

**§ 704.30 [Removed]**

2. Section 704.30 is removed.

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finest of up to \$100,000 and/or imprisonment not to exceed 12 months.  
Charles M. Schultz,  
*Redding Area Manager.*  
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with a business combination. The interim rule clarifies that the prohibition does not apply to severance and early retirement incentive payments.

**B. Determination To Issue an Interim Rule**

A determination has been made under the authority of the Secretary of Defense to issue this rule as an interim rule. Compelling reasons exist to promulgate this rule without prior opportunity for public comment. This rule implements Section 8122 of the Defense Appropriations Act for Fiscal Year 1996 (Pub. L. 104-61), which was effective upon enactment on December 1, 1995. However, comments received in response to the publication of this rule will be considered in formulating the final rule.

**C. Regulatory Flexibility Act**

The interim rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because most contracts awarded to small entities are awarded on a competitive fixed-price basis and cost principles, therefore, do not apply.

**D. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the interim rule does not impose any new reporting or recordkeeping requirements which require Office of Management and Budget approval under 44 U.S.C. 3501, *et seq.*

**List of Subjects in 48 CFR Part 231**

Government procurement.  
Michele P. Peterson,  
*Executive Editor, Defense Acquisition Regulations Council.*

Therefore, 48 CFR part 231 is amended as follows:

1. The authority citation for 48 CFR part 231 continues to read as follows:

Authority: 41 U.S.C. 421 and 48 CFR Chapter 1.

**PART 231—CONTRACT COST PRINCIPLES AND PROCEDURES**

2. Section 231.205-6 is amended by adding paragraph (f)(1) to read as follows:

**231.205-6 Compensation for personal services.**

\* \* \* \* \*

(f)(1) Costs for bonuses or other payments, that are in excess of the normal salary paid by the contractor to the employee and that are part of

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**43 CFR Part 8364**

[CA-059-1220-00]

**Closure and Restriction Orders**

**AGENCY:** Bureau of Land Management (BLM), Interior.

**ACTION:** Emergency closure of certain public lands to motorized vehicle use in Shasta County, California.

**SUMMARY:** The BLM is prohibiting persons for an indefinite period from operating motorized vehicles on approximately 882 acres of public land that has been acquired from a private landowner through an exchange. This closure on motorized vehicle use will protect the natural environment of the public lands until BLM has conducted site specific inventories on the property and designated suitable roads for motorized vehicles to travel.

**DATES:** This emergency motorized vehicle closure will take effect February 26, 1996.

**FOR FURTHER INFORMATION CONTACT:**

Charles M. Schultz, Area Manager, Bureau of Land Management, 355 Hemsted Drive, Redding, CA 96002.

**SUPPLEMENTARY INFORMATION:** The BLM acquired 882 acres of private land within sections 26, 27, 34 and 36 of T. 31 N., R. 6 W., of the M.D.M on January 31, 1996 from Sierra Pacific Industries, Inc. Appropriate uses of this property will be determined, in part, through the preparation of a management plan for the region. Until this management plan is completed and appropriate roads and trails are delineated, the four parcels are closed from entry and use by motorized vehicles. Exceptions to this closure include: emergency vehicles, fire suppression and rescue vehicles, BLM operation and maintenance vehicles, law enforcement vehicles, and other motorized vehicles specifically approved by an authorized officer of the Bureau of Land Management.

The authority for this closure and rule making is 43 CFR 8364.1. Any person who fails to comply with a closure order or rule making is subject to arrest and

**DEPARTMENT OF DEFENSE**

**48 CFR Part 231**

[DFARS Case 95-D309]

**Defense Federal Acquisition Regulation Supplement; Allowability of Costs**

**AGENCY:** Department of Defense (DOD).

**ACTION:** Interim rule with request for comments.

**SUMMARY:** The Director of Defense Procurement has issued an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to prohibit use of fiscal year 1996 funds to reimburse a contractor for costs paid by the contractor to an employee for a bonus or other payment in excess of the normal salary paid to the employee, when such payment is part of restructuring costs associated with a business combination.

**DATES:** *Effective date:* February 26, 1996.

*Comment date:* Comments on the interim rule should be submitted in writing to the address shown below on or before April 26, 1996, to be considered in the formulation of the final rule.

**ADDRESSES:** Interested parties should submit written comments to: Defense Acquisition Regulation Council, Attn: Ms. Sandra G. Haberlin, PDUSD(A&T)DP(DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telefax number (703) 602-0350. Please cite DFARS Case 95-D309 in all correspondence related to this issue.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandra G. Haberlin (703) 602-0131.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

This interim rule adds paragraph (f)(1) to DFARS Section 231.205-6 to implement Section 8122 of the Fiscal Year 1996 Defense Appropriations Act (Pub. L. 104-61). Section 8122 prohibits DOD from using fiscal year 1996 funds to reimburse a contractor for costs paid by the contractor to an employee for a bonus or other payment in excess of the normal salary paid by the contractor to the employee, when such payment is part of restructuring costs associated