

response to the Initial Regulatory Flexibility Analysis.

**Significant Alternatives Considered:** We have analyzed the comments submitted in light of our statutory directives and have, to the extent possible, minimized the regulatory burden on entities covered by the ownership provisions of the 1992 Cable Act.

#### *Ordering Clauses*

Accordingly, *it is hereby ordered* That pursuant to the authority in sections 1, 4 and 613 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154, and 533, the petitions for reconsideration filed in this proceeding by the Center for Media Education/Consumer Federation of America and Bell Atlantic Corporation are denied.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 95-10719 Filed 5-1-95; 8:45 am]

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## GENERAL SERVICES ADMINISTRATION

### 48 CFR Parts 502, 506, 513, and 552

[APD 2800.12A, CHGE 62]

RIN 3090-AF60

#### General Services Administration Acquisition Regulation; Miscellaneous Changes

**AGENCY:** Office of Acquisition Policy, GSA.

**ACTION:** Final rule.

**SUMMARY:** The General Services Administration Acquisition Regulation (GSAR) is amended to make miscellaneous changes by providing uniform procedures for contracting under the regulatory system.

**EFFECTIVE DATE:** May 8, 1995.

**FOR FURTHER INFORMATION CONTACT:** Paul Lynch, Office of GSA Acquisition Policy, (202) 501-1224.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

The rule amends section 502.101 to revise the definitions of "Agency competition advocate," "Contracting activity competition advocate," and "Head of the contracting activity" to reflect current GSA organizational changes; to revise section 506.304 to delete reference to "concurrence by legal counsel" which is no longer required; to revise section 513.106 to make use of the GSA Form 2010, Small

Purchase Tabulation Source List/Abstract optional rather than mandatory and to indicate that the form does not apply to purchases under \$2,500; and to revise section 552.225-72 to insert the words "Basin country" after "Caribbean" in paragraph (a)(1) to correct an inadvertent omission of the words in GSAR Change 59.

#### B. Public Comments

This rule was not published in the **Federal Register** for Public comment because it is not a significant revision as defined in FAR 1.501-1.

#### C. Executive Order 12866

The rule was not submitted to the Office of Management and Budget because it is not a significant rule as defined in Executive Order 12866, Regulatory Planning and Review.

#### D. Regulatory Flexibility Act

The Regulatory Flexibility Act does not apply because this rule is not a significant revision as defined in FAR 1.501-1.

#### E. Paperwork Reduction Act

This rule does not impose any information collection or recordkeeping requirements that require the approval of OMB under 44 U.S.C. 3501, et seq. Therefore, the requirements of the Paperwork Reduction Act do not apply.

#### List of Subjects in 48 CFR Parts 502, 506, 513 and 552

Government procurement, Reporting and recordkeeping requirements.

Accordingly, 48 CFR Parts 502, 506, 513 and 552 are amended as follows:

1. The authority citation for 48 CFR Parts 502, 506, 513 and 552 continues to read as follows:

**Authority:** 40 U.S.C. 486(c).

#### PART 502—DEFINITION OF WORDS AND TERMS

2. Section 502.101 is amended by revising the definitions for "Agency competition advocate," "Contracting activity competition advocate" and "Head of the contracting activity" to read as follows:

##### 502.101 Definitions.

*Agency competition advocate* means the GSA Competition Advocate located in the Office of Acquisition Policy.

\* \* \* \* \*

*Contracting activity competition advocate* means the individual designated in writing by the head of the contracting activity. This authority may not be redelegated. The HCA must ensure that the designated competition

advocate is not assigned any duty or responsibility that is inconsistent with the advocacy function. The identity of the designated official shall be communicated to procuring staff and the Senior procurement executive.

\* \* \* \* \*

*Head of the contracting activity* means the Associate Administrator for Acquisition Policy, Commissioners of the Federal Supply Service (FSS), Information Technology Service (ITS), Public Buildings Service (PBS), or Regional Administrators. The Associate Administrator for Acquisition Policy serves as the HCA for Central Office contracting activity outside of FSS, ITS and PBS.

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#### PART 506—COMPETITION REQUIREMENTS

3. Section 506.304 is amended by revising the introductory text to read as follows:

##### 506.304 Approval of the justification.

The justification (except for contracts awarded under FAR 6.302-7) must be approved by:

\* \* \* \* \*

#### PART 513—SMALL PURCHASE AND OTHER SIMPLIFIED PURCHASE PROCEDURES

3. Section 513.106 is amended by revising paragraph (c)(2) to read as follows:

##### 513.106 Competition and price reasonableness.

\* \* \* \* \*

(c) \* \* \*

(2) The GSA Form 2010, Small Purchases Tabulation Source List/Abstract, or an automated equivalent which provides substantially the same documentation, must be used to document written and oral quotations (except small purchases \$2,500 or less).

#### PART 552—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

4. Section 552.225-72 is amended by revising paragraph (a)(1) of the clause to read as follows:

##### 552.225-72 Eligible Products from Nondesignated Countries—Waiver.

\* \* \* \* \*

(a) \* \* \*

(1) No responsive bid or technically acceptable offer from a responsible offeror is received offering U.S. or designated country end products, Caribbean Basin country end products, Canadian or Mexican end products

as defined in the clause entitled "Trade Agreement Act" in this solicitation; or

\* \* \* \* \*

Dated: April 20, 1995.

**Ida M. Ustad,**

Associate Administrator for Acquisition Policy.

[FR Doc. 95-10547 Filed 5-1-95; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 678

[Docket No. 950414106-5106-01; I.D. 121494A]

RIN 0648-AF63

### Atlantic Shark Fisheries; Semiannual Quotas for Large Coastal and Pelagic Sharks

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

**ACTION:** Final rule.

**SUMMARY:** NMFS issues this final rule to establish semiannual commercial quotas for Atlantic large coastal sharks and Atlantic pelagic sharks under the framework provisions of the Fishery Management Plan for Sharks of the Atlantic Ocean (FMP), at 1994 levels. These quotas apply to permitted vessels for 1995 and, unless adjusted, for future years. This final rule is intended to reduce the probability of overfishing, by maintaining the current semiannual quotas for the pelagic shark species group and rejecting the planned 1995 increases in the semiannual commercial quotas increase for the large coastal species group.

**EFFECTIVE DATE:** May 1, 1995.

**ADDRESSES:** Requests for copies of the environmental assessment and regulatory impact review (EA/RIR) should be sent to Richard B. Stone, Chief, Highly Migratory Species Management Division, Office of Fisheries Conservation and Management (F/CM), National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** C. Michael Bailey, 301-713-2347, FAX 301-713-0596; Michael E. Justen, 813-570-5305 or Kevin B. Foster, 508-281-9260.

**SUPPLEMENTARY INFORMATION:** The fishery for Atlantic sharks is managed under the FMP prepared by NMFS

under authority of section 304(f)(3) of the Magnuson Fishery Conservation and Management Act (Magnuson Act), and implemented in April 1993 through regulations found at 50 CFR part 678.

For the reasons explained below, NMFS is implementing the following semiannual quotas: Large coastal species = 1,285 metric tons dressed weight (mtdw); Pelagic species = 290 mtdw. The notice of proposed rulemaking was published on January 6, 1995 (60 FR 2071), with a request for comments. The notice of proposed rulemaking contained background information which is not repeated here.

#### Comments and Responses

##### Commercial Quotas

**Comments:** Written comments on the proposed commercial quotas were provided by one Fishery Management Council, three conservation organizations, one directed commercial shark fishing organization (petition with 49 entries), one incidental commercial shark fishing organization, one seafood production company, and 64 individuals whose comments addressed the proposed commercial quotas. Commenters suggested four possible options: (1) Commercial quotas should be allowed to increase as scheduled in the FMP, (2) commercial quotas should be maintained at the current level until additional data on the status of the stocks can be evaluated, (3) commercial quotas should be significantly reduced, and (4) the commercial shark fishery should be closed until there are clear signs of stock recovery.

**Response:** NMFS has examined the four possible commercial quota options and has determined that the total allowable catch (TAC) for 1995 should remain at the 1994 level, as recommended by the 1994 Shark Evaluation Workshop (SEW) and members of the Shark Operations Team (OT). A new stock assessment and fishery evaluation (SAFE) report is currently in preparation and will be published in 1995. If appropriate, the Assistant Administrator for Fisheries, NOAA (AA) may reexamine the quota levels and make determinations on adjustments to future quotas.

##### Large Coastal and Pelagic Shark Quotas

The framework provisions of the FMP allow the AA to make adjustments in the management measures in order to achieve the objectives of the FMP. NMFS has determined that the 1994 semiannual quotas of 1,285 mt, which represented for the year only a 5 percent increase over 1993, should be set as the semiannual commercial quotas for the

large coastal group for 1995. This, in the opinion of NMFS, represents a reasonable compromise between alternatives, pending future scientific analyses that may suggest the need for different quotas.

The alternative of increasing the commercial quotas as planned in the FMP was rejected primarily on the basis of recommendations from the SEW and members of the OT. The SEW concluded that "the weight of evidence does not support the previous (FMP) recommendation that the 1994 or 1995 TAC should automatically increase." The OT met in July 1994, and generally agreed with this conclusion. Thus, the rebuilding plan outlined in the FMP has been determined to be inadequate to achieve the goal of rebuilding the large coastal shark resource to a level consistent with the maximum sustainable yield (MSY). As a result, NMFS has rejected planned quota increases for 1995. Whether the selected semiannual quotas of 1,285 mt (equivalent to the 1994 semiannual quotas) will lead to rebuilding in 1995 and beyond is currently uncertain. The likelihood of stock rebuilding for this and other quota levels will be addressed in future stock assessments.

In terms of the semiannual quota increase that has already gone into effect, NMFS believes that the 5 percent reduction in quotas necessary to return to the 1993 level could have a large negative impact on the large coastal shark fishing industry, while it is unlikely to change substantially the future dynamics of the large coastal shark resource. Until recently, the fishing industry had anticipated that the scheduled increases in the FMP would take place, and had planned operations accordingly. Subsequently, the industry has had to replan and scale down projected production schedules. Further scaling down could result in greater negative consequences which, in the opinion of NMFS, may not be warranted.

In terms of benefits to the large coastal shark resource, NMFS believes that action to forestall the planned 30.3 percent increase of the 1995 semiannual quotas for the year over the 1993 quotas has far greater significance for the future viability of the various shark stocks. NMFS believes that it is not worth putting the industry at a disadvantage for the sake of a quota reduction of the order of 5 percent, which may have been within the margin of error of quota monitoring capabilities in the past.

Comments received from the Delaware Division of Fish and Wildlife through the Delaware Coastal Management Program recommended