

- North Pit Remediation Report, November 1989
- Installation Report for Flood and Migration Control Wall, January 1990
- Remedial Action Plan by ENSR Consulting Inc., FLTG, Inc., September 1990.
- Bioremediation Facilities Design Report by ENSR Consulting Inc., FLTG, Inc., May 1991.
- Shallow Aquifer and Subsoil Remediation Facilities Design Report prepared by FLTG, Inc., July 1991.
- 1992, 1993, and 1994 Annual Groundwater Sampling and Comparison Reports prepared by CH2M HILL, 1993, 1994, and 1995.
- 1992, 1993, 1994, and 1995 Annual GW Sampling and Analysis Reports prepared by FLTG, Inc.
- Cell E Remediation Verification Report by FLTG, Inc., December 1992.
- Quality Assurance Validation of Cell E Subsoil Remediation Verification Samples by Flory Environmental Consultants, FLTG, Inc., February 15, 1993.

- EPA Cell E Remediation Verification Report, May 1993.
- Quality Assurance Validation of Cell D/F Remediation Verification Samples and Quality Assurance Report by FLTG, Inc., January 20, 1994.
- Superfund Preliminary Site Close Out Report prepared by EPA September 1994
- Aquifer Remediation System, Refinements, and Enhancement Reports prepared by FLTG, Inc., October 1994.
- DNAPL Study, Remedial Alternative Selection and Feasibility Design Report prepared by Applied Hydrology Associates, Inc., November 1994.
- EPA, First Five-Year Review (Type 1a), CERCLIS TXD-980514814, December 1994.
- EPA Split Sampling and Analysis for Cell D/F, April 1995.
- Site Remediation Summary Report: Part A, Lagoon Remediation Verification, EPA, May 1995.
- INT-11 DNAPL Area Cutoff Wall Installation and Permeability Certification

Report prepared by Applied Hydrology Associates, August 1995.

- Natural Attenuation Modeling Report prepared by Applied Hydrology Associates, Inc., December 1995.
- Remediation Summary Report: Part B, Active Aquifer Verification prepared by FLTG, Inc. in March 1996.
- Site Closure Plan, French Limited Project prepared by Southwestern Environmental Consulting, Inc., March 1996.
- Superfund Site Closeout Report prepared by EPA, April 1996.

Appendix B—Site Coordinate Boundaries—French Limited Superfund Site, Crosby, Texas

The proposed partial deletion of the French Limited Superfund Site is described by the latitude and longitude coordinate points as shown on the attached map of Appendix B. The Geographic Coordinates are DMS units with NAD27 Datum as follows:

Map point no.	Latitude	Longitude
1.	N 29°52'46.87"	W 95°04'45.57".
2.	N 29°52'54.97"	W 95°04'20.57".
3.	N 29°52'46.99"	W 95°04'15.20".

[FR Doc. 99-8781 Filed 4-12-99; 8:45 am]
BILLING CODE 6560-50-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 3100, 3106, 3130, and 3160

[AA-610-08-4111-2410]

RIN 1004-AC54

Oil and Gas Leasing; Onshore Oil and Gas Operations

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rule; extension of public comment period.

SUMMARY: The Bureau of Land Management (BLM) is extending the public comment period for the oil and gas drainage proposed rule published in the **Federal Register** on January 13, 1998, (63 FR 1936). A notice to reopen the comment period was published in the **Federal Register** on December 3, 1998, (63 FR 66776) and corrected on Jan. 13, 1999 (64 FR 2166). This extension is in response to requests that additional time is needed to complete consultations on the issue of applicability of the proposed rule to Tribal and individual Indian oil and gas leases.

DATES: Submit comments on or before June 4, 1999. BLM may not necessarily consider comments received after this time in developing the final rule.

ADDRESSES: If you wish to comment, you may submit your comments by any one of several methods. You may mail comments to the Bureau of Land Management, Administrative Record, 1849 "C" Street, NW, Room 401LS, Washington, DC 20240. You may also comment via the Internet to WOCComment@wo.blm.gov. Please submit comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include "ATTN: AC54" and your name and return address in your Internet message. If you do not receive a confirmation from the system that we have received your Internet message, contact us directly on (202) 452-5030.

FOR FURTHER INFORMATION CONTACT: Donnie Shaw, Fluid Minerals Group, Bureau of Land Management, Mail Stop 401LS, 1849 "C" Street, NW, Washington, DC 20240; telephone (202) 452-0340 (Commercial or FTS). Individuals who use a telecommunication device for the deaf (TDD) may call the Federal Information Relay Service at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, except holidays, to reach the above information contact.

Dated: April 6, 1999.

Sylvia V. Baca,
Acting Assistant Secretary, Land and Minerals Management.

[FR Doc. 99-9054 Filed 4-9-99; 8:45 am]
BILLING CODE 4310-84-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-7282]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations and modified base flood elevations are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The comment period is ninety (90) days following the second

publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: The proposed base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (e-mail) matt.miller@fema.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency proposes to make determinations of base flood elevations and modified base flood elevations for each community listed below, in accordance with Section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed base flood and modified base flood elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact

stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities.

These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

National Environmental Policy Act

This proposed rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Associate Director for Mitigation certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

Regulatory Classification

This proposed rule is not a significant regulatory action under the criteria of Section 3(f) of Executive Order 12866 of

September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 12612, Federalism

This proposed rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This proposed rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is proposed to be amended as follows:

PART 67—[AMENDED]

1. The authority citation for part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 67.4 [Amended]

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
California	San Mateo (City) San Mateo County.	San Mateo Creek	Approximately 800 feet downstream of J. Hart Clinton Drive.	None	*7.0
			Approximately 55 feet upstream of El Cerrito Road.	None	*73
		San Mateo Creek Overflow.	Approximately 1,600 feet downstream of divergence from San Mateo Creek.	None	*7.0
			At divergence from San Mateo Creek	None	*12.0

Maps are available for inspection at the City of San Mateo City Hall, 330 West 20th Avenue, San Mateo, California.

Send comments to The Honorable Arne Croce, City Manager, City of San Mateo, 330 West 20th Avenue, San Mateo, California 94403.

Iowa	Dallas County and Incorporated Areas.	Little Walnut Creek	Approximately 3,200 feet downstream from County Road R-30.	None	*917
			Approximately 6,650 feet upstream from County Road R-22.	None	*1,016
		Walnut Creek	At 156th Street	None	*913
			Approximately 3,950 feet upstream of 230th Street.	None	*978
		Raccoon River	Approximately 51,000 feet downstream of County Road 90 (at County boundary).	None	*833
			Approximately 5,900 feet upstream of County Road R-16 (at confluence of North and South Raccoon Rivers).	None	*868
		North Raccoon River	Approximately 400 feet downstream of Interstate Highway 801.	None	*868
			Approximately 16,800 feet upstream of U.S. Highway 169.	None	*897

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
		Raccoon River Mill Slough	Approximately 2,300 feet downstream of Old Wiscotta Road (at downstream confluence with North Raccoon River).	None	*881
			Approximately 4,200 feet upstream of U.S. Highway 169 (at upstream confluence with North Raccoon River).	None	*890

Maps are available for inspection at the Dallas County Planning and Zoning Department, Dallas County Courthouse, 801 Court Street, Adel, Iowa.

Send comments to The Honorable Julius M. Little, Chairman, Dallas County Board of Supervisors, Dallas County Courthouse, 801 Court Street, Adel, Iowa 50003.

Maps are available for inspection at the City of Adel City Hall, 102 South Tenth Street, Adel, Iowa.

Send comments to The Honorable Tim Peters, Mayor, City of Adel, P.O. Box 248, Adel, Iowa 50003.

Maps are available for inspection at the City of Van Meter City Hall, 505 Grant Street, Van Meter, Iowa.

Send comments to The Honorable Jack Rockwell, Mayor, City of Van Meter, P.O. Box 160, Van Meter, Iowa 50261.

Maps are available for inspection at the City of Waukee City Hall, 410 Sixth Street, Waukee, Iowa.

Send comments to The Honorable Don Bailey, Mayor, City of Waukee, P.O. Box 847, Waukee, Iowa 50263.

Missouri	Lee's Summit (City), Cass and Jackson Counties.	Raintree Lake	Just west of Ward Road	None	*960
----------------	---	---------------------	------------------------------	------	------

Maps are available for inspection at the Community Development Office, 207 Southwest Market, Lee's Summit, Missouri.

Send comments to The Honorable Karen R. Messerli, Mayor, City of Lee's Summit, 207 Southwest Market, Lee's Summit, Missouri 64063.

Oregon	Marion County (Unincorporated Areas).	Lake Labish Ditch	Approximately 2,200 feet downstream of Burlington Northern Railroad.	None	*130
			Approximately 50 feet downstream of Burlington Northern Railroad.	None	*132
		Claggett Creek	Backwater area along tributary to Claggett Creek, from approximately 300 feet upstream of Sieberg Street (along tributary drainage) to approximately 300 feet due west of the intersection of Verda Lane Northeast and Salem Parkway.	*130	*127
		Pudding River	Just upstream of Arndt Road and the Marion-Clackamas County border.	None	*95
			Just downstream of the Southern Pacific Railroad.	*99	*99
		Willamette River	Approximately 5,000 feet downstream of Newcomer Road (Extended).	*105	*104
			Approximately 2,500 feet upstream of Newcomer Road (Extended).	*105	*105

Maps are available for inspection at the City of Keizer City Hall, 930 Chemawa Road Northeast, Keizer, Oregon.

Send comments to The Honorable J. R. Bob Newton, Mayor, City of Keizer, P.O. Box 21000, Keizer, Oregon 97307.

Maps are available for inspection at the Marion County Planning Department, 3150 Lancaster Drive Northeast, Salem, OR.

Send comments to The Honorable Randy Franke, Chairman, Marion County Board of Commissioners, County Courthouse, 100 High Street Northeast, Salem, OR 97301.

Texas	Midland County and Incorporated Areas.	Playa MI7		None	*2,852
		Playa MI8		None	*2,843
		Playa MI9		None	*2,846
		Playa MI10		None	*2,845
		Playa MI11		None	*2,859
		Playa MI21		None	*2,826
		Playa MI22		None	*2,825
		Playa MI23		None	*2,826
		Playa MI25		None	*2,809
		Playa MI27		None	*2,812
		Playa MI31		None	*2,812
		Playa MI32		None	*2,809
		Playa MI33		None	*2,807

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
		Playa MI34		None	*2,807
		Playa MI38		None	*2,799
		Playa MI40		None	*2,807
		Playa MI41		None	*2,805
		Playa MI42		None	*2,806
		Playa MI43		None	*2,799
		Playa MI44		None	*2,788
		Playa MI46		None	*2,803
		Playa MI49		None	*2,783
		Playa MI50		None	*2,783
		Playa JA1		None	*2,864
		Playa JA2		None	*2,857
		Playa JA3		None	*2,842
		Playa JA4		None	*2,840
		Playa JA6		None	*2,860
		Playa JA7		None	*2,834
		Playa JA9		None	*2,828
		Playa JA10		None	*2,828
		Playa JA11		None	*2,823
		Playa JA11A		None	*2,827
		Playa JA12		None	*2,816
		Playa JA13		None	*2,814
		Playa JA15		None	*2,810
		Playa JA19		None	*2,872
		Playa JA23		None	*2,797
		Playa SC3		*2,806	*2,808
		Playa SC6		None	*2,815
		Playa SC10		*2,786	*2,788
		Playa SC11		None	*2,780
		Unnamed Playa	1,400 feet southeast of intersection of FM 307 and FM 715.	None	*2,744
		Unnamed Playa	1,150 feet northeast of intersection of FM 715 and East Highway 158.	None	*2,784
		Unnamed Playa	430 feet northwest of West County Road 111 and South County Route 1210.	None	*2,804
		Unnamed Playa	1,800 feet east of Playa JA6	None	*2,853
		Unnamed Playa	1,480 feet northwest of intersection of North Midland and Wood Drives.	None	*2,831
		Unnamed Playa	1,920 feet northwest of Playa JA10	None	*2,850
		Unnamed Playa	900 feet south of Playa MI40	None	*2,803
		Unnamed Playa	1,600 feet south of Playa MI40	None	*2,800
		Unnamed Playa	400 feet southeast of Playa MI42	None	*2,806
		Unnamed Playa	1,100 feet southeast of Playa MI42	None	*2,807
		Unnamed Playa	750 feet northwest of Playa MI43	None	*2,805
		Unnamed Playa	900 feet northwest of Playa MI43	None	*2,803
		Unnamed Playa	1,550 feet west of Playa MI42	None	*2,812
		Unnamed Playa	1,000 feet north of Playa MI43	None	*2,800
		Unnamed Playa	900 feet northeast of Playa MI43	None	*2,801
		Unnamed Playa	1,500 feet northeast of Playa MI43	None	*2,801
		Unnamed Playa	400 feet east of Playa MI43	None	*2,801
		Unnamed Playa	At intersection of Loop 250 North and North County Road 1160 (Todd Road).	None	*2,791
		Unnamed Playa	2,000 feet southeast of Playa MI43	None	*2,791
		Unnamed Playa	2,150 feet northeast of Playa MI50	None	*2,782
		Unnamed Playa	3,000 feet northwest of intersection of North county Route 1150 (Elkins Road) and East County Route 40.	None	*2,798
		Unnamed Playa	3,050 feet northeast of intersection of Elkins Road and East County Route 40.	None	*2,799
		Unnamed Playa	2,500 feet northeast of Playa MI42	None	*2,807
		Unnamed Playa	2,200 feet west of intersection of FM 1379 and East County Route 109.	None	*2,708
		Unnamed Playa	1,400 feet north of JA6	None	*2,872
		Unnamed Playa	1,910 feet northeast of JA6	None	*2,859
		Unnamed Playa	2,080 feet east of MI11	None	*2,855
		Unnamed Playa	2,950 feet northeast of MI11	None	*2,834
		Unnamed Playa	200 feet north of MI43	None	*2,800
		Unnamed Playa	80 feet west of MI43	None	*2,799
		Unnamed Playa	360 feet east of MI43	None	*2,807
		Mulberry Channcel	Just upstream of Wolfcamp Circle	None	*2,755

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
			Approximately 780 feet upstream of Fairgrounds Road.	None	*2,760
			Approximately 130 feet upstream of North Lincoln Street.	None	*2,765
			Approximately 180 feet downstream of North Lee Street.	None	*2,769
		Scharbauer Draw	Just upstream of State Route 349	*2,773	*2,772
			Just downstream of North A Street	*2,777	*2,776
			Approximately 200 feet downstream of Western Drive.	*2,783	*2,784
		South Draw	Approximately 800 feet upstream of confluence with Midland Draw.	*2,723	*2,725
			Approximately 3,200 feet downstream of State Route 158.	*2,735	*2,737
			Approximately 700 feet downstream of State Route 158.	*2,737	*2,739
			Approximately 920 feet upstream of FM 715.	*2,742	*2,744
		Industrial Channel	Approximately 900 feet upstream of confluence with Midland Draw.	*2,752	*2,751
			Approximately 300 feet downstream of Fairgrounds Road.	*2,760	*2,759
			Approximately 800 feet upstream of Fairgrounds Road.	*2,765	*2,763
			Approximately 400 feet downstream of South Lee Street.	*2,769	*2,768
		Upper South Draw	Approximately 1,240 feet upstream of South County Route 1180.	*2,748	*2,751
			Approximately 800 feet upstream of Cotton Flat Road.	*2,765	*2,767
			Approximately 1,150 feet upstream of Santa Rosa.	*2,798	*2,795
			Approximately 150 feet upstream of Interstate Route 20.	*2,809	*2,812
		Jal Draw	Approximately 1,320 feet downstream of North I Street.	*2,790	*2,789
			Just upstream of Maxwell Drive	*2,807	*2,805
			Approximately 1,000 feet downstream of Loop 250.	*2,829	*2,830
			Approximately 150 feet downstream of Crowley Boulevard.	*2,840	*2,836
		Midland Draw	Approximately 400 feet upstream of Fairgrounds Road.	*2,760	*2,759
			Approximately 1,310 feet upstream of Loop 250.	*2,791	*2,788
			Approximately 5,700 feet upstream of Mockingbird Lane.	*2,807	*2,805
			Approximately 5,630 feet upstream of Greentree Boulevard.	*2,823	*2,820

Maps are available for inspection at City Hall, 300 North Lorain, Midland, Texas.

Send comments to The Honorable Jeff Norwood, Midland County Judge, County Courthouse, 200 West Wall Street, Midland, Texas 79701.

Utah	Santa Clara (City) Washington County.	Lava Flow Wash	Approximately 1,100 feet downstream of Red Mountain Drive.	None	*2,846
			Approximately 5,300 feet upstream of Red Mountain Drive.	None	*2,947
		Sand Hollow Wash	Approximately 2,200 feet downstream of Pearl Rose Drive (extended).	None	*2,690
			Approximately 2,100 feet upstream of Pearl Rose Drive (extended).	None	*2,728
		Santa Clara River	Approximately 7,500 feet downstream of Chapel Street.	None	*2,685
			Just upstream of Old Barn Road	None	*2,789
		Tuacahn Wash	Just upstream of Santa Clara Dike	None	*2,778
			Approximately 7,200 feet upstream of confluence with Lava Flow Wash.	None	*2,934

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified

Maps are available for inspection at the City of Santa Clara City Hall, 2721 Santa Clara Drive, Santa Clara, Utah.

Send comments to The Honorable Fred Rowley, Mayor, City of Santa Clara, P.O. Box 699, Santa Clara, Utah 84765.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated: April 1, 1999.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 99-9027 Filed 4-9-99; 8:45 am]

BILLING CODE 6718-04-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 1833

NASA FAR Supplement; Protests to the Agency

AGENCY: Office of Procurement, Contract Management Division, National Aeronautics and Space Administration (NASA).

ACTION: Proposed rule.

SUMMARY: NASA has a mandatory solicitation provision required to be inserted in all solicitations which informs potential bidders or offerors to whom Agency protests may be submitted. The provision provides that potential bidders or offerors may submit a protest directly to the Contracting Officer or alternatively to the Deputy Associate Administrator for Procurement, who will serve as or designate the official responsible for conducting an independent review of the protest. Based on our experience with protests submitted to the Agency, we are amending NASA regulations to address whether or not there is any appeal from or reconsideration of Agency protest decisions within NASA and whether or not NASA will continue to consider an Agency protest that is related to pending judicial proceedings or where the protester has filed a protest on the same procurement with the United States General Accounting Office prior to receipt of an Agency protest decision. The effect of this additional information is to give potential bidders or offerors a better understanding of NASA's process for considering protests to the Agency.

DATES: NASA will accept written comments until June 11, 1999.

ADDRESSES: Comments regarding this rule should be addressed as follows: National Aeronautics and Space Administration, Contract Management Division (Code HK/Beck), Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT:

Dave Beck, (202) 358-0482.

SUPPLEMENTARY INFORMATION:

Regulatory Flexibility Act

The proposed 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 there are few protests of NASA procurements. An Initial Regulatory Flexibility Analysis has, therefore, not been performed. Comments from small entities concerning the affected NASA FAR Supplement subparts will be considered in accordance with 5 U.S.C. 601. Such comments must be submitted separately and cite 5 U.S.C 601, *et seq.*

Paperwork Reduction Act

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

List of Subjects in 48 CFR Part 1833

Government procurement.

Tom Luedtke,

Acting Associate Administrator for Procurement.

Accordingly, it is proposed that 48 CFR part 1833 be amended as follows.

PART 1833—PROTESTS, DISPUTES, AND APPEALS

1. The authority citation for 48 CFR part 1833 continues to read as follows:

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

Subpart 1833.1—Protests

2. Section 1833.103 is amended by revising the section heading, redesignating paragraph (b) as paragraph (f) and adding paragraph (c), paragraph (d) introductory text, and paragraph (d)(4) to read as follows:

1833.103 Protests to the agency. (NASA supplements paragraphs (c), (d) and (f))

(c) An independent review under the provision at 1852.233-70 is available as an alternative to a protest to the contracting officer, but not as an appeal of a protest decision. All independent reviews shall be conducted by the Deputy Associate Administrator for Procurement or designee. Such reviews are different from the Ombudsman Program described at 1815.7001.

(d) NASA shall summarily dismiss and take no further action upon any protest to the Agency if the substance of the protest is pending in judicial proceedings or the protester has filed a protest on the same acquisition with the United States General Accounting Office prior to receipt of an Agency protest decision.

(4) When a potential bidder or offeror submits an Agency protest to NASA to the Contracting Officer or alternatively requests an independent review, the decision of the Contracting Officer or the independent review official shall be final and is not subject to any appeal or reconsideration within NASA.

(f) Protests received at NASA offices or locations other than that of the cognizant contracting officer shall be immediately referred to the contracting officer for disposition (see 1833.106(a)). The contracting officer shall advise the Headquarters Office of the General Counsel (Code GK) of the receipt of the protest and the planned and actual disposition. This paragraph does not apply when the protester has requested an independent review under the provision at 1852.233-70.

[FR Doc. 99-9047 Filed 4-9-99; 8:45 am]

BILLING CODE 7510-01-P