

EFFECTIVE DATE: June 1, 2001.

FOR FURTHER INFORMATION CONTACT: Mr. Louis Becker, NASA Headquarters, Office of Procurement, Contract Management Division (Code HK), Washington, DC 20546, telephone: (202) 358-4593, email: lbecker@hq.nasa.gov.

SUPPLEMENTARY INFORMATION:

A. Background

NASA is adopting as final, without change, the interim rule published in the August 11, 2000 **Federal Register** (65 FR 49205-49206). The interim rule identified the Associate Administrator for Procurement as the senior policymaking official delegated the authority to approve Cost Accounting Standards (CAS) waivers for NASA. The NASA interim rule was issued in response to a FAR interim rule published in the June 6, 2000 **Federal Register** (65 FR 36028-36030) that authorized the heads of executive agencies to approve CAS waivers and allowed for this authority to be delegated to an official not below the senior policymaking level in the agency. The FAR interim rule resulted from Section 802 of the National Defense Authorization Act for Fiscal Year 2000 (Pub. L. 106-65) which made several changes to CAS, including waivers. The FAR interim rule was adopted as a final rule without change (66 FR 2136-2137, January 10, 2001). No comments were received in response to the NASA interim rule.

B. Regulatory Flexibility Act

NASA certifies that this final rule will not have a significant economic impact on a substantial number of small business entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) because this rule pertains to Cost Accounting Standards from which small businesses are exempt.

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 collection 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 Part 30

Government procurement.

Tom Luedtke,

Associate Administrator for Procurement.

Interim Rule Adopted as Final Without Changes

Accordingly, NASA adopts the interim rule amending 48 CFR part 1830, which was published in the **Federal Register** at 65 FR 49205-49206, August 11, 2000, as a final rule without change.

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

[FR Doc. 01-13810 Filed 5-31-01; 8:45 am]

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 1832

Extension of Class Deviations for SBIR Contracts

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: This is a final rule amending the NASA FAR Supplement (NFS) to extend the advance payments and incremental funding class deviations for Small Business Innovation Research (SBIR) program contracts.

EFFECTIVE DATE: June 1, 2001.

FOR FURTHER INFORMATION CONTACT: Mr. Ronald Lentz, NASA Headquarters, Office of Procurement, Contract Management Division (Code HK), Washington, DC 20546, telephone: (202) 358-1064, e-mail: ronald.lentz@hq.nasa.gov.

SUPPLEMENTARY INFORMATION:

A. Background

NFS 1832.402(e)(1)(B)(a) provides a class deviation authorizing the use of advance payments for Phase I contracts awarded under the SBIR program. NFS 1832.702-70(a), (b), and (c) set forth conditions when incremental funding is permitted. NFS 1832.702-70(e) provides a class deviation from those conditions, permitting the use of incremental funding of contracts under Phase II of the SBIR program. These two class deviations expired September 30, 2000, the date set forth in the Congressional authorization for the SBIR program. Public Law 106-554, extended the SBIR program through September 30, 2008. This final rule will extend the advance payments and incremental funding class deviations for the life of the SBIR program.

B. Regulatory Flexibility Act

This final rule does not constitute a significant revision within the meaning of FAR 1.501 and Pub. L. 98-577, and publication for public comment is not required. However, comments from small entities concerning the affected NFS subpart will be considered in accordance with 5 U.S.C. 610. Such comments must be submitted separately and should cite 5 U.S.C. 601, *et seq.*

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 Part 32

Government procurement.

Tom Luedtke,

Associate Administrator for Procurement.

Accordingly, 48 CFR Part 32 is amended as follows:

1. The authority citation for 48 CFR part 1832 continues to read as follows:

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

PART 1832—CONTRACT FINANCING

2. In section 1832.402, revise paragraph (e)(1)(B)(a) to read as follows:

1832.402 General.

(NASA supplements paragraph (e))
(e)(1) * * *
(B) * * *

(a) Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Phase I contracts. A class deviation has been signed authorizing use of advance payments on these contracts. The contracting officer shall annotate the contract file that the deviation is on file at the NASA Headquarters Office of Procurement (Code HK).

* * * * *

3. In section 1832.702-70, revise paragraph (e) to read as follows:

1832.702-70 NASA policy.

* * * * *

(e) A class deviation from the conditions set forth in paragraphs 1832.702-70(a), (b), and (c) exists to permit incremental funding of contracts under Phase II of the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs. This deviation exists with the understanding that the contracts will be

fully funded when funds become available.

[FR Doc. 01-13811 Filed 5-31-01; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 001121328-1041-02; I.D. 052501E]

Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for Summer Period

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

ACTION: Commercial quota harvest.

SUMMARY: NMFS announces that the scup commercial quota available in the Summer period to the coastal states from Maine to North Carolina has been harvested. Federally permitted commercial vessels may not land scup in these states for the remainder of the 2001 Summer quota period (through October 31, 2001). Regulations governing the scup fishery require publication of this notification to advise the coastal states from Maine through North Carolina that the quota has been harvested and to advise Federal vessel permit holders and Federal dealer permit holders.

DATES: Effective 0001 hrs local time, June 1, 2001, through 2400 hrs local time, October 31, 2001.

FOR FURTHER INFORMATION CONTACT: Jennifer L. Anderson, Fishery Management Specialist, (978) 281-9226.

SUPPLEMENTARY INFORMATION:

Regulations governing the scup fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is allocated into three quota periods. The Summer commercial quota (May through October) is distributed to the coastal states from Maine through North Carolina. The process to set the annual commercial quota and the seasonal allocation is described in § 648.120.

The total commercial quota for scup for the 2001 calendar year was set at 4,444,600 lb (2,016,037 kg) (66 FR 12902; March 1, 2001). The Summer period quota was initially set at 1,731,172 lb (785,246 kg). As specified in § 648.120, landings in excess of the commercial quota in the 2000 Summer period were deducted from the Summer period

allocation this year, resulting in a final Summer quota allocation of 1,147,861 lb (520,661 kg).

Section 648.121 requires the Administrator, Northeast Region, NMFS (Regional Administrator) to monitor the commercial scup quota for each quota period and, based upon dealer reports, state data, and other available information, to determine when the commercial quota has been harvested. NMFS is required to publish notification in the **Federal Register** advising and notifying federally permitted commercial vessels and federally permitted dealers that, effective upon a specific date, the scup commercial quota has been harvested. The Regional Administrator has determined, based upon dealer reports and other available information, that the scup commercial quota for the 2001 Summer period has been harvested.

The regulations at § 648.4(b) provide that Federal scup moratorium permit holders agree as a condition of the permit not to land scup in any state after NMFS has published a notification in the **Federal Register** stating that the commercial quota for the period has been harvested and that no commercial quota for scup is available. Therefore, effective 0001 hours, June 1, 2001, further landings of scup by vessels holding Federal scup moratorium permits are prohibited through October 31, 2001. The Winter II period for commercial scup harvest will open on November 1, 2001. Effective 0001 hours, June 1, 2001, federally permitted dealers are also advised that they may not purchase scup from federally permitted vessels that land in coastal states from Maine through North Carolina for the remainder of the Summer period (through October 31, 2001).

Classification

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

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

Dated: May 25, 2001.

Richard W. Surdi,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 01-13832 Filed 5-29-01; 4:36 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 001030303-1127-02; I.D. 091800E]

RIN 0648-AO41

Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Amendment 13

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

ACTION: Final rule; announcement of approval of an amendment to a fishery management plan.

SUMMARY: NMFS issues this final rule to implement Amendment 13 to the Pacific Coast Groundfish Fishery Management Plan (FMP). This final rule implements Amendment 13 by establishing an increased utilization program for catcher/processor and mother ships in the at-sea whiting fisheries which carry multiple observers for at least 90 percent of the fishing days during a cumulative trip limit period, by revising the regulatory provisions for the routine management measures process, and by removing regulatory references to limited entry permit endorsements other than the "A" endorsement.

DATES: This rule is effective July 2, 2001, except for § 660.323 (a)(3)(vi) which is effective June 1, 2001.

ADDRESSES: Copies of Amendment 13 to the Pacific Coast Groundfish FMP and the environmental assessment/regulatory impact review (EA/RIR) are available from Donald McIsaac, Executive Director, Pacific Fishery Management Council, 2130 SW Fifth Avenue, Suite 224, Portland, OR 97201. Send comments regarding the reporting burden estimate or any other aspect of the collection-of-information requirements in this final rule, including suggestions for reducing the burden, to the Office of Management and Budget (OMB), Washington, D.C. 20503 (ATTN: NOAA Desk Officer).

FOR FURTHER INFORMATION CONTACT: Yvonne deReynier or Becky Renko at: phone, 206-526-6140; fax, 206-526-6736, and e-mail, yvonne.dereynier@noaa.gov or becky.renko@noaa.gov; or Svein Fougner at: phone, 562-980-4000; fax, 562-980-4047; and e-mail, svein.fougner@noaa.gov.

SUPPLEMENTARY INFORMATION: