

contractors, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

Channel 263A can be allotted at Hermiston at Station KQFM(FM)'s presently licensed site. The coordinates for Channel 263A are North Latitude 45-51-57 and West Longitude 119-18-45. In addition, Channel 258C can be allotted to Pullman without the imposition of a site restriction, at Station KZZL-FM's requested site. The coordinates for Channel 258C are North Latitude 46-40-29 and West Longitude 116-58-19. Since Pullman is located within 320 kilometers (200 miles) of the U.S.-Canadian border, Canadian concurrence has been obtained. With this action, this proceeding terminated.

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: 47 U.S.C 154, 303, 334, 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Washington, is amended by removing Channel 256C3 and adding Channel 256C2 at Walla Walla; and by removing Channel 258C1 and adding Channel 258C at Pullman.

§ 73.303 [Amended]

3. Section 73.303(b), the Table of FM Allotments under Oregon, is amended by removing Channel 257A and adding Channel 263A at Hermiston.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 98-19906 Filed 7-28-98; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF DEFENSE

48 CFR Part 242

[DFARS Case 97-D012]

Defense Federal Acquisition Regulation Supplement; Contractor Insurance/Pension Reviews

AGENCY: Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: The Director of Defense Procurement has issued a final rule amending the Defense Federal Acquisition Regulation Supplement

(DFARS) to revise guidance pertaining to the conduct of Contractor Insurance/Pension Reviews (CIPRs). The rule clarifies requirements for conducting a CIPR, eliminates the requirement to conduct a CIPR at least every 2 years, and requires the performance of a special CIPR under certain circumstances.

EFFECTIVE DATE: July 29, 1998.

FOR FURTHER INFORMATION CONTACT: Rick Laysen, Defense Acquisition Regulations Council, PDUSD (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 97-D012.

SUPPLEMENTARY INFORMATION:

A. Background

This final rule revises the guidance in DFARS Subpart 242.73 pertaining to the conduct of CIPRs. A proposed rule was published in the **Federal Register** on August 20, 1997 (62 FR 44249). Ten respondents submitted comments on the proposed rule. All comments were considered in the development of the final rule.

B. Regulatory Flexibility Act

The Department of Defense certifies that this final rule will not 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 the rule applies only to contractors whose annual qualifying sales to the Government exceed \$40 million, and no small entities are known to meet this criterion.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the final 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 242

Government procurement.

Michele P. Peterson,

Executive Editor, Defense Acquisition Regulations Council.

Therefore, 48 CFR Part 242 is amended as follows:

1. The authority citation for 48 CFR Part 242 continues to read as follows:

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

PART 242—CONTRACT ADMINISTRATION

2. Sections 242.7301 and 242.7303 are revised to read as follows:

242.7301 General.

(a) The administrative contracting officer (ACO) is responsible for determining the allowability of insurance/pension costs in Government contracts. Defense Logistics Agency (DLA) insurance/pension specialists and Defense Contract Audit Agency (DCAA) auditors assist ACOs in making these determinations by conducting CIPRs.

(1) A CIPR is an in-depth evaluation of a contractor's—

- (i) Insurance program;
- (ii) Pension plans;
- (iii) Other deferred compensation plans; and
- (iv) Related policies, procedures, practices, and costs.

(2) A special CIPR is a joint DLA/DCAA review that concentrates on specific areas of the contractor's insurance program, pension plan, or other deferred compensation plan.

(b) DLA is the DoD Executive Agency for the performance of all CIPRs conducted under 242.7302.

242.7302 Requirements.

(a)(1) A CIPR shall be conducted only when—

(i) A contractor has \$40 million of qualifying sales to the Government during the contractor's preceding fiscal year; and

(ii) The ACO, with advice from DLA insurance/pension specialists and DCAA auditors, determines a CIPR is needed based on a risk assessment of the contractor's past experience and current vulnerability.

(2) Qualifying sales are sales for which cost or pricing data were required under 10 U.S.C. 2306a, as implemented in FAR 15.403, or that are contracts priced on other than a firm-fixed-price or fixed-price with economic price adjustment basis. Sales include prime contracts, subcontracts, and modifications to such contracts and subcontracts.

(b) A special CIPR shall be performed for a contractor (including, but not limited to, a contractor meeting the requirements in paragraph (a) of this section) when any of the following circumstances exists, but only if the circumstance(s) may result in a material impact on Government contract costs:

(1) Information reveals a deficiency in the contractor's insurance/pension program.

(2) The contractor proposes or implements changes in its insurance, pension, or deferred compensation plans.

(3) The contractor is involved in a merger, acquisition, or divestiture.

(4) The Government needs to follow up on contractor implementation of prior CIPR recommendations.

(c) The DCAA auditor shall use relevant findings and recommendations of previously performed CIPRs in determining the scope of any audits of insurance and pension costs.

(d) When a Government organization believes that a review of the contractor's insurance/pension program should be performed, that organization should provide a recommendation for a review to the ACO. If the ACO concurs, the review should be performed as part of an ACO-initiated special CIPR or as part of a CIPR already scheduled for the near future.

242.7303 Responsibilities.

(a) The ACO is responsible for—

(1) Determining the need for a CIPR under 242.7302;

(2) Requesting and scheduling the reviews with the appropriate DLA activity;

(3) Notifying the contractor of the proposed date and purpose of the review, and obtaining any preliminary data needed by the DLA insurance/pension specialist or the DCAA auditor;

(4) Reviewing the CIPR report, advising the contractor of the recommendations contained therein, considering contractor comments, and rendering a decision on those recommendations;

(5) providing other interested contracting officers copies of documents related to the CIPR;

(6) Ensuring adequate follow-up on all CIPR recommendations; and

(7) Performing contract administration responsibilities related to Cost Accounting Standards administration as described in FAR Subparts 30.2 and 30.6.

(b) The DLA insurance/pension specialist is responsible for—

(1) Preparing and maintaining the schedule of CIPRs to be performed during the next 12 months and providing the military departments and DCAA a copy of the schedule;

(2) Issuing a technical report on the contractor's insurance/pension plans for incorporation into the final CIPR report based on an analysis of the contractor's pension program, insurance program, and other related data;

(3) Leading the team that conducts the review. Another individual may serve as the team leader when both the insurance/pension specialist and the individual agree. The team leader is responsible for—

(i) Maintaining complete documentation for CIPR reports;

(ii) To the extent possible, resolving discrepancies between audit reports and CIPR draft reports prior to releasing the final CIPR report;

(iii) Preparing and distributing the final CIPR report;

(iv) Providing the final audit report and/or the insurance/pension specialist's report as an attachment to the CIPR report; and

(v) Preparing a draft letter for the administrative contracting officer's use in notifying the contractor of CIPR results; and

(4) When requested, advising administrative contracting officers and other Government representatives concerning contractor insurance/pension matters.

(c) The DCAA auditor is responsible for—

(1) Participating as a member of the CIPR team or serving as the team leader (see paragraph (b)(3) of this section);

(2) Issuing an audit report for incorporation into the final CIPR report based on an analysis of the contractor's books, accounting records, and other related data; and

(3) Performing contract audit responsibilities related to Cost Accounting Standards administration as described in FAR Subparts 30.2 and 30.6.

[FR Doc. 98-20187 Filed 7-28-98; 8:45am]

BILLING CODE 5000-04-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 980717183-8183-01; I.D. 070298D]

RIN 0648-AK35

Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Little Tunny Exempted Gillnet Fishery

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

ACTION: Final rule; request for comments.

SUMMARY: NMFS issues this final rule to modify the regulations implementing the Northeast Multispecies Fishery Management Plan (FMP). This rule establishes a seasonal exempted gillnet fishery for little tunny (*Euthynnus alletteratus*) in a portion of the Southern New England (SNE) Regulated Mesh Area. In addition, in accordance with NMFS regulations related to issuance of exempted fishing permits (EFPs), NMFS requests comments on the issuance of

EFPs to retain Atlantic bonito as an allowable incidental species in the little tunny fishery. The intent of this action is to provide an additional fishing opportunity consistent with the conservation objectives of the FMP.

DATES: Effective July 24, 1998.

Comments must be received on or before August 10, 1998.

ADDRESSES: Copies of the Environmental Assessment supporting the little tunny exemption may be obtained from Jon Rittgers, Acting Regional Administrator, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930.

Comments regarding the burden-hour estimates for collection-of-information requirements contained in this final rule should be sent to the Acting Regional Administrator and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20503 (Attention: NOAA Desk Officer).

Requests for exempted fishing permits for retention of bonito as an allowable incidental species should be sent to the Highly Migratory Species (HMS) Division, Office of Sustainable Fisheries, One Blackburn Drive, Gloucester, MA 01930, telephone (978) 281-9260.

Requests for letters of authorization to fish for little tunny should be sent to the Sustainable Fisheries Division, One Blackburn Drive, Gloucester, MA 01930, telephone (978) 281-9370.

Requests for reporting forms for marine mammal interactions and registration forms for Authorization Certificates should be sent to the Acting Regional Administrator, ATTN: Sandra Arvilla, telephone (978) 281-9264.

FOR FURTHER INFORMATION CONTACT: Bonnie L. VanPelt, Fishery Management Specialist, 978-281-9244.

SUPPLEMENTARY INFORMATION: The procedure for adding, modifying, or deleting exempted fisheries is found in § 648.80. Additions, deletions or modifications to the list of exempted fisheries may be made by the Administrator, Northeast Region, NMFS (Regional Administrator) after consultation with the New England Fishery Management Council (Council), if the Regional Administrator determines, based on available data or information, that the percentage of regulated species caught as bycatch is, or can be reduced to, less than 5 percent by weight of the total catch and that such exemption will not jeopardize the stock rebuilding objectives of the FMP. The Regional Administrator may impose specific gear, area, seasonal, or other