

PART 229—TAXES

■ 2. Amend section 229.402–70 by revising paragraph (a) to read as follows:

229.402–70 Additional clauses.

(a) Use the basic or the alternate of the clause at 252.229–7001, Tax Relief, in solicitations and contracts when a contract will be awarded to a foreign concern for performance in a foreign country.

(1) Use the basic clause in solicitations and contracts when the contract will be performed in a foreign country other than Germany.

(2) Use the alternate I clause in solicitations and contracts when the contract will be performed in Germany.

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PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 3. Amend section 252.229–7001 by—
■ a. Revising the introductory text, clause title and date; and
■ b. Revising Alternate I.

The revisions read as follows:

252.229–7001 Tax Relief.

As prescribed in 229.402–70(a), use one of the following clauses:

Basic. As prescribed at 229.402–70(a)(1), use the following clause.

TAX RELIEF—BASIC (SEP 2014)

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Alternate I. As prescribed at 229.402–70(a)(2), use the following clause, which adds a paragraph (d) not included in the basic clause.

TAX RELIEF—ALTERNATE I (SEP 2014)

(a) Prices set forth in this contract are exclusive of all taxes and duties from which the United States Government is exempt by virtue of tax agreements between the United States Government and the Contractor's government. The following taxes or duties have been excluded from the contract price:

NAME OF TAX: *[Offeror insert]*

RATE (PERCENTAGE): *[Offeror insert]*

(b) The Contractor's invoice shall list separately the gross price, amount of tax deducted, and net price charged.

(c) When items manufactured to United States Government specifications are being acquired, the Contractor shall identify the materials or components intended to be imported in order to ensure that relief from import duties is obtained. If the Contractor intends to use imported products from inventories on hand, the price of which includes a factor for import duties, the Contractor shall ensure the United States Government's exemption from these taxes. The Contractor may obtain a refund of the import duties from its government or request the duty-free import of an amount of supplies or components corresponding to that used from inventory for this contract.

(d) Tax relief will be claimed in Germany pursuant to the provisions of the Agreement Between the United States of America and Germany Concerning Tax Relief to be Accorded by Germany to United States Expenditures in the Interest of Common Defense. The Contractor shall use Abwicklungsschein fuer abgabenbeguenstigte Lieferungen/Leistungen nach dem Offshore Steuerabkommen (Performance Certificate for Tax-Free Deliveries/Performance according to the Offshore Tax Relief Agreement) or other documentary evidence acceptable to the German tax authorities. All purchases made and paid for on a tax-free basis during a 30-day period may be accumulated, totaled, and reported as tax-free.

(End of clause)

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 648**

[Docket No. 900124–0127]

RIN 0648–XD515

Atlantic Surfclam and Ocean Quahog Fisheries; 2015 Fishing Quotas for Atlantic Surfclams and Ocean Quahogs; and Suspension of Minimum Atlantic Surfclam Size Limit

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

ACTION: Temporary rule.

SUMMARY: NMFS suspends the minimum size limit for Atlantic surfclams for the 2015 fishing year. NMFS also announces that the quotas for the Atlantic surfclam and ocean quahog fisheries for 2015 will remain status quo. Regulations governing these fisheries require NMFS to notify the public in the **Federal Register** of the allowable harvest levels for Atlantic surfclams and ocean quahogs from the Exclusive Economic Zone if the previous year's quota specifications remain unchanged.

DATES: Effective January 1, 2015, through December 31, 2015.

FOR FURTHER INFORMATION CONTACT: Douglas Potts, Fishery Policy Analyst, 978–281–9341.

SUPPLEMENTARY INFORMATION: The regulations implementing the fishery management plan (FMP) for the Atlantic surfclam and ocean quahog fisheries at 50 CFR 648.75(b)(3), authorize the Administrator, Greater Atlantic Region,

NMFS (Regional Administrator), to suspend annually, by publication of a notification in the **Federal Register**, the minimum size limit for Atlantic surfclams. This action may be taken unless discard, catch, and biological sampling data indicate that 30 percent or more of the Atlantic surfclam resource have a shell length less than 4.75 inches (120 mm), and the overall reduced size is not attributable to harvest from beds where growth of the individual clams has been reduced because of density-dependent factors.

At its June 2014 meeting, the Mid-Atlantic Fishery Management Council voted to recommend that the Regional Administrator suspend the minimum size limit for Atlantic surfclams for the 2015 fishing year. Commercial surfclam data for 2014 were analyzed to determine the percentage of surfclams that were smaller than the minimum size requirement. The analysis indicated that 5.9 percent of the overall commercial landings were composed of surfclams that were less than 4.75 in (120 mm). Based on these data, the Regional Administrator concurs with the Council's recommendation, and suspends the minimum size limit for Atlantic surfclams from January 1 through December 31, 2015.

The FMP for the Atlantic surfclam and ocean quahog fisheries requires that NMFS issue notification in the **Federal Register** of the upcoming year's quota, even in cases where the quota remains unchanged from the previous year. At its June 2014 meeting, the Council also voted that no action be taken to change the quota specifications for Atlantic surfclams and ocean quahogs for the 2015 fishing year, and recommended maintaining the 2014 quota levels of 3.4 million bu (181 million L) for Atlantic surfclams, 5.3 million bu (284 million L) for ocean quahogs, and 100,000 Maine bu (3.524 million L) for Maine ocean quahogs, as announced in the **Federal Register** on December 20, 2013 (78 FR 77005).

Classification

This action is authorized by 50 CFR part 648 and is exempt from review under Executive Order 12866.

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

Dated: September 24, 2014.

Emily H. Menashes,

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

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