(d) Reports. (1) The Contractor shall report semiannually for the six-month periods ending March 31 and September 30, the information in paragraphs (d)(1)(i) through (v) of this section within 30 days after the end of the reporting period. Submit the report at http://eSRS.gov:

(i) A list of contracts covered under its comprehensive small business subcontracting plan, to include the Commercial and Government Entity (CAGE) code and Data Universal Numbering System (DUNS) number.

(ii) The amount of first-tier subcontract dollars awarded during the six-month period covered by the report to covered small business concerns, with the information set forth separately by—

(A) North American Industrial Classification System (NAICS) code;

(B) Major defense acquisition program, as defined in 10 U.S.C. 2430(a);

(C) Contract number, if the contract is for maintenance, overhaul, repair, servicing, rehabilitation, reconditioning, or modification of supplies, systems, or equipment, and the total value of the contract, including options, exceeds $100 million; and

(D) Military department.

(iii) Total number of subcontracts active under the Test Program that would have otherwise required a subcontracting plan.

(iv) Costs incurred in negotiating, complying with, and reporting on its comprehensive subcontracting plan.

(v) Costs avoided through the use of a comprehensive subcontracting plan.

(2) The Contractor shall—

(i) Ensure that subcontractors with subcontracting plans agree to submit an Individual Subcontract Report (ISR) and/or Summary Subcontract Report (SSR) using the Electronic Subcontracting Reporting System (eSRS).

(ii) Provide its contract number, its DUNS number, and the email address of the Contractor’s official responsible for acknowledging or rejecting the ISR to all first-tier subcontractors who will be required to submit ISRs, so they can enter this information into the eSRS when submitting their reports.

(iii) Require that each subcontractor with a subcontracting plan provide the prime contract number, its own DUNS number, and the email address of the subcontractor’s official responsible for acknowledging or rejecting the ISRs to its subcontractors with subcontracting plans who will be required to submit ISRs.

(iv) Acknowledge receipt or reject all ISRs submitted by its subcontractors using eSRS.

(3) The Contractor shall submit SSRs using eSRS at http://www.esrs.gov. The reports shall provide information on subcontract awards to small business concerns, veteran-owned small business concerns, service-disabled veteran small business concerns, HUBZone small business concerns, small disadvantaged business concerns, and women-owned small business concerns. Purchases from a corporation, company, or subdivision that is an affiliate of the prime Contractor or subcontractor are not included in these reports. Subcontract award data reported by prime contractors and subcontractors shall be limited to awards made to their immediate next-tier subcontractors. Credit cannot be taken for awards made to lower-tier subcontractors unless the Contractor or subcontractor has been designated to receive a small business or small disadvantaged business credit from a member firm of the Alaska Native—Corporations or an Indian tribe. Only subcontractors involving performance in the U.S. or its outlying areas should be included in these reports.

(i) This report may be submitted on a corporate, company, or subdivision (e.g., plant or division operating as a separate profit center) basis, as negotiated in the comprehensive subcontracting plan with the Defense Contract Management Agency.

(ii) This report encompasses all subcontracting under prime contracts and subcontracts with the Department of Defense, regardless of the dollar value of the subcontracts, and is based on the negotiated comprehensive subcontracting plan.

(iii) The report shall be submitted semi-annually for the six months ending March 31 and the twelve months ending September 30. Reports are due 30 days after the close of each reporting period.

(iv) The authority to acknowledge receipt or reject the SSR resides with the Defense Contract Management Agency.

(e) The failure of the Contractor or subcontractor to comply in good faith with the clause of this contract entitled “Utilization of Small Business Concerns,” or an approved plan required by this clause, shall be a material breach of the contract.

(f) Liquidated damages. The Contracting Officer designated to manage the comprehensive subcontracting plan will exercise the functions of the Contracting Officer, as identified in paragraphs (f)(1) through (4), on behalf of all DoD departments and agencies that awarded contracts covered by the Contractor’s comprehensive subcontracting plan.

(1) To determine the need for liquidated damages, the Contracting Officer will conduct a compliance review during the fiscal year after the close of the fiscal year for which the plan is applicable. The Contracting Officer will compare the approved percentage or dollar goals to the total, actual subcontracting dollars covered by the plan.

(2) If the Contractor has failed to meet its approved subcontracting goal(s), the Contracting Officer will provide the Contractor written notice specifying the failure, advising of the potential for assessment of liquidated damages, and permitting the Contractor to demonstrate what good faith efforts have been made. The Contracting Officer may take the Contractor’s failure to respond to the notice within 15 working days (or longer period at the Contracting Officer’s discretion) as an admission that no valid explanation exists.

(3) If, after consideration of all relevant information, the Contracting Officer determines that the Contractor failed to make a good faith effort to comply with the comprehensive subcontracting plan, the Contracting Officer will issue a final decision to the Contractor to that effect and require the Contractor to pay liquidated damages to the Government in the amount identified in the comprehensive subcontracting plan.

(4) The Contractor shall have the right of appeal under the clause in this contract entitled “Disputes” from any final decision of the Contracting Officer.

(g) The Contractor shall include in subcontracts that offer subcontracting opportunities, are expected to exceed $700,000 ($1.5 million for construction of any public facility), and are required to include the clause at 52.219-8, Utilization of Small Business Concerns—

(1) FAR 52.219–9, Small Business Subcontracting Plan, and 52.219–7003 Small Business Subcontracting Plan (DoD Contracts)—Basic;

(2) 52.219–9, Small Business Subcontracting Plan, with its Alternate III, and 52.219–7003, Small Business Subcontracting Plan (DoD Contracts)—Alternate I, to allow for submission of SF 294s in lieu of ISRs; or

(3) 52.219–7004, Small Business Subcontracting Plan (Test Program), in subcontracts with subcontractors that participate in the Test Program described in DFARS 219.702–70.

(End of clause)
Program has had in addressing the success assistance provided under the higher education; whether the terms of historically Black colleges or assistance under 10 U.S.C. chapter 142, providing procurement technical established under 15 U.S.C. 648, entities business development centers obtained for the protege firm from small venture; any assistance the mentor firm the mentor and protege firms as a joint firm; all Federal contracts awarded to any subcontract made under the protege firm for performance under firm; the amount of any progress unreported payments to the protege firm, provided; any new awards of technical or management assistance Program as mentors to report all particular, section 861 provides for Protege Program ("the Program"). In amendments to the DoD Pilot Mentor-L. 114–92). Section 861 provides several (NDAA) for Fiscal Year (FY) 2016 (Pub. National Defense Authorization Act SUPPLEMENTARY INFORMATION: FOR FURTHER INFORMATION CONTACT: Ms. Jennifer Johnson, telephone 571–372– 6100. Jennifer Johnson, OUSD(AT&L)DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060. Comments received generally will be posted without change to http://www.regulations.gov, including any personal information provided. To confirm receipt of your comments(s), please check www.regulations.gov, approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail). FOR FURTHER INFORMATION CONTACT: Ms. Jennifer Johnson, telephone 571–372– 6100. SUPPLEMENTARY INFORMATION: I. Background This rule proposes to revise the DFARS to implement section 861 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2016 (Pub. L. 114–92). Section 861 provides several amendments to the DoD Pilot Mentor-Protégé Program (“the Program”). In particular, section 861 provides for contractors who participate in the Program as mentors to report all technical or management assistance provided; any new awards of subcontracts to the protégé firm, including the value of such subcontracts; any extensions, increases in the scope of work, or additional, unreported payments to the protégé firm; the amount of any progress payments or advance payments made to the protégé firm for performance under any subcontract made under the Program; any loans made to the protégé firm; all Federal contracts awarded to the mentor and protégé firms as a joint venture; any assistance the mentor firm obtained for the protégé firm from small business development centers established under 15 U.S.C. 648, entities providing procurement technical assistance under 10 U.S.C. chapter 142, or historically Black colleges or universities or minority institutions of higher education; whether the terms of the mentor-protégé agreement have changed; and a narrative describing the success assistance provided under the Program has had in addressing the protégé firm’s developmental needs, the impact on DoD contracts, and addressing any problems encountered. These reporting requirements apply retroactively to mentor-protégé agreements in effect on November 25, 2015, date of enactment of the NDAA for FY 2016. The new reporting requirements will provide information to DoD’s Office of Small Business Programs to support decisions regarding continuation of particular mentor-protégé agreements. In addition, section 861— • Adds new eligibility criteria; • Limits the number of mentor-protégé agreements to which a protégé firm may be a party; • Limits the period of time during which a protégé firm may participate in mentor-protégé agreements under the Program; • Adds new elements to mentor-protégé agreements addressing the benefits of the agreement to DoD and goals for additional awards for which the protégé firm can compete outside the Program; • Removes business development assistance using mentor firm personnel and cash in exchange for an ownership interest in the protégé firm from the types of assistance that a mentor firm may provide to a protégé firm; • Prohibits reimbursement of any fee assessed by the mentor firm for certain services provided to the protégé firm while participating in a joint venture with the protégé firm; • Revises the definitions of the terms “small business concern” and “disadvantaged small business concern”; • Adds definitions for “severely disabled individual” and “affiliated;” and • Extends the Program for three years. II. Discussion and Analysis This rule proposes amendments to DFARS subpart 219.71 and Appendix I, and significant revisions are summarized in the following paragraphs: A. Subpart 219.71, Pilot Mentor-Protégé Program • 219.7102, General. This section is amended to replace the list of Program eligibility criteria with a reference to the eligibility criteria located in Appendix I, section I–102. • 219.7104, Developmental assistance costs eligible for reimbursement or credit. This section is amended to revise the date by which a mentor firm must incur costs under the Program in order to be eligible for reimbursement or credit toward small business subcontracting goals. • 219.7106, Continuation of particular mentor-protege agreements. This section is amended to limit the period of time during which a mentor-protege agreement may be a party, and to implement the time limitation specified in section 861 for a protege firm’s participation in the Program. • 219.7108, Termination or suspension of mentor-protege agreements. The mentor firm is required to report ter-mination or suspension of mentor-protege agreements to DoD’s Office of Small Business Programs, unless the mentor firm is no longer in business. • 219.7109, Reimbursement agreements. New paragraph (e) is added to require assurances in mentor-protégé agreements that the mentor and protégé firms are not affiliated as defined in section 861 of the NDAA for FY 2016. In addition, this section is amended to indicate the number of mentor-protégé agreements to which a protégé firm may be a party, and to implement the time limitation specified in section 861 for a protégé firm’s participation in the Program. • 219.7110, Reimbursement agreements. This section is amended to require mentor firms to select firms as protégés that have not received significant prime contracts from a Federal agency. In addition, this section is amended to incorporate new requirements of section 861. New paragraphs (g)(3) and (4) are added to implement the section 861 requirement for mentor-protégé agreements to include the following: • A description of the quantitative and qualitative benefits to DoD from the agreement, if applicable; and • Goals for additional awards for which the protégé firm can compete outside the Program. • 219.7115, Reimbursement agreements. This section is amended to implement the prohibition in section 861 of reimbursement of fees assessed by the mentor firm for certain services
provided to the protégé firm or reimbursement of business development expenses incurred by the mentor firm while participating in a joint venture with the protégé firm.

- 1–112. Reporting requirements. This section is amended to include the new reporting requirements of section 861 and to specify that they apply retroactively in accordance with paragraph (b)(2) of section 861.

III. Applicability to Contracts at or Below the Simplified Acquisition Threshold and for Commercial Items, Including Commercially Available Off-the-Shelf Items

This rule does not add any new provisions or clauses or impact any existing provisions or clauses.

IV. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

V. Regulatory Flexibility Act

DoD does not expect this proposed rule 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. However, an initial regulatory flexibility analysis has been performed and is summarized as follows:

- This rule proposes to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to implement section 861 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2016, which provides amendments to the DoD Pilot Mentor-Protégé Program (“the Program”). Specifically, section 861 requires mentor firms to report a variety of information on the assistance they have provided to their protégé firms, the success this assistance has had in addressing the protégé firm’s developmental needs, the impact on DoD contracts, and addressing any problems encountered. The new

VI. Paperwork Reduction Act

The rule contains information collection requirements that require the approval of the Office of Management and Budget (OMB) under the Paperwork Reduction Act (44 U.S.C. chapter 35). OMB Control Number 0704–0332, Defense Federal Acquisition Regulation Supplement (DFARS) Appendix I, is currently in place for the DoD Mentor Protégé program. This proposed rule, DFARS Case 2016–D011, however, requires revision of OMB 0704–0332 to increase the burden hours to accommodate the increased reporting requirements resulting from this rule. Accordingly, DoD has submitted a request to OMB for approval of a revised information collection requirement as discussed below.

A. Public Reporting Burden for This Collection of Information is Estimated To Average Three Hours per Response, Including the Time for Reviewing Instructions, Searching Existing Data Sources, Gathering and Maintaining the Data Needed, and Completing and Reviewing the Collection of Information

The annual reporting burden is estimated as follows:

- Respondents: 127.
- Responses per respondent: 2 approximately.
- Total annual responses: 255.
- Preparation hours per response: 2 hours.
- Total response Burden Hours: 595.

B. Request for Comments Regarding Paperwork Burden

Written comments and recommendations on the proposed information collection, including suggestions for reducing this burden, should be sent to Ms. Jasmeet Seehra at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503, or email jasmeet.k.seehra@omb.eop.gov. A copy of the Defense Acquisition Regulations System, Attn: Ms. Jennifer Johnson, OUSD (AT&L) DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060. Comments can be received from 30 to 60 days after the date of this notice, but comments to OMB will be most useful if received by OMB within 30 days after the date of this notice.

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the DFARS, and will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

To request more information on this proposed information collection or to obtain a copy of the information collection instruments, please write to the Defense Acquisition
Appendix I to Chapter 2—Policy and Procedures for The DOD Pilot Mentor Protégé Program

6. Amend appendix I to chapter 2 by—
   a. In section I–100, revising paragraph (a);  
   b. Removing section I–101.1;  
   c. Redesignating section I–101.2 as section I–101.1;  
   d. Adding new section I–101.2;  
   e. Revising section I–101.4;  
   f. Removing section I–101.5;  
   g. Redesignating section I–101.6 as section I–101.5;  
   h. In the newly redesignated section I–101.5, removing “Section” and adding “section” in its place;  
   i. Removing section I–101–7;  
   j. Redesignating section I–101.8 as section I–101.6;  
   k. In section I–102, revising paragraphs (a), (b), (c), and (d);  
   l. Amend section I–103 by—  
      i. In paragraph (a), removing “Section 907” and adding “section 907” in its place;  
      ii. In paragraph (b), removing “October 1, 2018” and adding “not later than September 30, 2021” in its place;  
      iii. In paragraph (c), removing “on or before September 30, 2021” and adding “on or before November 25, 2015” in its place;  
      iv. Removing section I–103–7;  
   m. Amend section I–104 by—  
      i. Revising paragraph (a);  
      ii. In paragraph (c), removing “as defined in I–101.5” and adding “as defined in I–101.5” in its place;  
   n. In paragraph (d) removing “I–107(1)” and adding “I–106(1)” in its place;  
   o. Revising paragraph (e);  
   p. Amend section I–105 by—  
      i. Revising paragraph (b)(1);  
      ii. In paragraphs (b)(2), (b)(3), (b)(4), (b)(5), and (b)(6), removing “company’s” and “company” and adding “entity’s” and “entity”, respectively, in each place they appear;  
   q. Amend section I–106 by—  
      i. In paragraph (d)(1)(i), removing “business development,”;  
      ii. In paragraph (d)(1)(iii), adding “described in I–107(g)” to the end of the sentence;  
   r. In paragraph (d)(2), removing “Award of subcontracts” and adding “Award of subcontracts to the protégé firm” in its place;  
   s. Removing paragraph (d)(7) as (d)(6);  
   t. Revising paragraph (e)(6);  
   u. In the introductory text, removing “will contain the following elements:” and adding “shall contain—” in its place;  
   v. Revising paragraph (b);  
   w. In paragraph (d), removing “I–102” and adding “I–102(a)” in its place;  
   x. Revising paragraphs (e), (f), and (g);  
   y. Amend section I–109 by—  
      i. Redesignating paragraph (e) as paragraph (f);  
      ii. Adding new paragraph (e);  
      iii. In paragraph (a), removing “DoD Comprehensive Subcontracting Plan Test Program” and adding “DoD Test Program for Negotiation of Comprehensive Small Business Subcontracting Plans” in its place;  
      iv. Removing “entity employing the severely disabled” and adding “entity employing severely disabled individuals” in its place;  
   z. Amend section I–112.1 by—  
      i. In the section heading, removing “SF 294s” and adding “Standard Forms 294” in its place;  
      ii. In paragraph (b), removing “SDB” and adding “applicable” in its place;  
      iii. Removing “I–101.3 or I–101.5” and adding “I–102(b)” in its place;  
   AA. Revise section I–112.2.

The revisions and additions read as follows:

I–100 Purpose.

(a) This Appendix I to 48 CFR chapter 2 implements the Pilot Mentor-Protégé Program (hereafter referred to as the “Program”) established under section 831 of Public Law 101–510, the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note), as amended through November 25, 2015. The purpose of the Program is to provide incentives to major DoD contractors to furnish eligible small business concerns with assistance designed to—

(1) Enhance the capabilities of eligible small business concerns to perform as subcontractors and suppliers under DoD contracts and other contracts and subcontracts; and
(2) Increase the participation of such business concerns as subcontractors and suppliers under DoD contracts, other Federal Government contracts, and commercial contracts.

I–101.2 Nontraditional defense contractor.

An entity that is not currently performing and has not performed any contract or subcontract for DoD that is subject to full coverage under the cost accounting standards prescribed pursuant to 41 U.S.C. 1502 and the regulations implementing such section, for at least the 1-year period preceding the solicitation of sources by DoD for the procurement or transaction (10 U.S.C. 2302(9)).

I–101.4 Severely disabled individual.

An individual who is blind or severely disabled as defined in 41 U.S.C. 8501.

I–102 Participant eligibility.

(a) To be eligible to participate as a mentor, an entity must—
I–104 Selection of protégé firms.

(a) Mentor firms will be solely responsible for selecting protégé firms that qualify under I–102(b). Mentor firms are encouraged to identify and select concerns that have not previously received significant prime contract awards from DoD or any other Federal agency.

(b) A protégé firm may not be a party to more than one DoD mentor-protégé agreement at a time, and may only participate in the Program during the 5-year period beginning on the date the protégé firm enters into its first mentor-protégé agreement.

I–105 Mentor approval process.

* * * * *

(b) * * *

(1) A statement that the entity meets the requirements in I–102(a), specifying the criteria in I–102(a)(3) under which the entity is applying.

(7) The total dollar amount and percentage of subcontracts that the entity awarded to firms qualifying under I–102(b)(5)(ii) through (viii) during the 2 preceding fiscal years. (Show DoD subcontract awards separately.) If the entity was required to submit a Summary Subcontract Report (SSR) in the Electronic Subcontracting Reporting System, the request must include copies of the final reports for the 2 preceding fiscal years.

(c) A template of the mentor application is available at: http://www.acq.osd.mil/osbp/sb/programs/mpnp/resources.shtml.

I–107 Elements of a mentor-protégé agreement.

* * * * *

(b) The NAICS code(s) that represent the contemplated supplies or services to be provided by the protégé firm to the mentor firm and a statement that, at the time the agreement is submitted for approval, the protégé firm does not exceed the size standard in I–102(b)(3).

(e) Assurances that—

(1) The mentor firm does not share, directly or indirectly, the primary party providing assistance will—

(1) The type of assistance the mentor will provide to the protégé and how that assistance will—

(i) Increase the protégé’s ability to participate in DoD, Federal, and/or commercial contracts and subcontracts; and

(ii) Increase small business subcontracting opportunities in industry categories where eligible protégés or other small business firms are not dominant in the company’s vendor base;

(2) Factors to assess the protégé firm’s developmental progress under the Program, including specific milestones for providing each element of the identified assistance;

(3) A description of the quantitative and qualitative benefits to DoD from the agreement, if applicable; and

(4) Goals for additional awards for which the protégé firm can compete outside the Program.

I–109 Reimburseable agreements.

* * * * *

(e) DoD may not reimburse any fee to the mentor firm for services provided to the protégé firm pursuant to I–106(d)(6) or for business development expenses incurred by the mentor firm under a contract awarded to the mentor firm while participating in a joint venture with the protégé firm.

I–112.2 Program specific reporting requirements.

(a) Mentors must report on the progress made under active mentor-protégé agreements semiannually for the periods ending March 31st and September 30th throughout the Program participation term of the agreement. The September 30th report must address the entire fiscal year.

(1) Reports are due 30 days after the close of each reporting period.

(2) Each report must include the following data on performance under the mentor-protégé agreement:

(i) Dollars obligated (for reimbursable agreements).

(ii) Expenditures.

(iii) Dollars credited, if any, toward applicable subcontracting goals as a result of developmental assistance provided to the protégé and a copy of the ISR or SF 294 and/or SSR for each contract where developmental assistance was credited.

(iv) Any new awards of subcontracts on a competitive or noncompetitive basis to the protégé firm under DoD contracts or other contracts, including the value of such subcontracts.
(v) All technical or management assistance provided by mentor firm personnel for the purposes described in I–106(d).
(vi) Any extensions, increases in the scope of work, or additional payments not previously reported for prior awards of subcontracts on a competitive or noncompetitive basis to the protégé firm under DoD contracts or other contracts, including the value of such subcontracts.
(vii) The amount of any payment of progress payments or advance payments made to the protégé firm for performance under any subcontract made under the Program.
(viii) Any loans made by the mentor firm to the protégé firm.
(ix) All Federal contracts awarded to the mentor firm and the protégé firm as a joint venture, designating whether the award was a restricted competition or a full and open competition.
(x) Any assistance obtained by the mentor firm for the protégé firm from the entities listed at I–106(d)(6).
(xi) Whether there have been any changes to the terms of the mentor–protégé agreement.
(xii) A narrative describing the following:
(A) The success assistance provided under I–106(d) has had in addressing the developmental needs of the protégé firm.
(B) The impact on DoD contracts.
(C) Any problems encountered.
(D) Any milestones achieved in the protégé firm’s development program.
(E) Impact of the agreement in terms of capabilities enhanced, certifications received, and technology transferred.
(3) In accordance with section 861, paragraph (b)(2), of the National Defense Authorization Act for Fiscal Year 2016 (Pub. L. 114–92), the reporting requirements specified in paragraphs (a)(2)(iv) through (a)(2)(xii)(C) of this section apply retroactively to mentor–protégé agreements that were in effect on November 25, 2015. Mentors must submit reports as described in paragraph (a) of this section.
(4) A recommended reporting format and guidance for its submission are available at: http://www.acq.osd.mil/osbp/sb/programs/mpp/resources.shtml
(b) The protégé must provide data, annually by October 31st, on the progress made during the prior fiscal year by the protégé in employment, revenues, and participation in DoD contracts during—
(1) Each fiscal year of the Program participation term; and
(2) Each of the 2 fiscal years following the expiration of the Program participation term.
(c) The protégé report required by paragraph (b) of this section may be provided as part of the mentor report for the period ending September 30th required by paragraph (a) of this section.
(d) Progress reports must be submitted—
(1) For credit agreements, to the cognizant Component Director, SBP, that approved the agreement, and the mentor’s cognizant DCMA administrative contracting officer; and
(2) For reimbursable agreements, to the cognizant Component Director, SBP, the contracting officer, the DCMA administrative contracting officer, and the program manager.

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
50 CFR Part 680
[Docket No. 160617541–6541–01]
RIN 0648–BG15
Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program
AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.
ACTION: Proposed rule; request for comments.
SUMMARY: NMFS issues a proposed rule to implement Amendment 47 to the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs (Crab FMP) and to make minor clarifications to regulations implementing the Crab FMP. This proposed rule addresses how individual processing quota (IPQ) use caps apply to the Bering Sea Chionoecetes bairdi Tanner crab fisheries: The eastern C. bairdi Tanner (EBT) and the western C. bairdi Tanner (WBT). This proposed rule would exempt EBT and WBT IPQ crab that is custom processed at a facility through contractual arrangements with the processing facility owners from being applied against the IPQ use cap of the processing facility owners, thereby allowing a facility to process more crab without triggering the IPQ use cap. This proposed exemption is necessary to allow all of the EBT and WBT Class A individual fishing quota crab to be processed at the facilities currently processing EBT and WBT crab, and would have significant positive economic effects on the fishermen, processors, and communities that participate in the EBT and WBT fisheries. This proposed rule is intended to promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act, the Crab FMP, and other applicable law.
DATES: Submit comments on or before October 24, 2016.
ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2016–0081, by any of the following methods:
• Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2016-0081 click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.
• Mail: Submit written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn: Ellen Sebastian. Mail comments to P.O. Box 21668, Juneau, AK 99802–1668.
Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).
Electronic copies of Amendment 47 to the Crab FMP, the Regulatory Impact Review/Initial Regulatory Flexibility Analysis (RIR/IRFA) (collectively referred to as the “Analysis”), and the Categorical Exclusion prepared for this proposed action are available from http://www.regulations.gov or from the NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov.
The Environmental Impact Statement (Program EIS), RIR (Program RIR), Final Regulatory Flexibility Analysis (Program FRFA), and Social Impact Assessment prepared for the Crab Rationalization Program are available from the NMFS Alaska Region Web site at http://alaskafisheries.noaa.gov.
FOR FURTHER INFORMATION CONTACT: Keeley Kent, 907–586–7228.
SUPPLEMENTARY INFORMATION: NMFS manages the king and Tanner crab fisheries in the U.S. exclusive economic zone of the Bering Sea and Aleutian Islands (BSAI) under the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs (Crab FMP). The North Pacific Fishery Management Council (Council) prepared, and NMFS approved, the Crab FMP under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1801 et seq. Regulations governing U.S.