

(6) Chapter 141, subchapter I and sections 14121 and 14122 of subchapter II, relating to operations of motor carriers;

(7) Chapter 145, sections 14501, 14502, and 14504, relating to Federal-State relations;

(8) Chapter 147, sections 14701 through 14708, relating to enforcement remedies, investigations, and motor carrier liability; and

(9) Chapter 149, sections 14901 through 14913, relating to civil and criminal penalties for violations of 49 U.S.C., Subtitle IV, part B.

(b) Carry out the functions and exercise the authority vested in the Secretary by sections 104, 403(a), and 408 of the ICC Termination Act of 1995, Public Law 104-88, 109 Stat. 803, relating to miscellaneous motor carrier provisions, railroad-highway grade crossing regulation and fatigue-related issues pertaining to commercial motor vehicle safety.

(c) Carry out the functions vested in the Secretary by 42 U.S.C. 4917 relating to procedures for the inspection, surveillance and measurement of commercial motor vehicles for compliance with interstate motor carrier noise emission standards and related enforcement activities including the promulgation of necessary regulations.

(d)(1) Carry out the functions vested in the Secretary by 49 U.S.C. 5121(a), (b), and (c), 5122(a) and (b), 5123, and 5124, relating to investigations, records, inspections, penalties, and specific relief so far as they apply to the transportation or shipment of hazardous materials by highway, including the manufacture, fabrication, marking, maintenance, reconditioning, repair or test of containers which are represented, marked, certified, or sold for use in the bulk transportation of hazardous materials by highway.

(2) Carry out the functions vested in the Secretary by 49 U.S.C. 5112 relating to highway routing of hazardous materials; 5109 relating to motor carrier safety permits, except subsection (f); 5125(a) and (c)-(f), relating to preemption determinations or waivers of preemption of hazardous materials highway routing requirements; 5105(e) relating to inspections of motor vehicles carrying hazardous material; 5119 relating to uniform forms and procedures; and 5127(f) and (g) relating to credits to appropriations and availability of amounts.

(e) Carry out the functions vested in the Secretary by 49 U.S.C. chapter 313 relating to commercial motor vehicle operators.

(f) Carry out the functions vested in the Secretary by 49 U.S.C. 13906, 31138

and 31139 relating to financial responsibility requirements for motor carriers, brokers, and freight forwarders.

(g) Carry out the functions vested in the Secretary by subchapters I and III of chapter 311, title 49, U.S.C., relating to commercial motor vehicle programs and safety regulation.

(h) Carry out the functions vested in the Secretary by 49 U.S.C. 5708 relating to food transportation inspections; 5710 relating to the Secretary's powers to administer the sanitary food transportation regulations; 5711 relating to enforcement of sanitary food transportation regulations and applicable penalties; 5712 and 5714 relating to Federal-State relations; and 5113 and 31144 relating to safety fitness of owners and operators.

(i) Carry out the functions vested in the Secretary by 49 U.S.C. 5118 relating to the use of inspectors to promote safety in the highway transportation of radioactive material; and 49 U.S.C. 31142(f) relating to application of State regulations to government-leased vehicles and operators.

(j) Carry out the functions vested in the Secretary by 49 U.S.C. 521(b)(5) relating to operations that pose an imminent hazard to safety.

(k) Carry out the functions and exercise the authority delegated to the Secretary in section 2(d)(2) of Executive Order 12777 (3 CFR, 1992 Comp., p. 351), with respect to highway transportation, relating to the approval of means to ensure the availability of private personnel and equipment to remove, to the maximum extent practicable, a worst case discharge, the review and approval of response plans, and the authorization of motor carriers, subject to the Federal Water Pollution Control Act (33 U.S.C. 1321), to operate without approved response plans, except as delegated in 49 CFR 1.46(m).

Issued in Washington, DC, on October 9, 1999.

**Rodney E. Slater,**

*Secretary of Transportation.*

#### **Appendix to Preamble—Possible Congressional Action**

There is a possibility of further Congressional action regarding motor carrier functions and operations. If any subsequent law is enacted, the redelegation will be amended accordingly and published in the **Federal Register** as soon as practicable.

[FR Doc. 99-27333 Filed 10-15-99; 1:47 pm]

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## **DEPARTMENT OF COMMERCE**

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

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

[Docket No. 990304062-9062-01; I.D. 101399B]

#### **Fisheries of the Exclusive Economic Zone Off Alaska; Other Rockfish 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 prohibiting retention of other rockfish in the Central Regulatory Area of the Gulf of Alaska (GOA). NMFS is requiring that catch of other rockfish in this area be treated in the same manner as prohibited species and discarded at sea with a minimum of injury. This action is necessary because the 1999 total allowable catch (TAC) of other rockfish in this area has been achieved.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), October 14, 1999, until 2400 hrs, A.l.t., December 31, 1999.

**FOR FURTHER INFORMATION CONTACT:** Thomas Pearson 907-481-1780 or tom.pearson@noaa.gov.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the GOA exclusive economic zone 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. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The Final 1999 Harvest Specifications of Groundfish for the GOA established the 1999 TAC of other rockfish in the Central Regulatory Area of the GOA as 650 metric tons (64 FR 12094, March 11, 1999). See § 679.20(c)(3)(ii).

In accordance with § 679.20(d)(2), the Administrator, Alaska Region, NMFS, has determined that the 1999 TAC of other rockfish in the Central Regulatory Area of the GOA has been achieved. Therefore, NMFS is requiring that further catches of other rockfish in the Central Regulatory Area of the GOA be treated as prohibited species in accordance with § 679.21(b).

**Classification**

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent overharvesting the 1999 TAC of other rockfish in the Central Regulatory Area of the GOA. A delay in the effective date is impracticable and contrary to the public interest. The fleet has taken the 1999 TAC of other rockfish in the Central Regulatory Area of the GOA. Further delay would only result in overharvest. 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 § 679.20 and is exempt from review under E.O. 12866.

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

Dated: October 13, 1999.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 99-27232 Filed 10-14-99; 3:48 pm]  
BILLING CODE 3510-22-F

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 679**

[Docket No. 990304063-9063-01; I.D. 101399D]

**Fisheries of the Exclusive Economic Zone Off Alaska; Other Rockfish in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area**

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

**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting retention of other rockfish in the Aleutian Islands subarea of the Bering Sea and Aleutian Islands management area (BSAI). NMFS is requiring that catch of other rockfish in this area be treated in the same manner as prohibited species and discarded at sea with a minimum of injury. This action is necessary because the amount of the 1999 total allowable catch (TAC) of other rockfish in this area has been achieved.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), October 14, 1999, until 2400 hrs, A.l.t., December 31, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mary Furuness, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The Final 1999 Harvest Specifications of Groundfish for the BSAI (64 FR 12103, March 11, 1999) established the amount of the 1999 TAC of other rockfish in the Aleutian Islands subarea of the BSAI as 583 metric tons. See § 679.20(c)(3)(iii).

In accordance with § 679.20(d)(2), the Administrator, Alaska Region, NMFS, has determined that the amount of the 1999 TAC for other rockfish in the Aleutian Islands subarea of the BSAI has been achieved. Therefore, NMFS is requiring that further catches of other rockfish in the Aleutian Islands subarea of the BSAI be treated as prohibited species in accordance with § 679.21(b).

**Classification**

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent overharvesting the amount of the 1999 TAC for other rockfish in the Aleutian Islands subarea of the BSAI. A delay in the effective date is impracticable and contrary to the public interest. The fleet has taken the amount of the 1999 TAC for other rockfish in the Aleutian Islands subarea of the BSAI. Further delay would only result in overharvest. 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 § 679.20 and is exempt from review under E.O. 12866.

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

Dated: October 13, 1999.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 679**

[Docket No. 990304063-9063-01; I.D. 101399C]

**Fisheries of the Exclusive Economic Zone Off Alaska; Sharpchin and Northern Rockfish in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area**

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

**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting retention of sharpchin and northern rockfish in the Aleutian Islands subarea of the Bering Sea and Aleutian Islands management area (BSAI). NMFS is requiring that catch of sharpchin and northern rockfish in this area be treated in the same manner as prohibited species and discarded at sea with a minimum of injury. This action is necessary because the amount of the final 1999 initial total allowable catch (ITAC) of sharpchin and northern rockfish in this area has been achieved.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), October 14, 1999, until 2400 hrs, A.l.t., December 31, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mary Furuness, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The Final 1999 Harvest Specifications of Groundfish for the BSAI (64 FR 12103, March 11, 1999) established the amount of the 1999 Final ITAC of sharpchin and northern rockfish in the Aleutian Islands subarea of the BSAI as 3,913 metric tons. See § 679.20(c)(3)(iii).

In accordance with § 679.20(d)(2), the Administrator, Alaska Region, NMFS, has determined that the amount of the 1999 ITAC for sharpchin and northern rockfish in the Aleutian Islands subarea of the BSAI has been achieved. Therefore, NMFS is requiring that further catches of sharpchin and