

**PART 498—[AMENDED]**

3. In part 498, the following changes are made:

a. The authority citation for part 498 is revised to read as follows:

**Authority:** Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395(hh)) unless otherwise indicated.

**§ 498.3 [Amended]**

b. In § 498.3(b)(6), “§§ 405.1730 through 405.1737, or in § 410.22 of this chapter, respectively,” is revised to read “subpart D of part 486 of this chapter and § 410.22 of this chapter, respectively.”

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: September 2, 1994.

**Bruce C. Vladeck,**

*Administrator, Health Care Financing Administration.*

Dated: October 12, 1994.

**Donna E. Shalala,**

*Secretary.*

[FR Doc. 95-485 Filed 1-6-95; 8:45 am]

BILLING CODE 4120-01-P

**LEGAL SERVICES CORPORATION****45 CFR Part 1607****Governing Bodies; Correction**

**AGENCY:** Legal Services Corporation.

**ACTION:** Final rule.

**SUMMARY:** This rule corrects the final regulation that was published on Monday, December 19, 1994 (59 FR 65249). The regulation revised part 1607 of the Legal Services Corporation's ("LSC" or "Corporation") regulations relating to governing bodies of recipients of LSC funds.

**EFFECTIVE DATE:** January 18, 1995.

**FOR FURTHER INFORMATION CONTACT:** Victor M. Fortuno, General Counsel, at (202) 336-8810.

**SUPPLEMENTARY INFORMATION:** As published, § 1607.5(b) of the final regulation refers to a waiver granted under § 1607.6(c)(1). This reference is incorrect.

Accordingly, the publication on December 19, 1994, of the final regulation which was the subject of FR Doc. 94-31043 is corrected as follows:

**§ 1607.5 [Corrected]**

On page 65256, in the first column, in § 1607.5, paragraph (b) is corrected to read as follows:

“Pursuant to a waiver granted under § 1607.6(b)(1), a recipient may adopt

policies that would permit partners or associates of attorney members to participate in any compensated private attorney involvement activities supported by the recipient.”

Dated: January 3, 1995.

**Victor M. Fortuno,**

*General Counsel.*

[FR Doc. 95-378 Filed 1-6-95; 8:45 am]

BILLING CODE 7050-01-P

**DEPARTMENT OF DEFENSE****48 CFR Part 231****Defense Federal Acquisition Regulation Supplement; Allowable Individual Compensation**

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

**ACTION:** Interim rule with request for comments.

**SUMMARY:** The Director of Defense Procurement has issued an interim rule that places a ceiling on allowable individual compensation under DoD contracts.

**DATES:** *Effective date:* December 14, 1994.

*Comment date:* Comments on the interim rule should be submitted in writing at the address shown below on or before March 10, 1995, to be considered in the formulation of a final rule.

**ADDRESSES:** Interested parties should submit written comments to: Defense Acquisition Regulations Council, ATTN: Mr. Eric R. Mens, PDUSD(A&T)DP/DAR, IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telefax number (703) 602-0350. Please cite DFARS Case 94-D318 in all correspondence.

**FOR FURTHER INFORMATION CONTACT:** Mr. Eric R. Mens, (703) 602-0131.

**SUPPLEMENTARY INFORMATION:****A. Background**

Section 8117 of the Department of Defense Appropriations Act, 1995 (Public Law 103-335), limits allowable costs for individual compensation to \$250,000 per year. This restriction applies to DoD contracts awarded after April 15, 1995, when payments are from funds appropriated in fiscal year 1995.

The interim DFARS rule revises DFARS Subpart 231.2, Contracts with Commercial Organizations; Subpart 231.3, Contracts with Educational Institutions; Subpart 231.6, Contracts with State, Local, and Federally Recognized Indian Tribal Governments; and Subpart 231.7, Contracts with Nonprofit Organizations to implement

the statutory ceiling on allowable individual compensation costs. In supplementing the cost principle at FAR 31.205-6, this DFARS rule relies upon the same definition of compensation found in the FAR cost principle, i.e., “all remuneration paid currently or accrued, in whatever form and whether paid immediately or deferred, for services rendered by employees to the contractor.”

**B. Determination To Issue an Interim Rule**

A determination has been made under the authority of the Secretary of Defense to issue this rule as an interim rule. Compelling reasons exist to promulgate this rule without prior opportunity for public comment because section 8117 of the Defense Appropriations Act for Fiscal Year 1995 (Public Law 103-335) applies to DoD contracts awarded after April 15, 1995, using funds appropriated in FY 1995. An interim rule will ensure that DoD contracting activities become aware of the statutory ceiling on allowable individual compensation costs when forward pricing contracts which will be awarded after April 15, 1995, using FY 1995 funds. However, comments received in response to the publication of this rule will be considered in formulating the final rule.

**C. Regulatory Flexibility Act**

The interim 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 most small entities are not subject to the contract cost principles in FAR Part 31 or DFARS Part 231. The contract cost principles normally apply where contract award exceeds \$500,000 and the price is based on certified cost or pricing data. Most contracts awarded to small entities are awarded on a competitive, fixed-price basis. This interim DFARS rule applies only to DoD contractors which incur individual compensation costs in excess of \$250,000 per year in performing new contracts awarded after April 15, 1995, using funds appropriated in FY 1995. An Initial Regulatory Flexibility Analysis has, therefore, not been performed. Comments are invited from small business entities and other interested parties. Comments from small entities concerning the affected DFARS Subparts will also be considered in accordance with section 610 of the Act. Such comments must be submitted separately and cite DFARS Case 94-D318 in correspondence.

**D. Paperwork Reduction Act**

The Paperwork Reduction Act (Pub. L. 96-511) does not apply because the interim rule does not impose any additional reporting or recordkeeping requirements which require the approval of OMB under 44 U.S.C. 3501 *et seq.*

**List of Subjects in 48 CFR Part 231**

Government procurement.

**Claudia L. Naugle,**

*Deputy Director, Defense Acquisition Regulations Council.*

Therefore, 48 CFR Part 231 is amended as follows:

1. The authority citation for 48 CFR Part 231 continues to read as follows:

**PART 231—CONTRACT COST PRINCIPLES AND PROCEDURES**

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

2. Section 231.205-6 is amended by adding a new paragraph (a)(2) preceding the existing paragraph (g)(2)(i) to read as follows:

**231.205-6 Compensation for personal services.**

(a)(2) Costs for individual compensation in excess of \$250,000 per year are unallowable under DoD contracts that are awarded after April 15, 1995, and are funded by fiscal year 1995 appropriations (Public Law 103-335).

\* \* \* \* \*

3. Section 231.303 is amended by adding paragraph (3) to read as follows:

**231.303 Requirements.**

(1) \* \* \*

(2) \* \* \*

(3) The limitation on allowable individual compensation at 231.2205-6(a)(2) also applies to this subpart.

4. Section 231.603 is amended by redesignating paragraphs (1) through (15) as (i) through (xv) and redesignating paragraphs (11) (i) and (ii) as paragraphs (xi) (A) and (B); designating the introductory text as paragraph (1); and adding a new paragraph (2) to read as follows:

**231.603 Requirements.**

\* \* \* \* \*

(2) The limitation on allowable individual compensation at 231.205-6(a)(2) also applies to this subpart.

5. Section 231.703 is revised to read as follows:

**231.703 Requirements.**

(1) Under 10 U.S.C. 2324(e), the costs cited in 231.603(a) are unallowable.

(2) The limitation on allowable individual compensation at 231.205-6(a)(2) also applies to this subpart.

[FR Doc. 95-312 Filed 1-6-95; 8:45 am]

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Parts 611 and 663**

[Docket No. 941265-4365; I.D. 121694D]

RIN 0648-AH50

**Foreign Fishing; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures**

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

**ACTION:** 1995 groundfish fishery specifications and management measures; request for comments.

**SUMMARY:** NMFS announces the 1995 fishery specifications and management measures for groundfish taken in the U.S. exclusive economic zone and state waters off the coasts of Washington, Oregon, and California as authorized by the Pacific Coast Groundfish Fishery Management Plan (FMP). The specifications include the level of the acceptable biological catch (ABC) and harvest guidelines including the distribution between domestic and foreign fishing operations. The harvest guidelines are allocated between the limited-entry and open-access fisheries. The management measures for 1995 are designed to keep landings within the harvest guidelines, for those species for which there are harvest guidelines, and to achieve the goals and objectives of the FMP and its implementing regulations. The intended effect of these actions is to establish allowable harvest levels of Pacific Coast groundfish and to implement management measures designed to achieve, but not exceed those harvest levels, while extending fishing and processing opportunities as long as possible during the year.

**DATES:** Effective January 4, 1995 until the 1996 annual specifications and management measures are filed for public inspection with the Office of the Federal Register, unless modified, superseded, or rescinded. All landings between January 1, 1995, and January 4, 1995, inclusive, will be counted toward cumulative trip limits. Comments will be accepted until February 8, 1995.

**ADDRESSES:** Comments on these specifications should be sent to Mr. William Stelle, Jr., Director, Northwest Region, National Marine Fisheries Service, 7600 Sand Point Way N.E., BIN C15700, Bldg. 1, Seattle, WA 98115-0070; or Ms. Hilda Diaz-Soltero, Director, Southwest Region, National Marine Fisheries Service, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213. Information relevant to these specifications and management measures, including the SAFE report, has been compiled in aggregate form and is available for public review during business hours at the office of the Director, Northwest Region, NMFS (Regional Director), or may be obtained from the Pacific Fishery Management Council (Council), by writing the Council at 2130 SW Fifth Avenue, Suite 224, Portland, OR 97201.

**FOR FURTHER INFORMATION CONTACT:** William L. Robinson (Northwest Region, NMFS) 206-526-6140; or Rodney R. McInnis (Southwest Region, NMFS) 310-980-4040.

**SUPPLEMENTARY INFORMATION:** The FMP requires that fishery specifications for groundfish be evaluated each calendar year, that harvest guidelines or quotas be specified for species or species groups in need of additional protection, and that management measures designed to achieve the harvest guidelines or quotas be published in the **Federal Register** and made effective by January 1, the beginning of the next fishing year. This action announces and makes effective the final 1995 fishery specifications and the management measures designed to achieve them. These specifications and measures were considered by the Council at two meetings and were recommended to NMFS by the Council at its October 1994 meeting.

**I. Final Specifications**

ABCs and Harvest Guidelines; Apportionments to Foreign and Joint Venture Fisheries; Open Access and Limited-Entry Allocations.

The fishery specifications include ABCs, the designation of harvest guidelines or quotas for species that need individual management, the apportionment of the harvest guidelines or quotas between domestic and foreign fisheries, and allocation between the open-access and limited-entry segments of the domestic fishery.

The final 1995 specifications for ABCs, harvest guidelines, and limited-entry and open-access allocations are listed in Table 1, followed by a discussion of each 1995 specification that differs from 1994 levels. The