

Normal modification	Provisioned items order (Reserved for use by Air Force or Navy only)	Shipping instructions
00001–99999	K0001–K9999	S0001–S9999
then	KA001–KZ999	SA001–SZ999
A0001–A9999	L0001–L9999	T0001–T9999
B0001–B9999	LA001–LZ999	TA001–TZ999
and so on to	M0001–M9999	U0001–U9999
H0001–H9999	MA001–MZ999	UA001–UZ999
then	N0001–N9999	V0001–V9999
J0001–J9999	NA001–NZ999	VA001–VZ999
then	P0001–P9999	W0001–W9999
R0001–R9999	PA001–PZ999	WA001–WZ999
then	Q0001–Q9999	X0001–X9999
AA001–HZ999	QA001–QZ999	XA001–XZ999
then	Y0001–Y9999
JA001–JZ999	YA001–YZ999
RA001–RZ999.	

(2) If a contract administration office is changing the contract administration or disbursement office for the first time and is using computer-generated modifications to notify many offices, use the six-position identification number ARZ999. If either office is changed again during the life of the contract, use the identification number ARZ998, and on down as needed.

(3) Each office authorized to issue modifications must assign the identification numbers in sequence. Do not assign a number until it has been determined that a modification will be issued.

(b) Modifications to orders and calls.

(This policy applies to instruments coded A, D, G, or H in the ninth position of the basic number, orders placed under a Federal Supply Schedule, and orders placed under a contract or agreement awarded by a non-DoD agency.) Use a two-position modification number as follows:

(1) Modifications issued by a purchasing office begin with 01, 02, and so on through 99, then B1 through B9, BA through BZ, C1 through C9, and so on through ZZ (e.g., Contract F04611–01–D–0125, Activity Code FA9300, Order 0002, Modification 01).

(2) Modifications issued by a contract administration office begin with 1A, 1B, and so on through 9Z, followed by A1, A2, and so on to A9, then AA, BB, and so on through AZ.

[FR Doc. 99–10547 Filed 4–27–99; 8:45 am]

BILLING CODE 5000–04–M

DEPARTMENT OF DEFENSE

48 CFR Part 225

[DFARS Case 99–D005]

Defense Federal Acquisition Regulation Supplement; Foreign Military Sales Customer Observation of Negotiations

AGENCY: Department of Defense (DoD).

ACTION: Proposed rule with request for comments.

SUMMARY: The Director of Defense Procurement is proposing to amend the Defense Federal Acquisitions Regulations Supplement (DFARS) to specify that, if requested by a foreign military sales (FMS) customer, the contracting officer should permit the FMS customer to observe contract price negotiations and should provide the FMS customer with information regarding price reasonableness.

DATES: Comments on the proposed rule should be submitted in writing to the address specified below on or before June 28, 1999, to be considered in the formation of the final rule.

ADDRESSES: Interested parties should submit written comments on the proposed rule to: Defense Acquisition Regulations Council, Attn: Ms. Amy Williams, PDUSD (A&T) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301–3061. Telefax (703) 602–0350. Please cite DFARS Case 99–D005.

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

Please cite DFARS Case 99–D005 in all correspondence related to this issue. E-mail correspondence should cite DFARS Case 98–D005 in the subject line.

FOR FURTHER INFORMATION CONTACT: Ms. Amy Williams, (703) 602–0131. Please cite DFARS Case 99–D005.

SUPPLEMENTARY INFORMATION:

A. Background

FMS customers have expressed an interest in becoming more involved in the preparation of contracts that DoD awards on their behalf. They have requested the opportunity to observe price negotiations and to receive assurances that their contract prices are reasonable. This rule proposes revisions to DFARS 225.7304 to specify that, if requested by an FMS customer, the contracting officer should provide the FMS customer with an explanation of the reasonableness of the negotiated price of its contract; and should permit the FMS customer to observe price negotiations if the prospective contractor consents and the FMS customer provides certain written assurances.

B. Regulatory Flexibility Act

The proposed rule is not expected 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 involvement of FMS customers in the contracting process should have no significant effect on offerors or contractors. The contracting officer must obtain permission from a prospective contractor before permitting an FMS customer to observe price negotiations. In addition, the FMS customer must provide written assurance that it will not disclose any proprietary or other contract or data except as specifically authorized by the contractor. An initial regulatory flexibility analysis has, therefore, not been performed. Comments are invited from small businesses and other interested parties. Comments from small entities

concerning the affected DFARS subpart also will be considered in accordance with 5 U.S.C. 610. Such comments should be submitted separately and should cite DFARS Case 99-D005 in correspondence.

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.

List of Subjects in 48 CFR Part 225

Government procurement.

Michele P. Peterson,

Executive Editor, Defense Acquisition Regulations Council.

Therefore, 48 CFR Part 225 is proposed to be amended as follows:

1. The authority citation for 48 CFR Part 225 continues to read as follows:

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

PART 225—FOREIGN ACQUISITION

2. Section 225.7304 is revised to read as follows:

225.7304 Source selection and contract pricing.

(a) FMS customers may request that a defense article or defense service be obtained from a particular contractor. In such cases, FAR 6.302-4 provides authority to contract without full and open competition. the FMS customer also may request that a subcontract be placed with a particular firm. The contracting officer shall honor such requests from the FMS customer only if the LOA or other written direction sufficiently fulfills the requirements of FAR Subpart 6.3.

(b) Do not allow representatives of the FMS customer to—

(1) Direct the deletion of names of firms from bidders mailing lists or slates of proposed architect-engineer firms. (They may suggest the inclusion of certain firms); or

(2) Interfere with a contractor's placement of subcontracts.

(c) Do not accept directions from the FMS customer on source selection decisions or contract terms (except that, upon timely notice, the contracting officer may attempt to obtain any special contract provisions and warranties requested by the FMS customer).

(d) Do not honor any request by the FMS customer to reject any bid or proposal.

(e) If requested by the FMS customer—

(1) The contracting officer should provide the FMS customer with an explanation of the reasonableness of the negotiated price of its contract. This may include briefings or tailored reports, such as top-level pricing summaries, historical pricing trends, or an explanation of any price differential between DoD and FMS contracts; and

(2) Representatives of the FMS customer may observe price negotiations between the U.S. Government and the prospective contractor if—

(i) The contractor provides written permission consenting to the observation of price negotiations by the FMS customer. The contractor's written permission must include any restrictions on the disclosure of proprietary or other data; and

(ii) The FMS customer provides written assurances that it will not—

(A) Disclose any proprietary or other contractor data except as specifically authorized by the contractor; or

(B) Discuss with the contractor any issue related to the negotiation of price, either during or separate from negotiations.

[FR Doc. 99-10546 Filed 4-27-99; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 99041610-9199-01; I.D. 031999C]

RIN 0648-AL18

Pacific Halibut Fisheries; Local Area Management Plan for the Halibut Fishery in Sitka Sound

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS issues a proposed rule that would establish a Local Area Management Plan (LAMP) for the halibut fishery in Sitka Sound, in the Gulf of Alaska. This action would affect persons fishing from commercial and charter vessels. This action would implement the North Pacific Fishery Management Council (Council) recommendation to prohibit halibut fishing in Sitka Sound by commercial fishing vessels greater than 35 ft (10.7 meters(m)) and, during June, July, and

August, by commercial fishing vessels less than or equal to 35 ft (10.7 m) and charter vessels. This action is necessary to address the decreased availability of halibut in Sitka Sound (currently attributed to too many harvesters of halibut within a relatively small area) and is intended to promote the goals and objectives of the Council with respect to management of halibut in and off Alaska.

DATES: Comments must be received by May 28, 1999.

ADDRESSES: Comments must be sent to Sue Salvesson, Assistant Regional Administrator for Sustainable Fisheries, Alaska Region, NMFS, 709 West 9th Street, Room 453, Juneau, AK 99801, or P.O. Box 21668, Juneau, AK 99802, Attention: Lori J. Gravel. Copies of the Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA) for this action may be obtained from the above address.

FOR FURTHER INFORMATION CONTACT: Gretchen Harrington, 907-586-7228.

SUPPLEMENTARY INFORMATION: The Convention between the United States and Canada for the Preservation of the Halibut Fishery of the North Pacific Ocean and the Bering Sea (Convention), signed at Ottawa, Ontario, Canada, on March 2, 1953, and amended by a Protocol Amending the Convention, signed at Washington, D.C., United States of America, on March 29, 1979, authorizes the International Pacific Halibut Commission (Commission) to promulgate regulations for the conservation and management of the Pacific halibut fishery. Before these regulations would have any effect on U.S. fishermen, they must be approved by the Secretary of State of the United States pursuant to section 4 of the Northern Pacific Halibut Act (Halibut Act, 16 U.S.C. 773-773k) that executes the above Convention. The Halibut Act, in section 5, gives the Secretary of Commerce (Secretary) the general responsibility to carry out the Convention between the United States and Canada, and requires the Secretary to adopt such regulations as may be necessary to carry out the purposes and objectives of the Convention and the Halibut Act. The Secretary's authority has been delegated to the Assistant Administrator for Fisheries, NOAA. Section 5 of the Halibut Act also provides that the regional fishery management council having authority for the geographical area concerned may recommend management measures governing Pacific halibut catch in U.S. Convention waters that are in addition