

6. Section 1815.807-71 is amended by revising the first sentence to read as follows:

**1815.807-71 Installation reviews.**

Each contracting activity shall establish a formal system for the review of prenegotiation memoranda. \* \* \*

7. Section 1815.807-72 is amended by revising paragraph (a) to read as follows:

**1815.807-72 Headquarters reviews.**

\* \* \* \* \*

(a) *Advance information to be provided to Headquarters.* The installation shall provide Code HS with the following, which shall be furnished as soon as practicable and sufficiently in advance of the planned commencement of negotiations to allow a reasonable period of time for Headquarters review:

(1) Five copies of the PPM.

(2) One copy each of the contractor's proposal, the Government technical evaluation, and all pricing reports (including any audit reports).

\* \* \* \* \*

8. Section 1815.870-1 is amended by revising paragraph (a) and the first sentence of paragraph (b) to read as follows:

**1815.870-1 General.**

(a) When subcontracts have been placed on a price-redetermination or fixed-price-incentive basis and the prime contract type is fixed-price redeterminable or F-PI (successive target), at the time of final pricing it may be appropriate to negotiate a firm prime contract price, even though the contractor has not yet established final subcontract prices. The contracting officer may do this when convinced that the amount included for subcontracting is reasonable, for example, when realistic cost information or pricing data on subcontract efforts are available.

(b) However, even though the available cost information are highly indefinite and there is a distinct chance that one or more of the subcontracts eventually may be redetermined at prices lower than those predicted in redetermining the prime contract price, other circumstances may require prompt negotiation of the final contract price.

\* \* \*

**Subpart 1815.9—Profit**

**1815.970-2 [Amended]**

9. Section 1815.970-2 is amended by removing the paragraph heading in paragraph (f)(1).

10. Section 1815.970-3 is amended by revising the citation "1815.970(b)" to read "1830.7001" in the first sentence of paragraph (a) and by revising paragraph

(b) and removing paragraph (c) to read as follows:

**1815.970-3 Facilities capital cost of money.**

(a) \* \* \*

(b) CAS 417, cost of money as an element of the cost of capital assets under construction, should not appear in contract proposals. These costs are included in the initial value of a facility for purposes of calculating depreciation and CAS 414.

**PART 1816—TYPES OF CONTRACTS**

**Subpart 1816.2—Fixed-Price Contracts**

**1816.203-4 [Amended]**

11. In paragraph (c) of section 1816.203-4, the citation "FAR 15.804.2 and -3" is revised to read "FAR 15.804-1 and 15.804-2".

**PART 1852—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

**Subpart 1852.2—Tests of Provisions and Clauses**

12. Section 1852.215-70 is amended by revising the date of the clause to read "October 1995" and revising paragraph (a) of the clause to read as follows:

**1852.215-70 Increases in estimated costs.**

\* \* \* \* \*

(a) Increases resulting from updating or correcting the cost or pricing data submitted with the proposal;

\* \* \* \* \*

13. Section 1852.243-70 is amended by revising the date of the clause to read "October 1995" and revising the first sentence of paragraph (d) of the clause to read as follows:

**1852.243-70 Engineering change proposals.**

\* \* \* \* \*

(d) Concurrent with the submission of an ECP, the contractor shall, in accordance with FAR 15.804-6, provide a completed Standard Form 1411, Contract Pricing Proposal Cover Sheet (Cost or Pricing Data Required), with appropriate attachments. \* \* \*

\* \* \* \* \*

**PART 1870—NASA SUPPLEMENTARY REGULATIONS**

**Subpart 1870.1—NASA Acquisition of Investigations System**

14. In section 1870.102, paragraph VI of Appendix B to Appendix I is revised to read as follows:

**1870.102 NASA acquisition of investigations.**

\* \* \* \* \*

**VI. Status of Cost Proposals (U.S. Proposals Only)**

The Investigator's institution agrees that the cost proposal is for proposal evaluation and selection purposes, and that following selection and during negotiations leading to a definitive contract, the institution will be required to resubmit or execute a Standard Form (SF) Form 1411 "Contract Pricing Proposal Cover Sheet (Cost or Pricing Data Required)" and certifications and representations required by law and regulation.

\* \* \* \* \*

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BILLING CODE 7510-01-M

**48 CFR Parts 1819 and 1852**

**Acquisition Regulation; Reduction of Subcontract Reporting**

**AGENCY:** Office of Procurement, National Aeronautics and Space Administration (NASA).

**ACTION:** Final rule.

**SUMMARY:** This rule amends acquisition regulations in response to a Presidential memorandum on regulatory reform. This rule reduces the frequency of subcontract reporting.

**EFFECTIVE DATE:** October 18, 1995.

**FOR FURTHER INFORMATION CONTACT:** David K. Beck, (202) 358-0482.

**SUPPLEMENTARY INFORMATION:**

**Background**

This rule makes regulatory changes in response to the Presidential Memorandum of April 21, 1995, on Regulatory Reform—Waiver of Penalties and Reduction of Reports (60 FR 20621, 4-26-95).

**Quarterly Subcontracting Reports**

Under 48 CFR 1852.219-75, NASA has required the submission of quarterly reports using Standard Form (SF) 295. The SF 295 gives the Agency a summary of subcontracts awarded under the Agency's contracts. The reports have been used by NASA to chart the Agency's progress in achieving a statutorily required small disadvantaged business goal. Annual reporting is not frequent enough to determine the extent of small disadvantaged business participation in NASA programs. However, in the interest of regulatory reform, NASA will reduce the frequency of SF 295 reports from quarterly to semiannually. NASA will also continue to rely on semiannual SF 294 reports of subcontracting activity under individual contracts. The SF 294 enables the Agency to administer subcontracting plans by monitoring the prime contractor's achievement of

subcontracting goals under individual contracts.

**Paperwork Reduction Act**

Under 5 CFR 1320.5(b)(2)(i), NASA is required to inform potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. Under 5 CFR 1320.5(b)(2)(ii)(C), this paragraph meets that requirement as follows:

Information collection using the SF 295 has been approved under OMB control numbers 2700-0073 and 9000-0007.

**Regulatory Flexibility Act**

The rule was reviewed under the Regulatory Flexibility Act of 1980. NASA certifies that the rule will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 48 CFR Parts 1819 and 1852

Government procurement.  
Tom Luedtke,

*Deputy Associate Administrator for Procurement.*

Accordingly, 48 CFR parts 1819 and 1852 are amended as follows:

**PART 1819—SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS CONCERNS**

1. The authority citation for 48 CFR Parts 1819 and 1852 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

**Subpart 1819.7—Subcontracting with Small Business and Small Disadvantaged Business Concerns**

**1819.708-70 [Amended]**

2. Section 1819.708-70 is amended by removing the last sentence of paragraph (b).

**PART 1852—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

3. The clause at section 1852.219-75 is amended by revising the date, revising paragraph (a), removing paragraphs (b) and (c), and redesignating paragraph (d) as paragraph (b) to read as follows:

**1852.219-75 Small business and small disadvantaged business subcontracting reporting.**

\* \* \* \* \*

Small Business and Small Disadvantaged Business Subcontracting Reporting (October 1995)

(a) The Contractor shall submit the Summary Subcontract Report (Standard Form (SF) 295) semiannually for the reporting periods specified in block 4 of the form. All other instructions for the SF 295 remain in effect.

(b) \* \* \*

(End of clause)

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 672**

[Docket No. 950206041-5041-01; I.D. 101395A]

**Groundfish of the Gulf of Alaska**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting directed fishing for northern rockfish in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the northern rockfish total allowable catch (TAC) in this area.

**EFFECTIVE DATE:** 12 noon, Alaska local time (A.l.t.), October 13, 1995, until 12 midnight, A.l.t., December 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Thomas Pearson, 907-486-6919.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

In accordance with § 672.20(c)(1)(ii)(B), the northern rockfish TAC for the Central Regulatory Area was established by the final 1995 specifications of groundfish (60 FR 8470, February 14, 1995) as 4,610 metric tons (mt).

The Director, Alaska Region, NMFS (Regional Director), established in accordance with § 672.20(c)(2)(ii) a directed fishing allowance for northern rockfish of 4,360 mt, with consideration

that 250 mt will be taken as incidental catch in directed fishing for other species in this area. The Regional Director has determined that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for northern rockfish in the Central Regulatory Area.

After the effective date of this closure the maximum retainable bycatch amounts at § 672.20(g), apply at any time during a trip.

**Classification**

This action is taken under 50 CFR 672.20 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: October 13, 1995.

Richard H. Schaefer,

*Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*

[FR Doc. 95-25847 Filed 10-13-95; 2:58 pm]

BILLING CODE 3510-22-F

**50 CFR Part 675**

[Docket No. 950206040-5040-01; I.D. 101095A]

**Groundfish of the Bering Sea and Aleutian Islands Area; Pollock by Vessels Catching Pollock for Processing by the Offshore Component in the Bering Sea Subarea**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Modification of a closure.

**SUMMARY:** NMFS is opening directed fishing for pollock in the Bering Sea (BS) subarea of the Bering Sea and Aleutian Islands management area (BSAI) by vessels catching pollock for processing by the offshore component. This action is necessary to fully utilize the allowance of the total allowable catch (TAC) of pollock for processing by the offshore component in the BS.

**EFFECTIVE DATE:** 12 noon, Alaska local time (A.l.t.), October 20, 1995, until 12 midnight, December 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Michael Sloan, 907-581-2062.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the BSAI Exclusive Economic Zone is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the BSAI Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S.