

Administration, Room 5313, 400 Seventh Street SW, Washington, DC 20590 (202-366-0846).

SUPPLEMENTARY INFORMATION: On July 21, 1994, NHTSA published in the **Federal Register** (59 FR 37294) a final rule implementing the American Automobile Labeling Act. That statute requires passenger cars and other light vehicles to be labeled with information about their domestic and foreign parts content.

NHTSA received petitions for reconsideration from the American Automobile Manufacturers Association, General Motors, the Association of International Automobile Manufacturers, Volkswagen, the American International Automobile Dealers Association, and the Kentucky Cabinet for Economic Development. The petitioners raised a number of issues about provisions which they regard as overly burdensome and likely to have the effect of requiring manufacturers to report inaccurate percentages of domestic content. Some of the petitioners' requests raised very complex issues concerning the latitude the agency has under the law to grant the requested relief.

NHTSA is now in the process of completing its response to the petitions. It recognizes, however, that manufacturers and suppliers have an immediate need for guidance regarding the procedures for making content determinations for the 1996 model year. Indeed, manufacturers are already in the process of collecting content data from suppliers for the 1996 model year.

NHTSA has therefore decided to extend by one year a temporary alternative approach for data collection and calculations. This approach permits manufacturers and suppliers to use procedures that are expected to yield similar results. This alternative was originally available, under the July 1994 final rule, for model year 1995 and model year 1996 carlines which were first offered for sale to ultimate purchasers before June 1, 1995. The alternative is hereby extended to all model year 1996 carlines and model year 1997 carlines which are first offered for sale to ultimate purchasers before June 1, 1996. The one-year extension of the alternative will ensure that consumers receive the best information possible about the foreign and U.S./Canada origin of vehicles they are considering purchasing during this period, while minimizing burdens on auto manufacturers. For a more complete discussion of this alternative, see 59 FR 37324-25, July 21, 1994.

This final rule is being issued in partial response to the petitions for

reconsideration. The agency expects to complete its full response to the petitions shortly.

Rulemaking Analyses and Notices

A. Executive Order 12866 and DOT Regulatory Policies and Procedures

NHTSA has considered the impacts of this rulemaking action under Executive Order 12866 and the Department of Transportation's regulatory policies and procedures. This rulemaking document was not reviewed under Executive Order 12866. The July 1994 final rule was determined to be "significant" under the Department's regulatory policies and procedures, given the degree of public interest and the relationship to other Federal programs and agencies, particularly those related to international trade. However, this final rule is not considered significant since it merely extends a temporary compliance option permitted under that final rule.

NHTSA discussed the costs associated with the July 1994 rule in a Final Regulatory Evaluation which was placed in the docket for that rulemaking. Today's amendments reduce manufacturer and supplier costs during the time of the extension by simplifying the process for making content determinations.

B. Regulatory Flexibility Act

Pursuant to the Regulatory Flexibility Act, the agency has considered the impact this rulemaking will have on small entities. I certify that this action will not have a significant economic impact on a substantial number of small entities. Therefore, a regulatory flexibility analysis is not required for this action. Although certain small businesses, such as parts suppliers and some vehicle manufacturers, are affected by the regulation, the effect on them is minor. More specifically, the amendment provides small cost savings during the time of the extension by simplifying the process for making content determinations.

C. National Environmental Policy Act

The agency has analyzed the environmental impacts of the regulation in accordance with the National Environmental Policy Act, 42 U.S.C. 4321 *et seq.*, and has concluded that it will not have a significant effect on the quality of the human environment.

D. Executive Order 12612 (Federalism)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the rule does not have sufficient

Federalism implications to warrant the preparation of a Federalism Assessment.

E. Paperwork Reduction Act

There are no reporting and recordkeeping requirements associated with this final rule.

F. Executive Order 12778 (Civil Justice Reform)

This rule does not have any retroactive effect. States are preempted from promulgating laws and regulations contrary to the provisions of the rule. The rule does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

List of Subjects in 49 CFR Part 583

Motor vehicles, Imports, Labeling, Reporting and recordkeeping requirements.

In consideration of the foregoing, 49 CFR part 583 is amended as follows:

PART 583—AUTOMOBILE PARTS CONTENT LABELING

1. The authority citation for part 583 continues to read as follows:

Authority: 49 U.S.C. 32304, 49 CFR 1.50, 501.2(f).

2. Section 583.5 is amended by revising paragraph (i) to read as follows:

§ 583.5 Label requirements.

* * * * *

(i) Manufacturers need not provide any of the information provided in this part for model year 1994 vehicles. For model year 1995 and model year 1996 carlines, and for model year 1997 carlines which are first offered for sale to ultimate purchasers before June 1, 1996, manufacturers and suppliers may, instead of following the calculation procedures set forth in this part, use procedures that they expect, in good faith, to yield similar results.

Issued on March 13, 1995.

Ricardo Martinez,

Administrator.

[FR Doc. 95-6518 Filed 3-15-95; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 625

[Docket No. 950306067-5067-01; I.D. 021795D]

RIN 0648-AH96

Summer Flounder Fishery; Court-Ordered Regulation Change

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

ACTION: Final rule.

SUMMARY: NMFS announces a change in the regulations implementing the Fishery Management Plan for the Summer Flounder Fishery (FMP). This action is taken to comply with a Consent Order issued by the U.S. District Court for the Eastern District of Virginia directing NMFS to revise specified regulatory language.

EFFECTIVE DATE: March 15, 1995.

FOR FURTHER INFORMATION CONTACT: Hannah Goodale, 508-281-9101.

SUPPLEMENTARY INFORMATION:

Regulations implementing the Summer Flounder Fishery Management Plan are found at 50 CFR part 625. In a Consent Order dated December 19, 1994, the United States District Court for the Eastern District of Virginia, ordered NMFS to delete the language in § 625.4(a)(3) that requires Federal permit holders, when faced with

differing state and Federal regulations, to abide by the most restrictive requirement. The new language allows only state requirements that are consistent with Federal management measures to remain in effect.

Classification

This final rule has been determined to be not significant for the purpose of E.O. 12866.

This final rule is exempt from the procedures of the Regulatory Flexibility Act because it is not required to be issued with prior notice and opportunity for public comment.

Because the language of this rule is required by a judicial order, providing prior notice and opportunity for public comment would serve no useful purpose and is therefore unnecessary. Accordingly the Assistant Administrator for Fisheries, NOAA finds good cause under 5 U.S.C. 553(b)(B) to waive the requirement to provide prior notice and opportunity for public comment. Likewise, providing a 30-day delay in effective date would be inconsistent with the intent of the judicial order and could act to delay relieving restrictions on the fishery.

List of Subjects in 50 CFR part 625

Fisheries, Reporting and recordkeeping requirements.

Dated: March 10, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 625 is amended as follows:

PART 625—SUMMER FLOUNDER FISHERY

1. The authority citation for part 625 continues to read as follows:

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

2. Section 625.4 is amended by revising paragraph (a)(3) to read as follows:

§ 625.4 Vessel permits.

(a) * * *

(3) *Condition.* Vessel owners who apply for a fishing vessel permit under this section must agree as a condition of the permit that the vessel's fishing, catch and pertinent gear (without regard to whether such fishing occurs in the EEZ or landward of the EEZ, and without regard to where such fish or gear are possessed, taken or landed) will be subject to all requirements of this part. State requirements consistent with Federal management measures shall remain in effect. Owners and operators of vessels fishing under the terms of a moratorium permit issued pursuant to paragraph (b) of this section must also agree, as a condition of the permit, not to land summer flounder in any state that the Regional Director has determined no longer has commercial quota available.

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[FR Doc. 95-6450 Filed 3-15-95; 8:45 am]

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