

11. Section 6101.35 is amended by revising the first sentence of paragraph (a), adding paragraphs (c)(5) and (c)(6), and adding a sentence at the end of paragraph (d)(1) to read as follows:

§ 6101.35 Award of costs [Rule 35].

(a) *Requests for costs.* An appropriate prevailing party in a proceeding before the Board may apply for an award of costs, including if applicable an award of attorney fees, under the Brooks Automatic Data Processing Act, 40 U.S.C. 759(f), the Equal Access to Justice Act, 5 U.S.C. 504, or any other provision that may entitle that party to such an award, subsequent to the Board's decision in the proceeding. * * *

* * * * *

(c) *Application requirements.* * * *

(5) If the applicant asserts that it is a qualifying small business concern, contain evidence thereof.

(6) If the application requests reimbursement of attorney fees that exceed the statutory rate, explain why an increase in the cost of living or a special factor, such as the limited availability of qualified attorneys for the proceedings involved, justifies such fees.

(d) *Proceedings.*

(1) * * * If respondent contends that any fees for consultants or expert witnesses for which reimbursement is sought in the application exceed the highest rate of compensation for expert witnesses paid by the agency (appeals), or by the Federal Government (protests), respondent shall include in the answer evidence of such highest rate.

* * * * *

12. Section 6101.36 is amended by revising the third sentence of paragraph (c) to read as follows:

§ 6101.36 Payment of Board awards [Rule 36].

* * * * *

(c) *Procedure for filing of certificates of finality.* * * * When the form is executed on behalf of an appellant or applicant by an attorney or other representative, proof of signatory authority shall also be furnished. * * *

* * * * *

13. In the appendix to part 6101, Form No. 4 (Government Certificate of Finality) and Form No. 5 (Appellant/Protester/Intervenor/Applicant Certificate of Finality) are revised to read as follows:

APPENDIX—FORM NOS. 1-5

* * * * *

Form 4—Board of Contract Appeals

General Services Administration,
Washington, DC 20405

GSBCA _____

Contract/Solicitation No. _____

GOVERNMENT CERTIFICATE OF FINALITY

A. Date claim(s) filed with the contracting officer:
 B. Amount to be paid: \$ _____
 C. Agency address (regional office if other than central office):
 D. Agency Certification.

hereby certifies that:

(1) it has not initiated and will not initiate any proceeding at the Board for the reconsideration of, or relief from, this award;
 (2) it has not initiated and will not initiate any appeal of this award to the United States Court of Appeals for the Federal Circuit.

Date _____

Government Agency _____

By _____

Signature and Title _____

Note: This format shall not be printed, reproduced, or stocked by the Central office or regional offices and shall be used only as a guide for individual preparation.

Form 5—Board of Contract Appeals

General Services Administration,
Washington, DC 20405

GSBCA _____

Contract/Solicitation No. _____

APPELLANT/PROTESTER/INTERVENOR/
APPLICANT CERTIFICATE OF FINALITY

A. Address to which check should be sent (if check is to be sent to counsel, enclose a power of attorney):
 B. Appellant/Protester/Intervenor/
Applicant Certification

hereby certifies that:

(1) it has not initiated and will not initiate any proceeding at the Board for the reconsideration of, or relief from, this award;
 (2) it has not initiated and will not initiate any appeal of this award to the United States Court of Appeals for the Federal Circuit; and

(3) it agrees to accept the amount awarded, plus any interest awarded, in accordance with the Board's decision in this case, in full and final satisfaction of its case.

Date _____

Appellant/Protester/Intervenor/Applicant

By _____

Signature and Title _____

Note: This format shall not be printed, reproduced, or stocked by the Central office

or regional offices and shall be used only as a guide for individual preparation.

Dated: March 23, 1995.

Stephen M. Daniels,

Chairman, GSA Board of Contract Appeals.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 675

[Docket No. 950206040-5040-01; I.D. 032995A]

Groundfish of the Bering Sea and Aleutian Islands Area; Inshore Component Pollock in the Aleutian Islands Subarea

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

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock by vessels catching pollock for processing by the inshore component in the Aleutian Islands subarea (AI) of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the pollock roe season allowance of pollock for the inshore component in the Aleutian Islands subarea.

EFFECTIVE DATE: 12 noon, Alaska local time (A.I.t.), March 30, 1995, until 12 midnight, A.I.t., December 31, 1995.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 675.

The allowance of pollock TAC for vessels catching pollock for processing by the inshore component in the AI was established by the final 1995 initial groundfish specifications (60 FR 8479, February 14, 1995) as 16,838 metric tons (mt).

The Director, Alaska Region, NMFS (Regional Director), determined, in accordance with § 675.20(a)(8), that the

allowance of pollock TAC for the inshore component in the AI soon will be reached. Therefore, the Regional Director established a directed fishing allowance of 15,838 mt after determining that 1,000 mt will be taken as incidental catch in directed fishing for other species in the AI. Consequently, NMFS is prohibiting directed fishing for pollock by operators

of vessels catching pollock for processing by the inshore component in the AI.

Directed fishing standards for applicable gear types may be found in the regulations at § 675.20(h).

Classification

This action is taken under § 675.20 and is exempt from review under E.O. 12866.

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

Dated: March 29, 1995.

David S. Crestin,

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

[FR Doc. 95-8185 Filed 3-30-95; 3:55 pm]

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