

**EFFECTIVE DATE:** April 22, 1996.

**FOR FURTHER INFORMATION CONTACT:** Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 95-160, adopted February 26, 1996, and released March 6, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC 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 Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

#### **PART 73—[AMENDED]**

1. The authority citation for part 73 continues to read as follows:

Authority: Sections 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

#### **§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Illinois, is amended by adding Channel 230A and by removing Channel 221A at Kewanee.

Federal Communications Commission.

John A. Karousos,

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 96-5896 Filed 3-12-96; 8:45 am]

BILLING CODE 6712-01-F

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## **DEPARTMENT OF DEFENSE**

### **48 CFR Part 206**

#### **Defense Federal Acquisition Regulation Supplement; Justification and Approval Thresholds**

**AGENCY:** Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** The Department of Defense is amending the Defense Federal Acquisition Regulation Supplement (DFARS) to revise procedures pertaining to approval for the use of other than full and open competition in the acquisition process.

**EFFECTIVE DATE:** April 12, 1996.

**FOR FURTHER INFORMATION CONTACT:** Rick Layser, OUSD (A&T) DP (DAR), IMD

3D139, 3062 Defense Pentagon, Washington DC 20301-3062, Telephone (703) 602-0131. Telefax (703) 602-0350. Please cite DFARS Case 96-D307.

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Background**

Section 4102 of the FY 1996 Defense Authorization Act (Public Law 104-106) amends 10 U.S.C. 2304(f)(1)(B) and 41 U.S.C. 253(f)(1)(B) to raise the dollar thresholds at which approval for the use of other than full and open competition must be obtained from the competition advocate, the head of the procuring activity, or the senior procurement executive. Section 4102 provides for approval of the justification for other than full and open competition by (1) the competition advocate, for proposed contracts over \$500,000 but not exceeding \$10,000,000; (2) the head of the procuring activity, or designee, for proposed contracts over \$10,000,000 but not exceeding \$50,000,000; and (3) the senior procurement executive, for proposed contracts over \$50,000,000. The Director of Defense Procurement has authorized a class deviation from section 6.304 of the Federal Acquisition Regulation to reflect the revised approval thresholds. This corresponding DFARS rule revises procedures for approval of justifications for proposed contracts over \$50,000,000.

##### **B. Regulatory Flexibility Act**

The rule does not constitute a significant DFARS revision within the meaning of FAR 1.501 and Public Law 98-577 and publication for comment is not required. Therefore, the Regulatory Flexibility Act does not apply. However, comments from small entities concerning the affected DFARS Subpart will be considered in accordance with 5 U.S.C. 610. Such comments should cite DFARS Case 96-D307 in correspondence.

##### **C. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because this final rule does not impose any new recordkeeping, information collection requirements, or collections of information from offerors, contractors, or members of the public which require the approval of OMB under 44 U.S.C. 3501, *et seq.*

#### List of Subjects in 48 CFR Part 206

Government procurement.  
Michele P. Peterson,  
*Executive Editor, Defense Acquisition Regulations Council.*

Therefore, 48 CFR Part 206 is amended as follows:

## **PART 206—COMPETITION REQUIREMENTS**

1. The authority citation for 48 CFR Part 206 continues to read as follows:

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

2. Section 206.304 is revised to read as follows:

#### **206.304 Approval of the justification.**

(a)(4) The Under Secretary of Defense (Acquisition & Technology) may delegate this authority to—

(A) An Assistant Secretary of Defense; or

(B) For a defense agency, an officer or employee serving in, assigned, or detailed to that agency who—

(1) If a member of the armed forces, is serving in a rank above brigadier general or rear admiral (lower half); or

(2) If a civilian, is serving in a position with a grade under the General Schedule (or any other schedule for civilian officers or employees) that is comparable to or higher than rear admiral.

[FR Doc. 96-6000 Filed 3-12-96; 8:45 am]

BILLING CODE 5000-04-M

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## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

#### **50 CFR Part 625**

[Docket No. 951116270-5038-02; I.D. 030196D]

#### **Summer Flounder Fishery; Commercial Quota Harvested for Maine**

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

**ACTION:** Commercial quota harvest.

**SUMMARY:** NMFS issues this notification announcing that the summer flounder commercial quota available to the State of Maine has been harvested. Vessels issued a commercial Federal fisheries permit for the summer flounder fishery may not land summer flounder in Maine for the remainder of calendar year 1996, unless additional quota becomes available through a transfer from another state that has not reached its annual quota. Regulations governing the summer flounder fishery require publication of this notification to advise the State of Maine that the quota has been harvested and to advise vessel and dealer permit holders that no

commercial quota is available for landing summer flounder in Maine.

**EFFECTIVE DATE:** March 7, 1996, through December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Lucy Helvenston, 508-281-9347.

**SUPPLEMENTARY INFORMATION:**

Regulations governing the summer flounder fishery are found at 50 CFR part 625. The regulations require annual specification of a commercial quota that is apportioned among the states from North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state are described in § 625.20.

The total commercial quota for summer flounder for the 1996 calendar year is set equal to 11,111,298 lb (5,040,000 kg) (January 4, 1996, 61 FR 291). The percent allocated to vessels landing summer flounder in Maine is 0.04756 percent, or 5,284 lb (2,397 kg).

Section 625.21(c) requires the Director, Northeast Region, NMFS (Regional Director), to monitor state commercial quotas and to determine when a state commercial quota is harvested. The Regional Director is further required to publish an announcement in the Federal Register advising a state and notifying Federal vessel and dealer permit holders that, effective upon a specific date, the state's commercial quota has been harvested and no commercial quota is available for landing summer flounder in that state. Because the available information indicates that the State of Maine has attained its quota for 1996, the Regional Director has determined, based on dealer reports and other available information, that the State's commercial quota has been harvested.

The regulations at § 625.4(a)(3) provide that Federal permit holders agree as a condition of the permit not to land summer flounder in any state that the Regional Director has determined no longer has commercial quota available. Therefore, effective 0001 hours on March 7, 1996, further landings of summer flounder in Maine by vessels holding commercial Federal fisheries permits are prohibited for the remainder of the 1996 calendar year, unless additional quota becomes available through a transfer from another state that has not reached its annual quota, and is announced in the Federal Register. Federally permitted dealers are also advised that, effective the date above, they may not purchase summer flounder from federally permitted vessels that land in Maine for the remainder of the calendar year, or until additional quota becomes available through another state.

**Classification**

This action is required by 50 CFR part 625 and is exempt from review under E.O. 12866.

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

Dated: March 6, 1996.

Donald J. Leedy,

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

[FR Doc. 96-5891 Filed 3-7-96; 5:07 pm]

**BILLING CODE 3510-22-F**

**50 CFR Part 625**

[I.D. 022996D]

**Summer Flounder Fishery; Commercial Quota Transfer from North Carolina to Virginia**

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

**ACTION:** Commercial quota transfer.

**SUMMARY:** NMFS announces that the State of North Carolina is transferring 5,773 lb (2,619 kg) of commercial summer flounder quota to the Commonwealth of Virginia. NMFS adjusted the quotas and announces the revised commercial quota for each state involved.

**EFFECTIVE DATE:** March 12, 1996.

**FOR FURTHER INFORMATION CONTACT:** Lucy Helvenston, 508-281-9347.

**SUPPLEMENTARY INFORMATION:** Regulations implementing Amendment 2 to the Fishery Management Plan for the Summer Flounder Fishery (FMP) are found at 50 CFR part 625. The regulations require annual specification of a commercial quota that is apportioned among the coastal states from North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state is described in § 625.20.

The commercial quota for summer flounder for the 1996 calendar year was set equal to 11,111,298 lb (5,040,000 kg), and the allocations to each state were published January 4, 1996 (61 FR 291). At that time, the State of North Carolina was allocated a quota of 3,049,589 lb (1,383,270 kg) and the Commonwealth of Virginia was allocated a quota of 2,368,569 lb (1,074,365 kg).

The final rule implementing Amendment 5 to the FMP was published December 17, 1993 (58 FR 65936), and allows two or more states, under mutual agreement and with the concurrence of the Director, Northeast Region, NMFS, (Regional Director) to

transfer or combine summer flounder commercial quota. The Regional Director is required to consider the criteria set forth in § 625.20(f)(1), in the evaluation of requests for quota transfers or combinations.

The State of North Carolina has agreed to transfer 5,773 lb (2,619 kg) of commercial quota to the Commonwealth of Virginia. The Regional Director has determined that the criteria set forth in § 625.20(f)(1) have been met, and hereby publishes this notification of quota transfers. The revised quotas for the calendar year 1996 are: North Carolina, 3,043,816 lb (1,380,652 kg); and Virginia, 2,374,342 lb (1,076,983 kg).

This action does not alter any of the conclusions reached in the environmental impact statement prepared for Amendment 2 to the FMP regarding the effects of summer flounder fishing activity on the human environment. Amendment 2 established procedures for setting an annual coastwide commercial quota for summer flounder and a formula for determining commercial quotas for each state. The quota transfer provision was established by Amendment 5 to the FMP and the environmental assessment prepared for Amendment 5 found that the action had no significant impact on the environment. Under sections 6.02b.3(b)(i)(aa) and (ii)(aa) of NOAA Administrative Order 216-6, this action is categorically excluded from the requirement to prepare additional environmental analyses. This is a routine administrative action that reallocates commercial quota within the scope of previously published environmental analyses.

**Classification**

This action is taken under 50 CFR part 625 and is exempt from review under E.O. 12866.

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

Dated: March 6, 1996.

Donald J. Leedy,

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

[FR Doc. 96-5894 Filed 3-12-96; 8:45 am]

**BILLING CODE 3510-22-F**

**50 CFR Part 672**

[Docket No. 960129018-6018-01; I.D. 030896B]

**Groundfish of the Gulf of Alaska; Pacific Cod for Processing by the Offshore Component**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and