B. Regulatory Flexibility Act

DoD does not expect this rule to 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 DoD awards approximately only 20 new contracts under the Manufacturing Technology Program each year. Therefore, DoD has not performed an initial regulatory Flexibility analysis. DoD invites comments from small businesses and other interested parties. DoD also will consider comments from small entities concerning the affected DFARS subpart in accordance with 5 U.S.C. 610. Such comments should be submitted separately and should cite DFARS Case 99–D302.

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.*

D. Determination To Issue an Interim Rule

A determination has been made under the authority of the Secretary of Defense that urgent and compelling reasons exist to publish this interim rule prior to affording the public an opportunity to comment. This interim rule implements Section 216 of the National Defense Authorization Act for Fiscal Year 2000. Section 216 eliminates the mandatory cost-sharing requirements in the Manufacturing Technology Program and provides that cost sharing be included as a factor in competitive procedures for evaluating proposals under manufacturing technology projects. Section 216 because effective on October 5, 1999. DoD will consider comments received in response to this interim rule in the formation of the final rule.

List of Subject in 48 CFR Part 235

Government procurement.

Michele P. Peterson,

Executive Editor, Defense Acquisition Regulations Council.

Therefore, 48 CFR Part 235 is amended as follows:

1. The authority citation for 48 CFR Part 235 continues to read as follows:

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

PART 235—RESEARCH AND DEVELOPMENT CONTRACTING

2. Section 235.006–70 is revised to read as follows:

235.006–70 Manufacturing Technology Program.

In accordance with 10 U.S.C. 2525(d), for acquisitions under the Manufacturing Technology Program—

(a) Award all contracts using competitive procedures; and

(b) Include in all solicitations an evaluation factor that addresses the extent to which offerors propose to share in the cost of the project (see FAR 15.304).

[FR Doc. 00–764 Filed 1–12–00; 8:45 am]

BILLING CODE 5000–04–M

DEPARTMENT OF DEFENSE

48 CFR Part 241

[DFARS Case 99–D309]

Defense Federal Acquisition Regulation Supplement; Authority Relating to Utility Privatization

AGENCY: Department of Defense (DoD).

ACTION: Interim rule with request for comments.

SUMMARY: The Acting Director of Defense Procurement has issued an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement Section 2812 of the National Defense Authorization Act for Fiscal Year 2000. Section 2812 provides that DoD may enter into utility service contracts related to the conveyance of a utility system for periods not to exceed 50 years.

DATES: Effective date: January 13, 2000.

Comment date: Comments on the interim rule should be submitted in writing to the address shown below on or before March 13, 2000, to be considered in the formation of the final rule.

ADDRESSES: Interested parties should submit written comments to: Defense Acquisition Regulations Council, Attn: Ms. Melissa Rider, PDUSD (AT&L)DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301–3062. Telefax (703) 602–0350.

E-mail comments submitted via the Internet should be addressed to: dfars@acq.osd.mil

Please cite DFARS Case 99–D309 in all correspondence related to this rule. E–mail comments should cite DFARS Case 99–D309 in the subject line.

FOR FURTHER INFORMATION CONTACT: Ms Melisssa Rider, (703) 602–4245.

SUPPLEMENTARY INFORMATION:

A. Background

This final rule adds a new section at DFARS 241.103 to implement Section 2812 of the National Defense Authorization Act for Fiscal Year 2000 (Pub. L. 106–65). Section 2812 amends 10 U.S.C. 2688 to provide authority for DoD to enter into utility service contracts related to the conveyance of a utility system for periods not to exceed 50 years.

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 does not except this rule to 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 utility services generally are not provided by small business concerns. Therefore, DoD has not performed an initial regulatory flexibility analysis. DoD invites comments from small businesses and other interested parties. DoD also will consider comments from small entities concerning the affected DFARS subpart in accordance with 5 U.S.C. 610. Such comments should be submitted separately and should cite DFARS Case 99–D309.

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.*

D. Determination To Issue an Interim Rule

A determination has been made under the authority of the Secretary of Defense that urgent and compelling reasons exist to publish this interim rule prior to affording the public an opportunity to comment. This interim rule amends the DFARS to add policy regarding DoD's authority to enter into utility service contracts with terms of up to 50 yeas, if the contracts are connected with the conveyance of a utility system. The rule implements Section 2812 of the National Defense Authorization Act for Fiscal Year 2000. Section 2812 became effective on October 5, 1999. DoD will consider comments received in response to this interim rule in the formation of the final rule.

List of Subjects in 48 CFR Part 241

Government procurement.

Michele P. Peterson,

Executive Editor, Defense Acquisition Regulations Council.

Therefore, 48 CFR Part 241 is amended as follows:

1. The authority citation for 48 CFR Part 241 continues to read as follows:

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

PART 241—ACQUISITION OF UTILITY SERVICES

2. Section 241.103 is added to read as follows:

§ 241.103 Statutory and delegated authority.

The contracting office may enter into a utility service contract related to the conveyance of a utility system for a period not to exceed 50 years (10 U.S.C. 2688(c)(3)).

[FR Doc. 00–766 Filed 1–12–00; 8:45 am]

BILLING CODE 5000–04–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 572

Docket No. NHTSA–99–6714

RIN 2127–AG76

Anthropomorphic Test Dummy; Occupant Crash Protection

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

ACTION: Final rule.

SUMMARY: This document amends 49 CFR part 572 by adding a new, more advanced 6-year-old child dummy (H–III6C). The new dummy, part of the family of Hybrid III test dummies, is more representative of humans than the existing one, and allows the assessment of the potential for more types of injuries. The new dummy is especially needed to evaluate the risks of air bag deployment for children, particularly unrestrained children. It will also provide greater and more useful information in a variety of environments to better evaluate child safety.

Adding the dummy to part 572 is the first step toward using the dummy to evaluate the safety of air bags for children. The issue of amending the agency's safety standards, such as the one on frontal occupant crash protection or the ones on child restraints, to specify use of the dummy in determining compliance with performance test requirements will be addressed in other rulemaking proceedings.

DATES: Effective Date: This regulation becomes effective March 13, 2000. The incorporation by reference of the publications listed in the rule was approved by the Director of the Federal Register as of March 13, 2000.

Petitions: Petitions for reconsideration must be received by February 28, 2000.

ADDRESSES: Petitions for reconsideration should refer to the docket number of this rule and be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: For non-legal issues, you may call Stan Backaitis, Office of Crashworthiness Standards, at 202–366–4912.

For legal issues, you may call Rebecca MacPherson, Office of the Chief Counsel, at 202–366–2992.

You may send mail to both of these officials at National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

I. Summary of Decision

Based on NHTSA's use of the H–III6C 6-year-old dummy in calibration tests and in frontal impact tests involving restraints such as air bags and belts, we have concluded that this dummy is suitable for both research and compliance safety assessments. The dummy is not only considerably more biofidelic than its predecessor, the Part 572 Subpart I 6-year-old dummy, but it also has considerably more extensive instrumentation to measure impact responses such as forces, accelerations, moments, and deflections in conducting tests to evaluate vehicle occupant protection systems. Depending on the intended injury assessment needs, the dummy has the necessary instrumentation to measure the potential for injuries to the head, the upper and lower ends of the neck, the chest, the lumbar spine, the pelvis, and the femurs, as well as the forces on the iliac crests [1] caused by the lap belt. In extensive agency tests, the dummy exhibited excellent durability and robustness as a measuring test tool. Although other dummy users were invited to provide comments on their test experience with the H–III6C, their responses to the notice of proposed rulemaking (NPRM) were based primarily on data from calibration-type tests. Little of the data was from the dummy's response in systems tests. Accordingly, our judgment about adequacy of the dummy in system's tests is based on our own test data. However, we believe that our conclusion is consistent with the calibration data submitted in response to the NPRM by other dummy users, since those data provide a reasonably good match with the agency data.

We have decided to add the H–III6C to Part 572 as Subpart N, and designate it as the alpha version of the H–III6C dummy. Further changes to the dummy will be designated as beta, gamma, etc., to assure that modifications can be easily tracked and identified. The new dummy is defined by a drawing and specification package, a new procedures document for disassembly, assembly and inspection, and performance parameters including associated calibration procedures.

II. Background

The development of the dummy's initial concept and specifications was initiated by the Centers for Disease Control and Prevention (CDC) when it provided funds to Ohio State University to develop a design foundation for a Hybrid III type 6-year-old child dummy (H–III6C) in 1989. Ohio State University asked the Society of Automotive Engineers (SAE) to form an appropriate working group that could provide advice and guidance from the automotive perspective. The development of the H–III6C has continued since then under the guidance of the Hybrid III Dummy Family Task Force of SAE. NHTSA has also been involved in the development of the dummy, initially as an observer in meetings of the SAE Task Force, and later as a participant sharing relevant test data. As the development of the dummy approached maturity, we initiated a program in 1997 to evaluate the dummy to determine its readiness for use as a test device in agency compliance programs.

Upon completion of the evaluation program, which also involved a series of dummy modifications, we tentatively concluded that the upgraded dummy was suitable for potential incorporation into Part 572. On June 29, 1998, we published an NPRM in which we proposed to incorporate the Hybrid III type 6-year-old child dummy into Part 572 as Subpart N, and invited comments (63 FR 35170).

We received comments from 14 organizations: First Technology Safety Systems (FTSS), the American Academy of Pediatrics (AAP), Applied Safety Technology Corporation (ASTC), Robert A. Denton, Inc., Transportation Research Center, Inc. (TRC), International Electronic Engineering (IEE), TRW, Advocates for Highway and Auto Safety (Advocates), Entran, Mitsubishi, Volvo, SAE Dummy Test

[1] The ilium is the dorsal, upper and largest of the three bones composing the left or right half of the pelvis.