

Subpart F—Construction and Major Renovation

§ 1309.49 Eligibility—Construction.

Before submitting an application under section 1309.10 for construction of a facility, the grantee must establish that:

- (a) The Head Start program serves an Indian Tribe; or is located in a rural or other low-income community; and
- (b) There is a lack of suitable facilities (including public school facilities) in the grantee's service area which will inhibit the operation of the program, as demonstrated by a statement that neither the grantee's current facility nor any facility available for lease or purchase in the service area is suitable for use by a Head Start program. This statement must explain the factors considered, how it was determined that there is a lack of suitable facilities and be supported whenever possible by a written statement from a licensed real estate professional in the grantee's service area.

§ 1309.50 Eligibility—Major renovation.

(a) Before submitting an application under § 1309.10, the grantee must establish that:

- (1) The Head Start program serves an Indian Tribe, or is available in a rural or other low-income community; and
- (2) There is a lack of suitable facilities (including public school facilities) in the grantee's service area which will inhibit the operation of the program, as demonstrated by a statement that neither the grantee's current facility nor any facility available for lease or purchase in the service area is suitable or could be made suitable without major renovation. This statement must explain the factors considered, how it was determined that there is a lack of suitable facilities and be supported, whenever possible, by a written statement from a licensed real estate professional in the grantee's service area.

(b) In order to receive funding for major renovation of a leased facility, the grantee must have a lease that provides the Head Start program with a term of occupancy of at least five years from the time the renovation will be complete.

§ 1309.51 Approval of drawings and specifications.

(a) The grantee may not advertise for bids or award a contract for any part of construction or major renovation funded by grant funds until final working drawings and specifications have been approved by the responsible HHS official.

(b) Approval by the responsible HHS official shall be based on the

certification by a licensed engineer or architect as to the cost and technical appropriateness of the proposed construction or renovation, and on a determination that the drawings and specifications conform to Head Start programmatic requirements.

§ 1309.52 Procurement procedures.

(a) All facility construction and major renovation transactions must comply with the procurement procedures in 45 CFR parts 74 and 92, and must be conducted in a manner to provide, to the maximum extent practicable, open and free competition.

(b) All construction and major renovation contracts for facilities acquired with grant funds require the prior, written approval of the responsible HHS official, and shall be on a lump sum fixed-price basis.

(c) Prior written approval of the responsible HHS official is required for unsolicited modifications that would change the scope or objective of the project, including proposed modifications that would materially alter the costs of the project or increase the amount of grant funds needed to complete the project.

(d) All construction and major renovation contracts for facilities acquired with grant funds shall contain a clause stating that the responsible HHS official or his or her designee shall have access at all reasonable times to the work being performed pursuant to the contract, at any stage of preparation or progress, and requiring that the contractor shall facilitate such access and inspection.

§ 1309.53 Inspection of work.

(a) The grantee must provide and maintain competent and adequate architectural or engineering inspection at the work site to insure that the completed work conforms to the approved plans and specifications.

(b) The grantee must submit a final architectural or engineering inspection report of the facility to the responsible HHS official within 30 calendar days of substantial completion of the construction or renovation.

§ 1309.54 Davis-Bacon Act.

Construction and renovation projects and subcontracts financed with funds awarded under the Head Start program are subject to the Davis-Bacon Act (40 U.S.C. 276a *et seq.*) and the regulations of the Department of Labor, 29 CFR part 5. The grantee must provide an assurance that all laborers and mechanics employed by contractors or subcontractors in the construction or renovation of affected Head Start

facilities shall be paid wages at not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor.

[FR Doc. 99-2861 Filed 2-5-99; 8:45 am]

BILLING CODE 4184-01-U

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 99-22, RM-9426]

Radio Broadcasting Services; Ashland, WI

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by The State of Wisconsin Educational Communications Board proposing the allotment of Channel 275A to Ashland, Wisconsin, and reservation of the channel for noncommercial educational use. The channel can be allotted to Ashland without a site restriction at coordinates 46-35-24 NL and 90-53-00 WL. Canadian concurrence will be requested for the allotment of Channel *275A at Ashland.

DATES: Comments must be filed on or before March 22, 1999, and reply comments on or before April 6, 1999.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Todd D. Gray, Margaret L. Miller, Christine J. Newcomb, Dow Lohnes & Albertson, PLLC, 1200 New Hampshire Avenue, NW, Suite 800, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 99-22, adopted January 13, 1999, and released January 29, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's 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 contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC. 20036, (202) 857-3800, facsimile (202) 857-3805.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission 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* contact.

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. 99-2732 Filed 2-5-99; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA 98-4673, Notice 2]

RIN 2127-AG87

Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices and Associated Equipment

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Extension of comment period for a notice of proposed rulemaking.

SUMMARY: This notice grants a request to extend the comment period on an agency proposal to reorganize the sections of Standard No. 108, Lamps, Reflective Devices and Associated Equipment, relating to headlighting (63 FR 63258, November 12, 1998). The comment closing date is changed from February 10, 1999 to April 11, 1999.

DATES: Comments on docket NHTSA 98-4673, Notice 1 must be received on or before April 11, 1999.

ADDRESSES: Comments should refer to the Docket NHTSA 98-4673, Notice 1 and be submitted to: Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590 (Docket hours are from 10 a.m. to 5 p.m.)

FOR FURTHER INFORMATION CONTACT: Patrick Boyd, Office of Safety

Performance Safety Standards, NHTSA, telephone (202) 366-6346.

SUPPLEMENTARY INFORMATION: NHTSA's proposed rewrite of the headlighting sections of FMVSS No. 108 is intended to remove inconsistencies and to facilitate easy reference to the standard. A proposed rewrite of the signal lamp sections of the standard will follow.

DaimlerChrysler, Ford and General Motors requested a 60 day extension of the comment period because they wanted to provide a response coordinated through the newly formed Alliance of Automobile Manufacturers (AAM). Formerly, the American Automobile Manufacturers Association (AAMA) provided such coordinated responses to notices of proposed rulemaking, but it disbanded during the comment period.

After reviewing the situation, NHTSA agrees with the petitioners that additional time is desirable to obtain a coordinated response. The amended text is lengthy, but the amendments are intended primarily to improve clarity. Accordingly, the agency believes that there is good cause for the extension and that the extension is consistent with the public interest. Based on the above considerations, the agency has decided to extend the comment period until April 11, 1999.

Issued on: February 2, 1999.

Stephen R. Kratzke,

Acting Associate Administrator for Safety Performance Standards.

[FR Doc. 99-2937 Filed 2-5-99; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 583

[Docket No. NHTSA-98-5064]

RIN 2127-AH33

Motor Vehicle Content Labeling

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to amend the regulation NHTSA issued to implement the American Automobile Labeling Act. That Act requires passenger motor vehicles to be labeled with information about their domestic and foreign parts content. Congress recently amended that Act to make a number of changes in the labeling requirement. This proposal would make

the regulation consistent with those changes.

DATES: Comments must be received by April 9, 1999.

ADDRESSES: Comments should refer to the docket number, and be submitted to: Docket Management, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590 (Docket hours are from 10 a.m. to 5 p.m.)

FOR FURTHER INFORMATION CONTACT: For nonlegal issues: Henrietta Spinner, Office of Planning and Consumer Programs, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590 (202-366-4802).

For legal issues: Edward Glancy, Office of the Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590 (202-366-2992).

SUPPLEMENTARY INFORMATION:

Background

On July 21, 1994, NHTSA published in the **Federal Register** (59 FR 37294) a new regulation, 49 CFR part 583, Automobile Parts Content Labeling, to implement the American Automobile Labeling Act (AALA). That Act, which is codified at 49 U.S.C. 32304, requires passenger motor vehicles to be labeled with information about their domestic and foreign parts content. We encourage interested persons to read the July 1994 notice, as well as the various subsequent notices published by the agency in response to petitions for reconsideration, for a detailed explanation of this program.

As part of the NHTSA Reauthorization Act of 1998,¹ Congress amended the AALA to make a number of changes in the labeling requirement. The changes are set forth in section 7106(d) of the NHTSA Reauthorization Act.

In this notice, the agency is proposing to amend Part 583 to conform it to the amended AALA. We will discuss each of the changes made by the Congress, and any conforming amendments being proposed for part 583, in the order set forth in section 7106(d).

Changes to the AALA; Proposed Conforming Amendments

Determination of Origin of Engine and Transmission (Subparagraph (1)(A) of Section 7106(d))

The original AALA specified, among other things, that vehicles were to be

¹ This Act was part of the Transportation Equity Act for the 21st Century (TEA-21). The full text of TEA-21 and the conference report is available on the Web at <http://www.fhwa.dot.gov/tea21/>.