

(11) Duly designated ombudsman.

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PART 1815—CONTRACTING BY NEGOTIATION

3. Subpart 1815.70 is added to read as follows:

Subpart 1815.70—Ombudsman

1815.7001 NASA Ombudsman Program.
1815.7002 Commerce Business Daily announcements, solicitations and contracts.

1815.7001 NASA Ombudsman Program.

NASA's implementation of an ombudsman program is in NMI 1210.3, NASA Ombudsman Program.

1815.7002 Commerce Business Daily announcements, solicitations and contracts.

The contracting officer shall include a statement similar to that contained in the clause at 1852.215-84, Ombudsman, in Commerce Business Daily announcements of competitive procurements. Also, a clause substantially the same as the one at 1852.215-84 shall be included in Section L of solicitations, including draft solicitations, and in all contracts.

4. Section 1852.215-84 is added to read as follows:

1852.215-84 Ombudsman.

As prescribed in 1815.7002, insert the following clause:

Ombudsman

(October 1995)

An ombudsman has been appointed to hear concerns from offerors, potential offerors, and contractors during the preaward and postaward phases of this acquisition. The purpose of the ombudsman is not to diminish the authority of the contracting officer, the Source Evaluation Board, or the selection official, but to communicate concerns, issues, disagreements, and recommendations of interested parties to the appropriate Government personnel and to work to resolve them. When requested, the ombudsman will maintain strict confidentiality as to the source of the concern. The ombudsman does not participate in the evaluation of proposals, the source selection process, or the adjudication of formal contract disputes. Interested parties are invited to call the installation ombudsman _____ [Insert name] at _____ [Insert telephone number]. Concerns, issues, disagreements, and recommendations which cannot be resolved at the installation may be referred to the NASA ombudsman _____ [Insert name] at _____ [Insert telephone number].

(End of Clause)

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 642

[Docket No. 940710-4292; I.D. 090195E]

Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure of a Commercial Fishery

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

ACTION: Closure of a commercial fishery for king mackerel.

SUMMARY: NMFS closes the commercial fishery in the exclusive economic zone (EEZ) for king mackerel from the western zone of the Gulf migratory group. This closure is necessary to protect the overfished Gulf king mackerel resource.

EFFECTIVE DATE: September 5, 1995, through June 30, 1996.

FOR FURTHER INFORMATION CONTACT: Mark F. Godcharles, 813-570-5305.

SUPPLEMENTARY INFORMATION: The fishery for coastal migratory pelagic fish (king mackerel, Spanish mackerel, cero, cobia, little tunny, dolphin, and, in the Gulf of Mexico only, bluefish) is managed under the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (FMP). The FMP was prepared by the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils) and is implemented by regulations at 50 CFR part 642, under the authority of the Magnuson Fishery Conservation and Management Act.

Catch limits recommended by the Councils and implemented by NMFS for the Gulf of Mexico migratory group of king mackerel for the current fishing year (July 1, 1995, through June 30, 1996) set the commercial quota at 0.77 million pounds (0.35 million kg) for the western zone.

Under 50 CFR 642.26(a), NMFS is required to close any segment of the

king mackerel commercial fishery when its allocation or quota has been reached, or is projected to be reached, by publishing a document in the **Federal Register**. NMFS has determined that the commercial quota of 0.77 million pounds (0.35 million kg) for the western zone of the Gulf migratory group of king mackerel was reached on September 4, 1995. Hence, the commercial fishery for Gulf group king mackerel from the western zone is closed effective 12:01 a.m., local time, September 5, 1995, through June 30, 1996, the end of the fishing year. The boundary between the eastern and western zones is a line directly south from the Florida/Alabama boundary (87°31'06" W. long.).

Except for a person aboard a charter vessel, during the closure, no person aboard a vessel permitted to fish under a commercial allocation may fish for, retain, or have in possession in the EEZ king mackerel from the western zone. A person aboard a charter vessel may continue to fish for king mackerel in the western zone under the bag limit set forth in § 642.24(a)(1)(i), provided the vessel is under charter and the vessel has an annual charter vessel permit, as specified in § 642.4(a)(2). A charter vessel with a permit to fish on a commercial allocation is under charter when it carries a passenger who fishes for a fee or when there are more than three persons aboard, including operator and crew.

During the closure, king mackerel from the western zone taken in the EEZ, including those harvested under the bag limit, may not be purchased, bartered, traded, or sold. This prohibition does not apply to trade in king mackerel from the western zone that were harvested, landed, and bartered, traded, or sold prior to the closure and held in cold storage by a dealer or processor.

Classification

This action is taken under 50 CFR 642.26(a) and is exempt from review under E.O. 12866.

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

Dated: September 5, 1995.

Richard W. Surdi,

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

[FR Doc. 95-22401 Filed 9-6-95; 10:44 am]

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