

section 514.408-1 paragraph (a) remove the phrase "when approved by the HCA;" in paragraph (b) remove "FAR 14.407-1(c)(5)" and insert "FAR 14.408-1(c)(5)"; and in paragraph (c) remove "FAR 14.407-1(c)(4)" and insert "FAR 14.408-1(c)(4)" and remove "FAR 519.502-2(b)" and insert "519.503-4(b)".

514.406 [Redesignated as 514.407]

514.406-3 [Redesignated as 514.407-3 and revised]

514.406-4 [Redesignated as 514.407-4]

27. Sections 514.406, 514.406-3 and 514.406-4 are redesignated as 514.407, 514.407-3 and 514.407-4 respectively, and newly designated section 514.407-3 is revised to read as follows:

514.407-3 Other mistakes disclosed before award.

(a) *Delegations of authority by head of the agency.* In accordance with FAR 14.407-3(e), the contracting directors (see 502.101) are authorized, without power of redelegation, to make the determinations regarding corrections and/or withdrawals treated in FAR 14.407-3(a), (b), and (c), and to make the corollary determinations not to permit withdrawal or correction for reasons indicated in FAR 14.407-3(d).

(b) *Legal review and approval.* Assigned counsel must approve determinations by the contracting director and contracting officer regarding mistakes in bid.

PART 515—CONTRACTING BY NEGOTIATION

515.1001 [Removed]

28. Section 515.1001 is removed.

515.1070 [Amended]

29. In section 515.1070 at paragraph (b) remove the words "small purchase" and insert "simplified acquisition;" at paragraph (c) introductory text remove the word "small" in the phrase "(other than small purchases)" and in the same phrase after the word "purchases," add the words "made using simplified acquisition procedures;" at paragraph (c)(1) remove the words "FAR 15.1001(c)" and insert "FAR Subpart 15.10."

PART 523—ENVIRONMENT, CONSERVATION, AND OCCUPATIONAL SAFETY

30. Section 523.370 is revised to read as follows:

523.370 Solicitation provision.

The contracting officer shall insert the provision at 552.223-71, Hazardous

Material Information, in solicitations including purchases made using simplified acquisition procedures, which involve the shipment of hazardous materials on an f.o.b. origin basis.

PART 528—BONDS AND INSURANCE

31. Section 528.310 is amended by removing the words "small purchase limitation" and inserting "simplified acquisition threshold."

PART 529—TAXES

32. Section 529.401-70 revised to read as follows:

529.401-70 Purchases made using simplified acquisition procedures.

The contracting officer shall insert the clause at 552.229-70, Federal, State, and Local Taxes, in purchases made using simplified acquisition procedures, except acquisitions of utility services and micro purchases.

PART 532—CONTRACT FINANCING

33. Section 532.111 is amended by revising paragraph (c) and (d) to read as follows:

532.111 Contract clauses.

* * * * *

(c) *Adjusting payments.* The contracting officer shall insert the clause at 552.232-78, Adjusting Payments, in all solicitations and contracts for recurring building services expected to exceed the simplified acquisition threshold.

(d) *Final payment.* The contracting officer shall insert the clause at 552.232-79, Final Payment, in all solicitations and contracts for recurring building services expected to exceed the simplified acquisition threshold.

PART 536—CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

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536.570-2 [Amended]

536.570-5 [Amended]

536.570-13 [Amended]

536.570-14 [Amended]

34. Sections 536.570-2, 536.570-5, 536.570-13, and 536.570-14 are amended by removing the words "small purchase limit" and inserting "simplified acquisition threshold."

536.570-4 [Amended]

35. Section 536.570-4 is amended by removing the words "small purchase" in paragraph (c) and inserting "simplified acquisition threshold."

536.570-8 [Amended]

536.570-9 [Amended]

36. Sections 536.570-8 and 536.570-9 are amended by removing the words "small purchase limit" and inserting "simplified acquisition threshold".

PART 543—CONTRACT MODIFICATION

543.205 [Amended]

37. Section 543.205 is amended by removing the words "small purchase limitation" in paragraphs (a) and (b)(2) and inserting "simplified acquisition threshold."

PART 546—QUALITY ASSURANCE

546.403 [Amended]

38. Section 546.403 is amended in the introductory text by removing the words "small purchase" and inserting "simplified acquisition".

546.710 [Amended]

39. Section 546.710 is amended in paragraph (e) by removing the words "small purchase limitation" and inserting "simplified acquisition threshold."

PART 552—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

552.300 [Amended]

40. Section 552.300 is amended by removing the words "small purchase" and inserting "simplified acquisition."

Dated: August 8, 1995.

Ida M. Ustad,

Associate Administrator, Office of Acquisition Policy.

[FR Doc. 95-20215 Filed 8-16-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 85-07; Notice 12]

RIN 2127-AF23

Federal Motor Vehicle Safety Standards; Air Brake Systems Control Line Pressure Balance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Final rule; correction.

SUMMARY: On July 28, 1995, NHTSA published a final rule that amended the control line pressure differential

requirements in Standard No. 121, *Air Brake Systems*, for converter dollies and trailers designed to tow other air braked vehicles. The agency has since learned that the docket number in the heading of that document is incorrect. (60 FR 38762) Today's document corrects the docket number to read "[Docket No. 85-07; Notice 11]". The July 28, 1995 document had read "[Docket No. 85-07; Notice 10]".

EFFECTIVE DATE: The correction to the July 28, 1995 document is effective on August 17, 1995.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Carter, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590 (202-366-5274).

Issued on: August 11, 1995.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 18

RIN 1018-AD21

Marine Mammals; Incidental Take During Specified Activities

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final Rule and Notice of Availability of a Completed Final Polar Bear Habitat Conservation Strategy.

SUMMARY: Pursuant to the requirements contained in final regulations effective in December 1993 to govern the incidental, unintentional take of small numbers of polar bears and walrus during year-round oil and gas operations (exploration, development, and production) in the Beaufort Sea and adjacent northern coast of Alaska (50 CFR 18.122), the Fish and Wildlife Service hereby modifies and extends for an additional 40 months through December 15, 1998, the effectiveness of those final regulations. The original final Beaufort Sea regulations were effective beginning on December 16, 1993, for 18 months through June 16, 1995. On June 14, 1995, those regulations were extended for an additional 60 days through August 15, 1995. In addition to this current final rule action to extend the effective date through December 15, 1998, (for a total effective period of five years as

authorized by the Marine Mammal Protection Act of 1972, as amended (MMPA)), the regulations have also been modified in consideration of concerns received during the public comment period.

In addition to this final rule, the Service announces availability of its final Polar Bear Habitat Conservation Strategy (Strategy), the completion of which was prompted by provisions of the 1993 Beaufort Seas regulations.

DATES: This rule is effective beginning on August 15, 1995. It extends the effective period of regulations that appears at 50 CFR part 18, subpart J through December 15, 1998.

ADDRESSES: Comments and materials received in response to this action are available for public inspection during normal working hours of 8 a.m. to 4:30 p.m., Monday through Friday, at the Office of Marine Mammals Management, Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, AK 99503. Copies of the final Polar Bear Habitat Conservation Strategy are available on request from this same office.

FOR FURTHER INFORMATION CONTACT: David McGillivray, Supervisor, Office of Marine Mammals Management, Anchorage, Alaska, at 907/786-3800; or Jeff Horwath, Division of Fish and Wildlife Management Assistance, Arlington, Virginia, at 703/358-1718.

SUPPLEMENTARY INFORMATION:

Background

Under section 101(a)(5)(A) of the MMPA, the taking of small numbers of marine mammals may be allowed incidental to specified activities other than commercial fishing if the Director of the Service finds, based on the best scientific evidence available, that the cumulative total of such taking over a five-year period will have a negligible effect on these species and will not have an unmitigable adverse impact on the availability of these species for subsistence uses by Alaskan Natives. If these findings are made, the Service is required to establish specific regulations for the activity that set forth: permissible methods of taking; meanings of effecting the least practicable adverse impact on the species and their habitat and on the availability of the species for subsistence uses; and requirements for monitoring and reporting.

On December 17, 1991, BP Exploration (Alaska), Inc., for itself and on behalf of 14 other energy related entities (hereafter collectively referred to as "Industry") petitioned the Service to promulgate regulations pursuant to

section 101(a)(5)(A) of the MMPA. A proposed rule was published by the Service on December 30, 1992 (57 FR 62283), with a 75-day comment period that expired on March 15, 1993.

The proposed rule announced that the Service had prepared a draft Environmental Assessment in conjunction with the rulemaking action; and that when a final decision was made on the Industry applications for incidental take authority, the Service would decide whether this was a major Federal action significantly affecting the quality of the human environment within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA). On April 26, 1993, following the close of the proposed rule's comment period, the Service concluded in a Finding of No Significant Impact (FONSI) that this was not a major Federal action under the NEPA and preparation of an Environment Impact Statement was not required.

Subsequently, on November 16, 1993, the Service published final regulations in the **Federal Register** (58 FR 60402) effective December 16, 1993; to authorize and govern the incidental, unintentional take of small numbers of polar bears and walrus during Industry operations (exploration, development, and production) year-round in the Beaufort Sea and adjacent northern coast of Alaska. The Service concluded in that final rule, based on the best scientific evidence available, that the cumulative total of such taking by Industry over a five-year period would have a negligible impact on these species and would not have an unmitigable adverse impact on the availability of these species for subsistence uses by Alaskan Natives.

However, although the MMPA authorizes incidental take regulations to be issued for periods of up to five years, these were initially effective only for an 18-month period through June 16, 1995, because of additional provisions at 50 CFR 18.122 in the final regulations requiring the Service to develop and begin implementing a Strategy pursuant to the management planning process in section 115 of the MMPA, and in furtherance of the goals of Article II of the 1973 International Agreement on the Conservation of Polar Bears (1973 Agreement). The Strategy could identify and designate special considerations or closures of any polar bear habitat components to be further protected, with public notice and comment sought on such considerations or closure. Pursuant to notice and opportunity for public comment, extension of the final Beaufort Sea regulations for an