

Fossil Beds National Monument. The Monument is closed to operation of the public land laws, including the mining, mineral leasing, and other mineral entry laws.

Dated: April 25, 1997.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 97-12066 Filed 5-8-97; 8:45 am]

BILLING CODE 4310-JB-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV-930-1430-01; N-61415]

Notice of Proposed Withdrawal and Opportunity for Public Meeting; Nevada; Correction

AGENCY: Bureau of Land Management, Interior.

ACTION: Correction.

SUMMARY: This action corrects an error in the land description published as FR Doc. 97-10276 in the **Federal Register**, 62 FR 19601, April 22, 1997, for a proposed United States Geological Survey withdrawal.

On page 19601, column 2, line 6 from the bottom, which reads "T. 15 S., R. 20 E.," is hereby corrected to read "T. 15 N., R. 20 E.,".

Dated: April 29, 1997.

William K. Stowers,

Lands Team Lead.

[FR Doc. 97-12070 Filed 5-8-97; 8:45 am]

BILLING CODE 4310-HC-M

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Interim Renewal Contracts for Friant Division Contractors

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice.

SUMMARY: Notice is hereby given for the negotiation of interim renewal contracts with 14 of the Friant Division contractors, Central Valley Project, California, who are parties to long-term water service contracts, which were recently declared invalid by the United States District Court, effective March 1, 1998. The total annual quantity of water allocated pursuant to these contracts is in excess of 1.3 million acre-feet. These contracts will be replaced with interim renewal contracts negotiated pursuant to the Central Valley Project Improvement Act, Title XXXIV of Pub. L. 102-575.

FOR FURTHER INFORMATION CONTACT: Jon Anderson, Supervisory Repayment Specialist, Bureau of Reclamation, South-Central California Area Office, 2666 North Grove Industrial Drive, Suite 106, Fresno, California 93727-1551; telephone 209-487-5041.

Dated: May 5, 1997.

Robert F. Stackhouse,

Regional Resources Manager, Mid-Pacific Region.

[FR Doc. 97-12142 Filed 5-8-97; 8:45 am]

BILLING CODE 4310-94-M

DEPARTMENT OF JUSTICE

Response to Comments to Department of Justice Proposed Reforms to Affirmative Action in Federal Procurement

AGENCY: Department of Justice.

ACTION: Notice.

SUMMARY: On May 23, 1996, the Department of Justice published its Proposed Reforms to Affirmative Action in Federal Procurement. 61 FR 26042. The Department reviewed over 1,000 comments. This report discusses the observations and concerns most frequently expressed, and describes the changes to the proposal that were made in response to those comments. In addition, the Federal Acquisition Regulatory Council is today publishing for comment proposed amendments to the Federal Acquisition Regulation that will implement the contracting mechanisms described in the Justice Department proposal.

FOR FURTHER INFORMATION CONTACT: Mark Gross, Civil Rights Division, P.O. Box 66078, Washington, D.C. 20035-6078, telefax (202) 514-8490.

Introduction

On May 23, 1996, the Department of Justice published its Proposed Reforms to Affirmative Action in Federal Procurement. 61 FR 26042. These reforms will ensure that the use of affirmative action in federal procurement complies with the strict scrutiny standard discussed in the Supreme Court's decision in *Adarand Constructors, Inc. v. Peña*, 115 S. Ct. 2097 (1995).

The Justice Department received more than 1,000 individual responses to the proposal; many of those contained a number of different and lengthy comments. We greatly appreciate the time and effort so many individuals, companies, private organizations, and government personnel from cities, states, and federal agencies, took to respond to the proposal. The comments

raised many of the difficult issues that were considered during the preparation of the proposal, as well as many new ones.

This report will not summarize all the comments that were received, but rather, will discuss those observations and concerns most frequently expressed. The report will identify the changes we have made to the reform proposal both in response to the comments and as a result of our continuing work on the proposal, and those issues that remain under consideration.

The Federal Acquisition Regulatory Council is publishing today the proposed amendments to the Federal Acquisition Regulation (FAR) necessary to implement the proposed reforms, including procedures to implement Section 7102 of the Federal Acquisition Streamlining Act (FASA) and to further implement 10 U.S.C. 2323. These statutes permit federal agencies to allow competitive advantages, including price and evaluation credits, in awards involving small businesses owned and controlled by socially and economically disadvantaged persons (SDBs). The regulation explains how consideration of social and economic disadvantage will be made in the contracting process. The Small Business Administration (SBA) will be publishing regulations that describe the new process by which firms can be determined to be SDBs.

I. Eligibility and Certification

A. Determination of Social and Economic Disadvantage

Many of the comments expressed concern that the proposal could permit each federal agency to determine whether firms are owned and operated by individuals who are socially and economically disadvantaged. The primary concern was inconsistent decisions by different agencies, leading to forum shopping, where firms would search to find the agency with the most lenient standards. While that possibility is less of a concern for persons who belong to minority groups statutorily presumed to be socially and economically disadvantaged,¹ the

¹ Both FASA and 10 U.S.C. 2323 (which, in language similar to that in FASA, permits the Department of Defense, NASA, and the Coast Guard to use less than full and open competition in order to aid SDBs) incorporate by explicit reference the definition of social and economic disadvantage contained in Section 8(d) of the Small Business Act. Pursuant to Section 8(d), members of designated groups are presumed to be both socially and economically disadvantaged; those presumptions are rebuttable. By contrast, under the separate program established under Section 8(a) of the Small Business Act (the 8(a) program), members of identified groups are rebuttably presumed to be