

2. OSHA proposes to amend § 1910.1043 by revising paragraph (n) (4) as follows:

**§ 1910.1043 Cotton dust.**

\* \* \* \* \*  
(n) \* \* \*  
\* \* \* \* \*

(4) *Higher grade washed cotton.* The handling or processing of cotton classed as “low middling light spotted or better” (color grade 52 or better and leaf grade code 5 or better according to the 1993 USDA classification system) shall be exempt from all provisions of the standard except the requirements of paragraphs (h) medical surveillance, (k) (2) through (4) recordkeeping—medical records, and Appendices B, C, and D of this section, if they have been washed on the following systems.

(i) On a continuous batt system or a rayon rinse system including the following conditions:

(A) With water;

(B) At a temperature of no less than 60° C;

(C) With a water-to-fiber ratio of no less than 40:1; and

(D) With the bacterial levels in the wash water controlled to limit bacterial contamination of the cotton.

(ii) On a batch kier washing system including the following conditions:

(A) With water;

(B) With cotton fiber mechanically opened and thoroughly pretreated before forming the cake;

(C) For low-temperature processing, at a temperature of no less than 60° C with a water-to-fiber ratio of no less than 40:1; or, for high-temperature processing at a temperature of no less than 93° C with a water-to-fiber ratio of no less than 15:1;

(D) With a minimum of one wash cycle followed by two rinse cycles for each batch, using fresh water in each cycle, and

(E) With bacteria levels in the wash water controlled to limit bacterial contamination of the cotton.

\* \* \* \* \*

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**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**48 CFR Parts 1842 and 1852**

**Emergency Medical Services and Evacuation**

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would amend the NASA FAR Supplement (NFS) by adding a prescription and clause requiring contractors to make all arrangements for emergency medical services and evacuation for its employees when performing a NASA contract outside the United States or in remote locations in the United States. The clause also requires the contractor to reimburse the Government for costs that are incurred in cases where the Government is requested by the contractor, and the Government agrees to provide the medical services or evacuation.

**DATES:** Comments should be submitted on or before February 5, 2001.

**ADDRESSES:** Interested parties should submit written comments to Joseph Le Cren, NASA Headquarters, Office of Procurement, Contract Management Division (Code HK), Washington, DC 20546. Comments also may be submitted by e-mail to: [jlecren@hq.nasa.gov](mailto:jlecren@hq.nasa.gov).

**FOR FURTHER INFORMATION CONTACT:** Joseph Le Cren, (202) 358–0444, or [jlecren@hq.nasa.gov](mailto:jlecren@hq.nasa.gov).

**SUPPLEMENTARY INFORMATION:**

**A. Background**

There have been some cases where contractor employees were required to receive emergency medical services and be evacuated while performing on NASA contracts outside the United States. Although not responsible for providing the emergency medical or evacuation services, NASA believed that the interests of the contractor employees were paramount. However, this resulted in situations where NASA incurred significant costs, which ultimately were reimbursed by the contractor, but possibly could have been disputed. NASA desires to eliminate such situations which could have a significant adverse financial impact on the agency. The proposed clause notifies offerors and contractors that they are responsible for making all arrangements for providing emergency medical services and evacuation, if necessary, for their employees when performing NASA contracts outside the United States. The proposed clause also recognizes that similar situations may occur in remote locations in the United States. In addition, the clause recognizes that certain situations could arise where the Government would be requested to provide emergency medical services or evacuate contractor employees. The clause makes it clear that, if the Government provides such services or evacuation, the contractor will

reimburse the Government for the costs incurred.

**B. Regulatory Flexibility Act**

This proposed rule is not expected to have a significant economic impact on a substantial number of small businesses within the meaning of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because of the small number of contracts awarded to small businesses involving contract performance outside the United States or in remote locations in the United States.

**C. Paperwork Reduction Act**

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

**List of Subjects in 48 CFR Parts 42 and 52**

Government procurement.

**Tom Luedtke,**

*Associate Administrator for Procurement.*

Accordingly, 48 CFR Parts 1842 and 1852 are proposed to be amended as follows:

1. The authority citation for 48 CFR Parts 1842 and 1852 continues to read as follows:

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

**PART 1842—CONTRACT ADMINISTRATION AND AUDIT PROCEDURES**

2. Amend Part 1842 by adding section 1842.7003 to read as follows:

**1842.7003 Emergency medical services and evacuation.**

The contracting officer must insert the clause at 1852.242–78, Emergency Medical Services and Evacuation, in all solicitations and contracts when employees of the contractor are required to travel outside the United States or to remote locations in the United States.

3. Amend Part 1852 by adding section 1852.242–78 to read as follows:

**PART 1852—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

**1852.242–78 Emergency Medical Services and Evacuation.**

As prescribed in 1842.7003, insert the following clause:

**Emergency Medical Services and Evaluation (XXXX)**

The Contractor shall be responsible for making all arrangements for emergency medical services and evacuation, if required, for its employees while performing work under this contract outside the United States or in remote locations in the United States. If necessary to deal with certain emergencies, the Contractor may request the Government to provide medical or evacuation services. If the Government provides such services, the Contractor shall reimburse the Government for the costs incurred.

(End of clause)

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 635**

[Docket No. 000323080-0329-02; I.D. 031500A]

RIN 0648-AN97

**Atlantic Highly Migratory Species (HMS); Atlantic Tunas Reporting, Fishery Allocations and Regulatory Adjustments**

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

**ACTION:** Proposed rule; public hearings; request for comments.

**SUMMARY:** NMFS proposes to amend the regulations governing the Atlantic HMS fisheries to require mandatory dealer reporting of all purchases of Atlantic bigeye, albacore, yellowfin, and skipjack (BAYS) tunas; adjust the north-south dividing line for the Atlantic bluefin tuna (BFT) Angling category subdivisions; adjust associated subquota percentages allocated to each area; modify regulatory text to clarify the requirement that imports, exports, and re-exports of bluefin tuna (both Atlantic and Pacific subspecies) must be accompanied by a Bluefin Tuna Statistical Document (BSD); and modify regulatory text to facilitate enforcement of, and compliance with, the regulations. The proposed regulatory amendment is necessary to comply with the United States' obligations under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Atlantic Tunas Convention Act (ATCA), and the Fishery Management Plan for Atlantic Tunas, Swordfish, and Sharks (HMS FMP). NMFS will hold public hearings

to receive comments from fishery participants and other interested parties regarding the proposed regulatory amendment.

**DATES:** Written comments must be received on or before January 30, 2001.

The public hearing dates are:

1. December 11, 2000, 7-9 p.m., Ocean City, MD.
2. December 12, 2000, 7-9 p.m., Cape May, NJ.

**ADDRESSES:** Written comments on the proposed regulatory amendment should be sent to Christopher Rogers, Acting Chief, Highly Migratory Species Management Division, Office of Sustainable Fisheries (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3282. Comments also may be sent via facsimile (fax) to (301) 713-1917. Comments will not be accepted if submitted via e-mail or the Internet. Comments regarding the collection of information requirements contained in this proposed rule should be sent to the above address and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC, 20503 (Attention: NOAA Desk Officer).

The public hearing locations are:

1. Cape May—The Inn of Cape May, 7 Ocean St, Cape May, NJ 08204.
2. Ocean City—Ocean City Rec & Parks Dept., 200-125th Street, Ocean City, MD 21842.

**FOR FURTHER INFORMATION CONTACT:** Pat Scida, (978) 281-9208.

**SUPPLEMENTARY INFORMATION:** Atlantic tunas are managed under the dual authority of the Magnuson-Stevens Act and ATCA. ATCA authorizes the Secretary of Commerce (Secretary) to implement binding recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT). The authority to issue regulations under the Magnuson-Stevens Act and ATCA has been delegated from the Secretary to the Assistant Administrator for Fisheries, NOAA (AA).

**BAYS Dealer Reporting**

On May 28, 1999, NMFS published in the Federal Register (64 FR 29090) final regulations implementing the HMS FMP that was adopted and made available to the public in April 1999. The implementing regulations require dealers that receive Atlantic swordfish and Atlantic sharks from U.S. vessels to report to NMFS all Atlantic tunas (including BAYS) received from U.S. vessels (50 CFR 635.5(b)(1)(i)). The regulations require dealers to report BAYS tunas only when received together with sharks and swordfish. As BAYS tunas are usually landed and sold

along with other species, and because many dealers voluntarily report their BAYS purchases (dealers are often permitted in several fisheries and record all purchases on a consolidated HMS reporting form), the lack of mandatory reporting of BAYS tunas has not likely resulted in significant underreporting. Recently, however, several new dealers in the U.S. Virgin Islands and Puerto Rico have obtained dealer permits, and most of these dealers are handling BAYS tunas only. In order to collect data from these new dealers and to ensure that U.S. data on BAYS tunas are complete, NMFS needs to require that all purchases of BAYS tunas be reported, regardless of whether other regulated HMS are purchased. NMFS, therefore, proposes to amend the HMS regulations to require dealers to report all purchases of BAYS tunas, regardless of whether they also purchase Atlantic sharks or swordfish. Similar to current reporting regulations for sharks and swordfish, NMFS proposes to require dealers to submit negative reports for reporting periods in which they do not purchase and/or receive BAYS tunas.

**BFT Angling Category Geographical Division**

In response to quota reductions in 1992, two management areas were created for the BFT Angling category fishery. The north-south division line is located at 38°47' N. latitude (Delaware Bay). The geographic split was designed to enable NMFS to manage the early season (June/July off the Virginia to Delaware coasts) and late season (August/September off the New Jersey to Massachusetts coasts) to manage BFT fisheries under separate quotas, corresponding with the summer feeding migration of school, large school, and small medium BFT.

For the last several BFT fishing seasons, NMFS has received comments that an adjustment to the Angling category BFT north-south division line is warranted. Specifically, vessels fishing for BFT from ports in southern New Jersey, which is in the northern area, tend to utilize fishing areas located in the southern area (*i.e.*, offshore of Ocean City, Maryland). This pattern of activity raises two concerns with respect to the dividing line for the southern and northern areas. First, when the southern and northern areas are both open, a significant number of fish caught in the southern area are landed in the northern area and counted against the applicable northern area subquotas. Second, when the southern area is closed, vessels from southern New Jersey are effectively excluded from the school BFT fishery because the fish are generally