountain onion) is known only from the vicinity of Weller Butte in the Blue Mountains of Columbia County, Washington. Five occurrences of this plant are historically and currently known within a range of about 4 square miles. Population estimates for this species range between 1,000 and 3,000 plants. The species is removed from candidate status because it is believed to be stable and the threats associated with recreational use are uncertain. Cattle grazing does occur in the vicinity of Weller Butte, but the impact of this activity on *Allium dictuon* is uncertain and data currently available to the Service do not indicate that listing is warranted.

*Allium hickmanii* (Hickman's onion) occurs in Monterey and San Luis Obispo Counties (California) and is associated with closed-cone coniferous forests, chaparral, coastal prairie, coastal scrub, and valley and foothill grasslands. Additional populations of Hickman's onion have been found in the last five years, indicating the species is more widespread than previously known. Also, information in Service files is currently insufficient to support issuance of a proposed listing, so this species is removed from candidate status.

*Artemisia campestris wormskoldii* (northern wormwood) was historically known from the banks of the Columbia River near the mouth of the John Day River in Wasco County, Oregon, westward to the vicinity of the Hood River. Today it is known from two widely disjunct sites along the Columbia River in Washington. Possible trampling associated with recreational activity is the only identified threat to this species. The most recent status information indicated a declining trend, but those data are from 1989. It is removed from candidate status primarily because the Service lacks sufficient information on current status to issue a proposed listing.

*Aster jessicae* (Jessica's aster) is endemic to mesic grasslands or steppe vegetation of the Palouse region in southeast Washington and northern Idaho. The species is currently known