

(insert line item number)

(insert country of origin)

(End of provision)

26. Section 252.225-7036 is amended by revising paragraphs (c) and (d); and in Alternate I by revising the date and paragraph (c) to read as follows:

252.225-7036 North American Free Trade Agreement Implementation Act.

* * * * *

(c) The Contractor agrees to deliver under this contract only U.S. made end products unless, in its offer, it specified delivery of qualifying country, NAFTA country, or non-NAFTA country end products in the Buy American Act—North American Free Trade Agreement Implementation Act—Balance of Payments Program Provision. An offer proposing that a qualifying country end product or a NAFTA country end product will be supplied requires the Contractor to supply a qualifying country end product or a NAFTA country end product, whichever is proposed, or, at the Contractor's option, a U.S. made end product.

(d) The offered price of end products listed under paragraphs (c)(2) (i) and (iv) of the Buy American Act—North American Free Trade Agreement Implementation Act—Balance of Payment Program Provision of the solicitation must include all applicable duty. The offered price of qualifying country end products or NAFTA country end products for line items subject to the North American Free Trade Agreement Implementation Act, should not include custom fees or duty.

(End of clause)

Alternate I (Date)

* * * * *

(c) The Contractor agrees to deliver under this contract only U.S. made end products unless, in its offer, it specified delivery of qualifying country, NAFTA country, or non-NAFTA country end products in the Buy American Act—North American Free Trade Agreement Implementation Act—Balance of Payments Program Provision. An offer proposing that a qualifying country end product or a Canadian end product will be supplied requires the Contractor to supply a qualifying country end product or a Canadian end product, whichever is proposed, or, at the Contractor's option, a U.S. made end product.

27. Section 252.225-7037 is amended by revising paragraph (i)(10) to read as follows:

252.225-7037 Duty-Free Entry—NAFTA Country End Products and Supplies.

* * * * *

(i) * * *

(10) An agreement by the Contractor that duty shall be paid by the Contractor to the extent that such supplies, or any portion (if not scrap or salvage), are diverted to nongovernmental use other than as a result of a competitive sale made, directed, or authorized by the Contracting Officer; and

* * * * *

28. Section 252.226-7001 is amended by revising the section title, clause title and date, and paragraph (b) to read as follows:

252.226-7001 Historically Black College or University and Minority Institution Status.

* * * * *

HISTORICALLY BLACK COLLEGE OR UNIVERSITY AND MINORITY INSTITUTION STATUS (DATE)

* * * * *

(b) *Status.*

If applicable, the offeror shall check the appropriate box below:

_____ A historically black college or university

_____ A minority institution

(End of provision)

29. Section 252.227-7036 is revised to read as follows:

252.227-7036 Declaration of Technical Data Conformity.

As prescribed at 227.7103-6(e)(3) or 227.7104(e)(5), use the following clause: Declaration of Technical Data Conformity (Date)

All technical data delivered under this contract shall be accompanied by the following written declaration: The Contractor, _____, hereby declares that, to the best of its knowledge and belief, the technical data delivered herewith under Contract No. _____ is complete, accurate, and complies with all requirements of the contract.

Date _____

Name and Title of Authorized Official _____

(End of clause)

252.233-7000 [Removed]

30. Section 252.233-7000 is removed.

31. Section 252.236-7003 is amended by revising paragraphs (c)(1) and (c)(2) and the introductory text of paragraph (c)(3) to read as follows:

252.236-7003 Payment for Mobilization and Preparatory Work.

* * * * *

(c) * * *

(1) An account of the Contractor's actual expenditures;

(2) Supporting documentation, including receipted bills or copies of payrolls and freight bills; and

(3) The Contractor's documentation—

* * * * *

252.236-7006 [Amended]

32. Section 252.236-7006 is amended by removing paragraph (c) and redesignating paragraph (d) as paragraph (c).

252.239-7007 [Amended]

33. Section 252.239-7007 is amended in paragraph (d)(1) by removing the word "certified".

252.247-7001 [Amended]

34. Section 252.247-7001 is amended in paragraph (g) by removing the word "certification" and inserting the word "statement" in its place.

[FR Doc. 96-22618 Filed 9-5-96; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Notice of Public Hearing and Reopening of Public Comment Period on Proposed Endangered Status for Two San Francisco Bay California Tidal Marsh Plants

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; notice of public hearing and reopening of public comment period.

SUMMARY: The U.S. Fish and Wildlife Service (Service), pursuant to the Endangered Species Act of 1973, as amended (Act), provides notice of a public hearing and reopening of the comment period on the proposed endangered status for *Cirsium hydrophilum* var. *hydrophilum* (Suisun thistle) and *Cordylanthus mollis* ssp. *mollis* (soft bird's-beak). All parties are invited to comment on this proposal.

DATES: The public hearing will be held from 6:00 p.m. to 8:00 p.m. on Wednesday, October 2, 1996, in Fairfield, California. The public comment period now closes on October 15, 1996. Any comments received by the closing date will be considered in the final decision on this proposal.

ADDRESSES: The public hearing will be held at the Holiday Inn, 1350 Holiday Lane, Fairfield, California. Written comments and materials concerning this proposal should be sent to the Field Supervisor, Sacramento Field Office, U.S. Fish and Wildlife Service, 3310 El Camino Avenue, Suite 130, Sacramento, California 95821-6340. Comments and materials received, as well as the supporting documentation used in preparing the rule, will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Kirsten Tarp, Sacramento Field Office (see ADDRESSES section) at (916) 979-2710; facsimile (916) 979-2723.

SUPPLEMENTARY INFORMATION:**Background**

Cirsium hydrophilum var. *hydrophilum* (Suisun thistle) and *Cordylanthus mollis* ssp. *mollis* (soft bird's beak) are restricted to salt or brackish tidal marshes within the San Francisco Bay area in northern California. Habitat conversion, changes in salinity of tidal marshes, water pollution, indirect effects of urbanization, habitat fragmentation, mosquito abatement activities such as off-road vehicle use and dredging, competition with non-native plants, insect predation, chance environmental events, inadequacy of existing laws, erosion, and other human-caused activities variously threaten these plants. Activities such as waterfowl hunting, bird watching, and fishing do not adversely affect the plants. A proposal to list these two plants was published in the Federal Register on June 12, 1995 (60 FR 31000).

Section 4(b)(5)(E) of the Act (16 U.S.C. 1531 et seq.) requires that a public hearing be held if it is requested within 45 days of the publication of the proposed rule. A public hearing request was received within the allotted time period from Paul Campos, General Council for the Building Industry Association. Because a Congressional moratorium on the Service's activities associated with final listing actions was in effect from April 1995, to April 1996, scheduling of the hearing was delayed. The Service has now scheduled a public hearing to be held on Wednesday, October 2, 1996, from 6:00 p.m. to 8:00 p.m. at the Holiday Inn, 1350 Holiday Lane, Fairfield, California.

Anyone wishing to make statements for the record should bring a written copy of their statement to the hearing. Oral statements may be limited in length if the number of parties present at the hearing necessitates such a limitation. Oral and written comments receive equal consideration. The Service places no limits on the length of written comments or materials presented at the hearing or mailed to the Service.

The comment period on the proposal was to close on August 21, 1995. To accommodate the hearing, the public comment period is reopened upon publication of this notice. Written comments may now be submitted until October 15, 1996, to the Service in the **ADDRESSES** section.

The primary author of this notice is Kirsten Tarp (see **ADDRESSES** section).

Authority

The authority for this action is the Endangered Species Act of 1973, as amended: (16 U.S.C. 1531 et seq.)

Dated: August 30, 1996.

Thomas Dwyer,

Acting Regional Director, Region 1, U.S. Fish and Wildlife Service.

[FR Doc. 96-22765 Filed 9-5-96; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 648**

[Docket No. 960805216-6236-02; I.D. 081696D]

RIN 0648-AH06

Fisheries of the Northeastern United States; Amendment 9 to the Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Resubmission of Disapproved Measure

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS issues this proposed rule to obtain public comments concerning a provision of Amendment 9 to the Fishery Management Plan (FMP) for the Summer Flounder, Scup, and Black Sea Bass Fisheries that was initially disapproved, but that has been revised and resubmitted by the Mid-Atlantic Fishery Management Council (Council). This measure would establish a quarterly coastwide commercial quota setting mechanism with trip limits for the coastal states from Maine through North Carolina. The intent of Amendment 9 is to reduce fishing mortality and to allow the stock to rebuild.

DATES: Public comments must be received on or before September 26, 1996.

ADDRESSES: Send comments on this proposed rule to Dr. Andrew A. Rosenberg, Regional Administrator, Northeast Regional Office, NMFS, One Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope, "Comments on the Resubmitted Black Sea Bass Measure."

Copies of the resubmitted portion of Amendment 9 and other supporting documents are available upon request

from David R. Keifer, Executive Director, Mid-Atlantic Fishery Management Council, Room 2115, Federal Building, 300 South New Street, Dover, DE 19901.

FOR FURTHER INFORMATION CONTACT:

Regina L. Spallone, Fishery Policy Analyst, 508-281-9221.

SUPPLEMENTARY INFORMATION:**Background**

The Council submitted Amendment 9 for Secretarial review on June 20, 1996. On July 19, 1996, NMFS, on behalf of the Secretary of Commerce, after a preliminary evaluation of Amendment 9, as authorized under section 304(a)(1)(A) of the Magnuson Fishery Management and Conservation Act (Magnuson Act), disapproved the provision that would have implemented a state-by-state quota for black sea bass in 1998. A proposed rule to implement the remainder of Amendment 9 was published on August 21, 1996 (61 FR 43217).

The Council revised the quota provision to address NMFS' concerns, which are summarized in the preamble to the proposed rule, and, under section 304(b)(3)(A) of the Magnuson Act, submitted for Secretarial review a proposed measure that would implement a quarterly coastwide quota with trip limits that would be allocated to the commercial black sea bass fishery from Maine through North Carolina.

Proposed Measures

The resubmitted measure would implement in 1998 a quarterly coastwide quota with trip limits that would be allocated to the commercial black sea bass fishery from Maine through North Carolina. The allocation and the associated percentages for the total quota would be: January-March (38.64 percent), April-June (29.26 percent), July-September (12.33 percent), and October-December (19.77 percent). Under the proposed measure, any black sea bass landed by a vessel possessing a black sea bass moratorium permit would count towards the quota, regardless of where the fish were harvested. Any black sea bass landed for sale by a vessel without a moratorium permit and fishing exclusively in state waters north of Cape Hatteras would be counted towards the quota by the state in which it is landed pursuant to the Fishery Management Plan for the Black Sea Bass Fishery adopted by the Atlantic States Marine Fisheries Commission. The Regional Director would close the exclusive economic zone (EEZ) to possession of black sea bass by commercial vessels with a