

Therefore, unless exempt from the Economy Act for reasons other than the general authority of the Space Act, interagency acquisitions shall be supported by a Determination and Findings equivalent to that required for Economy Act transactions (see FAR 17.503 and 1817.503). This requirement applies to all purchases of goods or services under contracts entered into or administered by the Military Departments or other agencies. The Space Act may be cited as authority for a transaction where appropriate, but that does not provide relief from this D&F requirement.

(b) The determination described in paragraph (a) of this section is not required for contracts awarded under the Space Act to Government agencies pursuant to a Broad Agency Announcement when a review of the acquisition records would make it obvious that the award is not being used as a method of circumventing regulatory or statutory requirements, particularly FAR part 6, Competition Requirements (e.g., when a significant number and value of awards made under the BAA are made to entities other than Government agencies).

#### **PART 1827—PATENTS, DATA, AND COPYRIGHTS**

##### **1827.301 [Amended]**

12. In section 1827.301, the definition of "Reportable item" is amended by inserting the phrase "in the performance of any work under any NASA contract or" after the word "made".

##### **1827.303-70 [Amended]**

13. In 1827.303-70(b)(6), the reference "subparagraphs (a) through (e) of this paragraph" is revised to read "paragraphs (b)(1) through (5) of this section".

#### **PART 1832—CONTRACT FINANCING**

##### **1832.412 [Amended]**

14. In section 1832.412, paragraph (f) is redesignated as paragraph (f)(1), and a new paragraph (f)(2) is added to read as follows:

##### **1832.412 Contract clause. (NASA supplements paragraphs (a), (e) and (f)).**

\* \* \* \* \*

(f)(1) \* \* \*

(f) *Requirements for payment.* \* \* \*

(2) When FAR clause 52.232-12, Advance Payments, is used with its Alternate V, the contracting officer shall modify Alternate V of the clause at FAR 52.232-12 by substituting the following for paragraph (b). Annotate the clause

title by adding "as modified by NASA (Oct 1997)."

"(b) *Use of funds.* The Contractor may use advance payment funds only to pay for properly allocable, allowable, and reasonable costs for direct materials, direct labor, indirect costs, or such other costs approved in writing by the administering contracting office. Payments are subject to any restrictions in other clauses of this contract. Determinations of whether costs are properly allocable, allowable, and reasonable shall be in accordance with generally accepted accounting principles, subject to any applicable subparts of part 31 of the Federal Acquisition Regulation or other applicable regulations referenced in part 31."

#### **PART 1837—SERVICE CONTRACTING**

##### **1837.110-70 [Amended]**

15. In section 1837.110-70, paragraph (c) is removed.

#### **PART 1842—CONTRACT ADMINISTRATION**

##### **1842.803 [Amended]**

16. In section 1842.803, a new paragraph (b)(1)(D) is added to read as follows:

##### **1842.803 Disallowing costs after incurrence. (NASA supplements paragraph (b))**

(b) \* \* \*

(1) \* \* \*

(D) Authorizing direct submission of interim vouchers for provisional payment to disbursing offices for contractors with approved billing systems.

\* \* \* \* \*

#### **PART 1845—GOVERNMENT PROPERTY**

##### **1845.7101-3 [Amended]**

17. In section 1845.7101-3, a sentence is added to the end of paragraph (b) to read as follows:

##### **1845.7101-3 Computing costs of fabricated special tooling, special test equipment, agency-peculiar property, and contract work in process.**

(a) \* \* \*

(b) \* \* \* In addition, fees paid by the Government to the contractor associated with the fabrication of Government property shall be included in the values reported on NF 1018 to enable NASA to properly reflect the total cost of property on its financial statements.

\* \* \* \* \*

#### **1852—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

##### **1852.216-87 [Amended]**

18. Section 1852.216-87 is amended by adding new paragraph (b)(4) and

revising the clause date to read as follows:

##### **1852.216-87 Submission of Vouchers for Payment.**

As prescribed in 1816.307-70(e), insert the following clause:

##### **SUBMISSION OF VOUCHERS FOR PAYMENT OCTOBER 1997**

\* \* \* \* \*

(b) \* \* \*

(4) For any period that the Defense Contract Audit Agency has authorized the Contractor to submit interim vouchers directly to the Government paying office, interim vouchers are not required to be sent to the Auditor, and are considered to be provisionally approved for payment, subject to final audit.

\* \* \* \* \*

##### **1852.237-72 [Removed]**

19. Section 1852.237-72 is removed.

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#### **DEPARTMENT OF COMMERCE**

##### **National Oceanic and Atmospheric Administration**

##### **50 CFR Part 679**

[Docket No. 961126334-7025-02; I.D. 102497C]

##### **Fisheries of the Exclusive Economic Zone Off Alaska, Pacific Cod in the Central Regulatory Area of the Gulf of Alaska**

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

**ACTION:** Closure.

**SUMMARY:** NMFS is closing directed fishing for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the allocation of Pacific cod total allowable catch (TAC) for processing by the inshore component in the Central Regulatory Area of the GOA.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), October 27, 1997, until 2400 hrs, A.l.t., December 31, 1997.

**FOR FURTHER INFORMATION CONTACT:** Thomas Pearson, 907-486-6919.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management

Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

The Pacific cod TAC allocated to vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the GOA was established as 39,321 metric tons (mt) by the Final 1997 Harvest Specifications of Groundfish (62 FR 8179, February 24, 1997), determined in accordance with § 679.20(a)(6)(iii) and subsequent reserve apportionment (62 FR 19062, April 18, 1997).

In accordance with § 679.20(a)(6)(iv)(C), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the Pacific cod TAC for processing by the inshore component in the Central Regulatory Area has been reached.

Therefore, the Regional Administrator is establishing a directed fishing allowance of 38,321 mt, and is setting aside the remaining 1,000 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance will soon be reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the GOA.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 679.20(e) and (f).

#### **Classification**

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent overharvesting the 1997 TAC for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the GOA. A delay in the effective date is

impracticable and contrary to public interest. The fleet will soon take the 1997 TAC for Pacific cod by vessels catching Pacific cod for processing by the inshore component in this area. Further delay would only result in overharvest, which would disrupt the FMP objective of providing sufficient Pacific cod as bycatch to support other anticipated groundfish fisheries. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by 50 CFR 679.20 and is exempt from review under E.O. 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: October 27, 1997.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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