

“Procurement Advocacy Programs” in its place.

PART 1816—TYPES OF CONTRACTS

1816.405–274 [Amended]

5. Amend paragraphs (g)(2) and (g)(4) of section 1816.405–274, by removing the acronym “SIC” and adding “NAICS” in its place.

PART 1817—SPECIAL CONTRACTING METHODS

1817.7101 [Amended]

6. In section 1817.7101, amend paragraph (b) by removing the acronym “NHB” and adding “NPG” in its place.

PART 1819—SMALL BUSINESS PROGRAMS

1819.202–1 [Removed]

7. Remove section 1819.202–1.

1819.201 [Amended]

8. Amend paragraph (f)(1) of section 1819.201 by removing the acronym “SIC” and adding “NAICS” in its place.

9. Revise section 1819.1005 to read as follows:

1819.1005 Applicability.

(b) The targeted industry categories for NASA and their North American Industry Classification System (NAICS) codes are:

NAICS code	Industry category
334111	Electronic Computer Manufacturing.
334418	Printed Circuit Assembly (Electronic Assembly) Manufacturing.
334613	Magnetic and Optical Recording Media Manufacturing.
334119	Other Computer Peripheral Equipment Manufacturing.
33422	Radio and Television Broadcasting and Wireless Communication Equipment Manufacturing.
336415	Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing.
54171	Research and Development in the Physical Engineering and Life Sciences.
336419	Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing.
334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical Systems and Instrument Manufacturing.
333314	Optical Instrument and Lens Manufacturing.
541511	Custom Computer Programming Services.
541512	Computer Systems Design Services.
51421	Data Processing Services.
541519	Other Computer Related Services.

1819.7208 [Amended]

10. Amend paragraph (b)(1) of section 1819.7208 by removing the acronym “SIC” and adding “NAICS” in its place.

1819.7209 [Amended]

11. Amend paragraphs (a)(1) and (a)(2) of section 1819.7209 by removing the acronym “SIC” and adding “NAICS” in its place.

PART 1834—MAJOR SYSTEM ACQUISITIONS

12. Revise section 1834.003 to read as follows:

1834.003 Responsibilities.

(a) NASA’s implementation of OMB Circular No. A–109, Major System Acquisition, and FAR Part 34 is contained in this part and in NASA Policy Directive (NPD) 7120.4, “Program/Project Management,” and NASA Procedures and Guidelines (NPG) 7120.5, “ NASA Program and Project Management Processes and Requirements”.

PART 1843—CONTRACT MODIFICATIONS

13. Revise section 1843.205 to read as follows:

1843.205 Contract clauses.

As authorized in the prefaces of clauses FAR 52.243–1, Changes—Fixed Price; FAR 52.243–2, Changes—Cost

Reimbursement; and FAR 52.243–4, Changes; and in the prescription at 43.205(c) for FAR 52.243–3, Changes—Time-and-Material or Labor-Hours, the period within which a contractor must assert its right to an equitable adjustment may be varied not to exceed 60 calendar days.

PART 1845—GOVERNMENT PROPERTY

1845.608–1 [Amended]

14. In section 1845.608–1, amend paragraph (a) by removing the acronym “NHB” and adding “NPG” in its place.

1845.610–4 [Amended]

15. Amend section 1845.610–4 by removing the acronym “NHB” and adding “NPG” in its place.

1845.613 [Amended]

16. Amend section 1845.613 by removing the acronym “NHB” and adding “NPG” in its place.

PART 1852—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

17. In ALTERNATE II to the clause at section 1852.242–72, revise the introductory text to read as follows:

1852.242–72 Observance of legal holidays.

* * * * *

Alternate II

October 2000

As prescribed in 1842.7001(c), add the following as paragraphs (e) and (f) if Alternate I is used, or as paragraphs (c) and (d) if Alternate I is not used. If added as paragraphs (c) and (d), amend the first sentence of paragraph (d) by deleting “(e)” and adding “(c)” in its place.

* * * * *

1852.247–73 [Amended]

18. In section 1852.247–73, amend paragraphs (a) and (b) by removing “\$100” and adding “\$1,000” in its place.

[FR Doc. 00–25248 Filed 10–2–00; 8:45 am]

BILLING CODE 7510–01–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 1837

Acquisition of Training Services

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: This final rule amends the NASA FAR Supplement (NFS) by removing regulations on Acquisition of Training to conform the acquisition of training with FAR regulations.

EFFECTIVE DATE: October 1, 2000.

FOR FURTHER INFORMATION CONTACT:

James H. Dolvin, NASA Headquarters, Office of Procurement, Contract Management Division (Code HK), Washington, DC 20546. (202) 358-1279, email: jdolvin1@mail.hq.nasa.gov.

SUPPLEMENTARY INFORMATION:

A. Background

In 1991, Subpart 1837.70, Acquisition of Training, was added to the NFS. Section 1837.7000, Acquisition of off-the-shelf training courses, provided that the Government Employees Training Act of 1958, 5 U.S.C. 4101 *et seq.*, could be used as the authority for acquisition of "non-Governmental off-the-shelf training courses which are available to the public." Subpart 1837.7001, Acquisition of new training courses, provided that acquisition of new training courses "developed to fill a specific NASA need" must be conducted in accordance with the FAR. This subpart is being removed because it has caused confusion within NASA about the relevance of the FAR to training service procurement.

A proposed rule was published in the **Federal Register** at 65 FR 43730, dated July 14, 2000. No comments were received, and this final rule adopts the proposed rule without change.

B. Regulatory Flexibility Act

NASA certifies that this rule will not have a significant economic impact on a substantial number of small business entities within the meaning of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because the deletion of this subpart will not alter the manner in which NASA is required to acquire training.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the NFS do not impose recordkeeping or information collection requirements, or collections of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Part 1837

Government Procurement

Anne Guenther,

Acting Associate Administrator for Procurement.

Accordingly, 48 CFR Part 1837 is proposed to be amended as follows:

1. The authority citation for 48 CFR Part 1837 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1)

PART 1837—SERVICE CONTRACTING

2. Subpart 1837.70 is removed.

[FR Doc. 00-25249 Filed 10-2-00; 8:45 am]

BILLING CODE 7510-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AF98

Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for the Alameda Whipsnake (*Masticophis lateralis euryxanthus*)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), designate critical habitat under the Endangered Species Act of 1973, as amended (Act), for the Alameda whipsnake (*Masticophis lateralis euryxanthus*). A total of approximately 164,150 hectares (406,598 acres) of land fall within the boundaries of designated critical habitat. Critical habitat for the Alameda whipsnake is located in Contra Costa, Alameda, San Joaquin, and Santa Clara counties, California. Section 7 of the Act requires Federal agencies to ensure that actions they authorize, fund, or carry out are not likely to destroy or adversely modify designated critical habitat. As required by section 4 of the Act, we considered economic and other relevant impacts prior to making a final decision on the size and configuration of critical habitat.

EFFECTIVE DATE: This final rule is effective November 2, 2000.

ADDRESSES: The complete administrative record for this rule is on file at the U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, Suite W-2605, Sacramento, California 95825. The complete file for this rule is available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Jason Davis or Heather Bell, at the above address (telephone 916/414-6600, facsimile 916/414-6713).

SUPPLEMENTARY INFORMATION:

Background

The Alameda whipsnake is a slender, fast-moving, diurnal snake with a broad head, large eyes, and slender neck.

Alameda whipsnakes range from 91 to 122 centimeters (3 to 4 feet) in length. The dorsal surface is sooty black in color with a distinct yellow-orange stripe down each side. The forward portion of the bottom surface is orange-rufous colored, the midsection is cream colored, and the rear portion and tail are pinkish. The adult Alameda whipsnake virtually lacks black spotting on the bottom surface of the head and neck. Juveniles may show very sparse or weak black spots. Another common name for the Alameda whipsnake is the "Alameda striped racer" (Riemer 1954, Jennings 1983, Stebbins 1985).

The Alameda whipsnake is one of two subspecies of the California whipsnake (*Masticophis lateralis*). The chaparral whipsnake (*Masticophis lateralis lateralis*) is distributed from northern California, west of the Sierran crest and desert, to central Baja California. The Alameda whipsnake is restricted to a small portion of this range, primarily the inner Coast Range in western and central Contra Costa and Alameda Counties.

The distribution in California, of both subspecies, coincides closely with chaparral (Jennings 1983, Stebbins 1985). Recent telemetry data indicate that, although home ranges of Alameda whipsnakes are centered on shrub communities, whipsnakes frequently venture into adjacent habitats, including grassland, oak savanna, and occasionally oak-bay woodland. Most telemetry locations are within 50 meters (m) (170 feet (ft)) of scrub habitat, but distances of greater than 150 m (500 ft) occur (Swaim 1994). Initial data indicate that adjacent habitats may play a crucial role in certain life history and physiological needs of the Alameda whipsnake, but the full extent has yet to be determined. Telemetry data indicate that whipsnakes remain in grasslands for periods ranging from a few hours to several weeks at a time. Grassland habitats are used by male whipsnakes most extensively during the mating season in spring. Female whipsnakes use grassland areas most extensively after mating, possibly in their search for suitable egg-laying sites (Swaim 1994).

Rock outcrops can be an important feature of Alameda whipsnake habitat because they provide retreat opportunities for whipsnakes and support lizard populations. Lizards, especially the western fence lizard (*Sceloporus occidentalis*), appear to be the most important prey item of whipsnakes (Stebbins 1985; Swaim 1994; Harry Green, Museum of Vertebrate Zoology, U.C. Berkeley, pers. comm. 1998), although other prey items are taken, including skinks, frogs,