

request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings will be open to the public and, if possible, notices of meetings will be posted at the locations listed under **ADDRESSES**. A written summary of each meeting will be made a part of the administrative record.

IV. Procedural Determinations

1. Executive Order 12866

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review).

2. Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 (Civil Justice Reform) and has determined that this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State or Tribal AMLR plans and revisions thereof since each such plan is drafted and promulgated by a specific State or Tribe, not by OSM. Decisions on proposed State or Tribal AMLR plans and revisions thereof submitted by a State or Tribe are based on a determination of whether the submittal meets the requirements of Title IV of SMCRA (30 U.S.C. 1231-1243) and the applicable Federal regulations at 30 CFR parts 884 and 888.

3. National Environmental Policy Act

No environmental impact statement is required for this rule since agency decisions on proposed State or Tribe AMLR plans and revisions thereof are categorically excluded from compliance with the National Environmental Policy Act (42 U.S.C. 4332) by the Manual of the Department of the Interior (516 DM 6, appendix 8, paragraph 8.4B(29)).

4. Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

5. Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic

effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements established by SMCRA or previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions in the analyses for the corresponding Federal regulations.

List of Subjects in 30 CFR Part 926

Intergovernmental relations, Surface mining, Underground mining.

Dated: April 19, 1995.

Russell F. Price,

Acting Assistant Director, Western Support Center.

[FR Doc. 95-10168 Filed 4-24-95; 8:45 am]

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OFFICE OF MANAGEMENT AND BUDGET

Office of Federal Procurement Policy

48 CFR Part 9903

Cost Accounting Standards Board; Changes in Cost Accounting Practices

AGENCY: Cost Accounting Standards Board, Office of Federal Procurement Policy, OMB.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Cost Accounting Standards Board (CASB) invites coverage comments on proposed amendments to the regulatory provisions contained in Chapter 99 of Title 48. The proposed amendments would revise the current definitions and illustrations governing changes in cost accounting practices. Also proposed is the addition of a new Subpart to clarify the process for determining and resolving the cost impact on covered contract prices and/or contract costs when a contractor makes a change to its cost accounting practices, fails to comply with a Cost Accounting Standard (CAS) or fails to consistently follow its established cost accounting practices.

DATES: Requests for a copy of the proposed amendments must be in writing and must be received by June 26, 1995. Comments must be in writing and must be received by July 10, 1995.

ADDRESSES: Requests for a copy of the proposed amendments or comments pertaining to this Advance Notice of Proposed Rulemaking (ANPRM) should be addressed to Mr. Rudolph J. Schuhbauer, Project Director, Cost

Accounting Standards Board, Office of Federal Procurement Policy, 725 17th Street, NW, Room 9001, Washington, DC 20503. Attn: CASB Docket No. 93-01A.

FOR FURTHER INFORMATION CONTACT: Rudolph J. Schuhbauer, Project Director, Cost Accounting Standards Board (telephone 202-395-3254).

SUPPLEMENTARY INFORMATION:

A. Regulatory Process

The Cost Accounting Standards Board's rules and regulations are codified at 48 CFR Chapter 99. Section 26(g)(1) of the Office of Federal Procurement Policy Act, 41 U.S.C. § 422(g)(1), requires that the Board, prior to the promulgation of any new or revised Cost Accounting Standard, complete a prescribed rulemaking process. This process consists of the following four steps:

1. Consult with interested persons concerning the advantages, disadvantages and improvements anticipated in the pricing and administration of government contracts as a result of a proposed Standard.
 2. Promulgate an Advance Notice of Proposed Rulemaking.
 3. Promulgate a Notice of Proposed Rulemaking.
 4. Promulgate a Final Rule.
- This proposal is step two in the four step process.

B. Summary of Proposed Rule

In response to the Cost Accounting Standards Board's solicitation of agenda items, several commenters identified the Board's regulatory coverage on "changes in cost accounting practice" as a potential agenda item. The commenters advised the Board that industry and Government officials are interpreting the regulatory coverage differently and often disagree on whether a particular change made in a contractor's organizational structure did or did not result in a change in cost accounting practice. The Board, after review and extended discussions of the issues associated with the proposed topic, identified Organizational Changes and Changes In Cost Accounting Practices as a topic on which a research project should be started.

On April 9, 1993, the CASB published a notice in the **Federal Register**, 58 FR 18428, requesting public comments from interested parties concerning a Staff Discussion Paper on that topic. The purpose of the Staff Discussion Paper was to solicit public views concerning the advantages, disadvantages and improvements anticipated if the Board were to

promulgate more explicit provisions on whether organizational changes made by contractors do or do not result in cost accounting practice changes.

After consideration of the public comments received, the Board concluded that contractors and Federal officials appear to be interpreting the Board's rules and regulations governing changes in cost accounting practice under CAS-covered contracts differently. Furthermore, the contract price and cost adjustment provisions governing cost accounting practice changes under CAS-covered contracts do not appear to be clearly understood and, consequently, some inefficient, uneconomical and possibly inequitable practices may have evolved as the contracting parties proceeded to comply with the Board's requirements. Therefore, the Board is proposing to amend Chapter 99 by:

Revising the definitions and illustrations governing cost accounting practice changes, for purposes of making it explicit that a change in the manner in which costs are grouped and accumulated constitutes a change in cost accounting practice and that organizational changes must be evaluated on a case-by-case basis in order to determine if a change in cost accounting practice has occurred.

Adding a new Subpart 9903.4 to delineate the contract price and cost adjustment process to be applied when a contractor changes a cost accounting practice, fails to comply with a Standard, or fails to consistently follow its established cost accounting practices. The proposed coverage is intended to facilitate the resolution of the cost impact of such compliant and noncompliant cost accounting practice changes under the requirements of existing and future CAS-covered contracts. Accordingly, when issued as a final rule, the proposed Subpart 9903.4 provisions would apply to all CAS-covered contracts requiring adjustment, including those CAS-covered contracts awarded prior to the effective date of the final rule.

The purpose of this ANPRM is to seek broad public comment concerning the proposed amendments. In particular, the Board is considering the establishment of certain new requirements that it believes would clarify and facilitate the overall cost impact process governing cost accounting practice changes. Accordingly, the Board invites interested parties to specifically comment on the following ANPRM provisions:

—Proposed 9903.201–4, in paragraphs (a)(4) of the proposed contract

clauses, includes new provisions requiring a contractor to agree to price adjustments if its CAS-covered subcontractors make required, voluntary or desirable changes to their cost accounting practices pursuant to the subcontracts' terms and conditions.

- Proposed 9903.201–6(b) establishes new criteria for determining when a voluntary change in cost accounting practice may be treated as a desirable change.
- Proposed 9903.404(b)(ii)(A) requires CAS-covered contractors to notify the Government of and fully disclose cost accounting practice changes required to comply with a new or modified Standard 60 days prior to the Standard's effective date. This requirement is predicated on the Board's decision that final rules will generally be issued 120 days prior to the effective date of a new or modified Standard.
- Proposed 9903.404(b)(ii)(B) establishes new notification requirements for voluntary and desirable changes.
- Proposed 9903.404(b)(vi) provides a new equitable adjustment provision for contracts negotiated within 60 days after a contractor notifies the Government of a voluntary change that would otherwise be subject to a CAS-covered contract's "no increased cost" provision.
- Proposed 9903.404(e) provides for the use of a cost impact settlement proposal that would permit early resolution of the estimated cost impact in lieu of the use of a detailed cost impact proposal.

Richard C. Loeb,

Executive Secretary, Cost Accounting Standards Board.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 675 and 677

[Docket No. 95041405–5105–01; I.D. 033095A]

RIN 0648–AH69

Groundfish of the Bering Sea and Aleutian Islands Area; Chum Salmon Savings Area

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes regulations that would implement Amendment 35 to the Fishery Management Plan (FMP) for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (BSAI). This amendment proposes to prohibit the use of trawl gear in a specified area of the Bering Sea (BS) during the pollock nonroe season. Regulatory amendments also are proposed that would increase 1995 observer coverage for mothership processor vessels, and some shoreside processors receiving pollock harvested in the catcher vessel operational area (CVOA) and require the mothership processor vessels and shoreside processors to obtain the capability for electronic transmission of daily observer reports. This action is necessary to reduce chum salmon bycatch amounts in the pollock fishery and is intended to promote the objectives of the FMP.

DATES: Comments must be submitted by June 5, 1995.

ADDRESSES: Comments may be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK, 99802, Attn: Lori Gravel, or delivered to the Federal Building, 709 West 9th Street, Juneau, AK. Copies of Amendment 35 and the environmental assessment/regulatory impact review/initial regulatory flexibility analysis (RIR/IRFA) prepared for Amendment 35 are available from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510; telephone: 907–271–2809.

FOR FURTHER INFORMATION CONTACT: Kaja Brix, 907–586–7228.

SUPPLEMENTARY INFORMATION: Fishing for groundfish by U.S. vessels in the exclusive economic zone of the BSAI is managed by NMFS according to the FMP for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area. The FMP was prepared by the North Pacific Fishery Management Council (Council) under the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) (Magnuson Act), and is implemented by regulations governing the U.S. groundfish fisheries at 50 CFR parts 675 and 676. General regulations that also pertain to U.S. fisheries are codified at 50 CFR part 620. Regulations governing observer coverage requirements for specified U.S. fisheries under the North Pacific Fisheries Research Plan (Research Plan) are codified at 50 CFR part 677.

This action proposes regulations to implement Amendment 35 to the FMP.