

rulemaking, because this rule imposes no paperwork burden on offerors, affected contractors and subcontractors, or members of the public which require the approval of OMB under 44 U.S.C. 3501, *et seq.*

C. Executive Order 12866 and the Regulatory Flexibility Act

The economic impact of this rule on contractors and subcontractors is expected to be minor. As a result, the Board has determined that this final rule will not result in the promulgation of a "major rule" under the provisions of Executive Order 12866, and that a regulatory impact analysis will not be required. Furthermore, this rule will not have a significant impact on a substantial number of small businesses because small businesses are exempt from the application of the Cost Accounting Standards. Therefore, this rule does not require a regulatory flexibility analysis under the Regulatory Flexibility Act of 1980.

D. Public Comments

Interested persons are invited to participate by submitting data, views or arguments with respect to this interim rule. All comments must be in writing and submitted to the address indicated in the ADDRESSES section.

List of Subjects in 48 CFR Part 9903

Cost accounting standards,
Government procurement.

Richard C. Loeb,

Executive Secretary, Cost Accounting Standards Board.

For the reasons set forth in this preamble, chapter 99 of title 48 of the Code of Federal Regulations is amended as set forth below:

PART 9903—CONTRACT COVERAGE

Subpart 9903.2—CAS Program Requirements

1. The authority citation for part 9903 of chapter 99 of title 48 continues to read as follows:

Authority: Pub. L. 100-679, 102 Stat 4056, 41 U.S.C. § 422.

2. Section 9903.201-1 is amended by revising paragraph (b)(6) to read as follows:

9903.201-1 CAS applicability.

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(b) * * *

(6) Firm fixed-price contracts and subcontracts for the acquisition of commercial items.

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3. Section 9903.201-3 is amended by revising the clause heading and Part I (a) of the clause to read as follows:

9903.201-3 Solicitation provisions.

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COST ACCOUNTING STANDARDS
NOTICES AND CERTIFICATIONS (JULY 1996)

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I. Disclosure Statement—Cost Accounting Practices and Certifications

(a) Any contract in excess of \$500,000 resulting from this solicitation, except for those contracts which are exempt as specified in 9903.201-1

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4. Section 9903.201-4 is amended by revising the clause headings and paragraphs (d) of the clause entitled Cost Accounting Standards; (d)(2) of the clause entitled Disclosure and Consistency of Cost Accounting Practices; and by revising paragraph (d)(2) and adding paragraph (d)(3) to the clause entitled Cost Accounting Standards—Educational Institutions, to read as follows:

9903.201-4 Contract clauses.

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COST ACCOUNTING STANDARDS (JULY 1996)

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(d) The Contractor shall include in all negotiated subcontracts which the Contractor enters into, the substance of this clause, except paragraph (b), and shall require such inclusion in all other subcontracts, of any tier, including the obligation to comply with all CAS in effect on the subcontractor's award date or if the subcontractor has submitted cost or pricing data, on the date of final agreement on price as shown on the subcontractor's signed Certificate of Current Cost or Pricing Data. This requirement shall apply only to negotiated subcontracts in excess of \$500,000, except that the requirement shall not apply to negotiated subcontracts otherwise exempt from the requirement to include a CAS clause as specified in 9903.201-1.

(End of clause)

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DISCLOSURE AND CONSISTENCY OF
COST ACCOUNTING PRACTICES (JULY 1996)

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(d) * * *

(2) This requirement shall apply only to negotiated subcontracts in excess of \$500,000.

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COST ACCOUNTING STANDARDS—
EDUCATIONAL INSTITUTIONS (JULY 1996)

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(d) * * *

(2) This requirement shall apply only to negotiated subcontracts in excess of \$500,000.

(3) The requirement shall not apply to negotiated subcontracts otherwise exempt from the requirement to include a CAS clause as specified in 9903.201-1.

(End of clause)

Subpart 9903.3—CAS Rules and Regulations

§ 9903.301 Definitions.

5. Section 9903.301 is amended by deleting the definition for *Established catalog or market price of commercial items sold in substantial quantities to the general public*.

[FR Doc. 96-19067 Filed 7-26-96; 8:45 am]

BILLING CODE 3110-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[I.D. 072396B]

Atlantic Tuna Fisheries; Fishery Closure and Reallocation

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

ACTION: Closure and reallocation.

SUMMARY: NMFS has determined that the Atlantic bluefin tuna (ABT) Harpoon category annual quota and the June/July period General category quota for 1996 will be attained by July 24, 1996. Therefore, the 1996 Harpoon category fishery will be closed effective at 11:30 p.m. on July 24, 1996, and the General category fishery for June/July will be closed effective at 11:30 p.m. on July 24, 1996. This action is being taken to prevent overharvest of these categories. NMFS also announces a transfer of 10 mt of ABT from the longline-south Incidental subcategory to the longline-north Incidental subcategory. NMFS has determined that the fisheries landing ABT under the longline-south Incidental subcategory are not likely to achieve the full 1996 allocation. This reallocation is being taken to extend the season for the longline-north Incidental subcategory, ensure additional collection of biological assessment and monitoring data, and prevent waste of ABT that might otherwise be discarded dead.

EFFECTIVE DATES: The General category closure for the June/July period is effective 11:30 p.m. local time on July

24, 1996, through July 31, 1996. The Harpoon category closure is effective 11:30 p.m. local time on July 24, 1996, through December 31, 1996. The longline inseason transfer is effective July 23, 1996.

FOR FURTHER INFORMATION CONTACT: Chris Rogers, 301-713-2347, or Mark Murray-Brown, 508-281-9260.

SUPPLEMENTARY INFORMATION: Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of ABT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285. Section 285.22 subdivides the U.S. quota recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT) among the various domestic fishing categories.

General and Harpoon Category Closures

NMFS is required, under 285.20(b)(1), to monitor the catch and landing statistics and, on the basis of these statistics, to project a date when the catch of ABT will equal the quota and publish a Federal Register announcement to close the applicable fishery.

Implementing regulations for the Atlantic tuna fisheries at 50 CFR 285.22 provide for a quota of 133 mt of large medium and giant ABT to be harvested from the regulatory area by vessels permitted in the General category during the period beginning June 1 and ending July 31. Based on reported catch and effort, NMFS projects that this quota will be reached by July 24, 1996. Therefore, fishing for, retaining, possessing, or landing large medium or giant ABT by vessels in the General category must cease at 11:30 p.m. local time July 24, 1996. The General category will reopen August 1, 1996 with a quota of 186 mt for the August period.

Implementing regulations for the Atlantic tuna fisheries at 50 CFR 285.22 provide for a quota of 53 mt of large medium and giant ABT to be harvested from the regulatory area by vessels permitted in the Harpoon category. Based on reported catch and effort, NMFS projects that this quota will be reached by July 24, 1996. Therefore, fishing for, retaining, possessing, or landing large medium or giant ABT by vessels in the Harpoon category must cease at 11:30 p.m. local time July 24, 1996.

The intent of these closures is to prevent overharvest of the quotas established for these categories.

Inseason Transfer

Under the implementing regulations at 50 CFR 285.22(f), NMFS has the authority to make adjustments to quotas involving transfers between vessel categories or, as appropriate, subcategories if, during a single year quota period or the second year of a biannual quota period as defined by ICCAT, it is determined, based on landing statistics, present year catch rates, effort, and other available information, that any category, or as appropriate, subcategory, is not likely to take its entire quota as previously allocated for that year. Given that determination, NMFS may transfer inseason any portion of the quota of any fishing category to any other fishing category or to the reserve after considering the following factors: (1) The usefulness of information obtained from catches of the particular category of the fishery for biological sampling and monitoring the status of the stock; (2) the catches of the particular gear segment to date and the likelihood of closure of that segment of the fishery if no allocation is made; (3) the projected ability of the particular gear segment to harvest the additional amount of ABT before the anticipated end of the fishing season; (4) the estimated amounts by which quotas established for other gear segments of the fishery might be exceeded.

At the current time, ABT have migrated to summer feeding grounds in New England waters and incidental catch by longline vessels operating south of 34° N. lat. is no longer expected to occur. A total of 45 mt currently remain of the amount allocated to this southern subcategory. The longline-north Incidental subcategory is expected to reach its allocation of 23 mt for vessels fishing north of 34° N. lat. Once the quota is reached for this northern subcategory, any ABT incidentally taken by longline vessels must be discarded at sea. In order to prevent waste of ABT that might otherwise be discarded dead, it is reasonable to transfer quota from the southern to the northern subcategory.

Reallocating 10 mt from the Incidental longline-south category responds to the criteria listed above as follows: Incidental category landings are a major contributor to the collection of biological data on this fishery; incidental catches by longline vessels in 1996 have been high, and it would be necessary to close this subcategory of the fishery unless additional quota allocation is made.

Classification

This action is taken under 50 CFR 285.20(b) and 50 CFR 285.22 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 971 *et seq.*

Dated: July 23, 1996.

Richard W. Surdi,

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

[FR Doc. 96-19129 Filed 7-23-96; 5:08 pm]

BILLING CODE 3510-22-F

50 CFR Part 300

[Docket No. 960111003-6068-03; I.D. 072496A]

International Fisheries Regulations; 1996 Halibut Report No. 5

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

ACTION: Inseason action.

SUMMARY: The Assistant Administrator for Fisheries, NOAA, on behalf of the International Pacific Halibut Commission (IPHC), publishes these inseason actions pursuant to IPHC regulations approved by the U.S. Government to govern the Pacific halibut fishery. This action is intended to enhance the conservation of the Pacific halibut stock.

EFFECTIVE DATE: Area 2A Non-treaty Commercial Fishery Reopening: 8:00 a.m., Pacific Daylight Time (PDT), July 24, 1996, until 6:00 p.m. PDT, July 24, 1996.

FOR FURTHER INFORMATION CONTACT: Steven Pennoyer, 907-586-7221; William W. Stelle, Jr., 206-526-6140; or Donald McCaughan, 206-634-1838.

SUPPLEMENTARY INFORMATION: The IPHC, under the Convention between the United States of America and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea (signed at Ottawa, Ontario, on March 2, 1953), as amended by a Protocol Amending the Convention (signed at Washington, DC, on March 29, 1979), has issued this inseason action pursuant to IPHC regulations governing the Pacific halibut fishery. The regulations have been approved by NMFS (60 FR 14651, March 20, 1995, and amended at 61 FR 11337, March 20, 1996). On behalf of the IPHC, this inseason action is published in the Federal Register to provide additional notice of its effectiveness, and to inform persons subject to the inseason action of the restrictions and requirements established therein.