

forces, coupled by the distance between the back of head and the center of the neck, can also generate a moment at the neck load cell. Accordingly, an extension moment without appreciable head translation is not an unrealistic event. Based on this review, the agency agrees with Ford that the necks of the CRABI and the Hybrid III 3-year-old child dummies could produce extension moments with little or no head translation.

NHTSA believes that injury to the neck of a child can occur without appreciable head translation under the two conditions cited above. We feel that the human neck, under the loading conditions cited above, could produce moments at the occipital condyles with little or no head-to-torso rotation or head translation. Because of this, we also believe that the neck extension measurements in the specified compliance tests do not require special or different instructions and procedures for their analysis, beyond those used for data treatment of FMVSS No. 208 and FMVSS No. 213 measurements. Furthermore, we feel that questions related to either the selection of injury criteria or interpretation of compliance test results should be resolved within the relevant safety standard rather than 49 CFR, part 572. In the FMVSS No. 213 notice of proposed rulemaking published May 1, 2002, the agency proposed a number of injury criteria to assure improved safety of children in child restraints systems. The agency will evaluate comments relative to the appropriate neck injury criteria for both the CRABI and the Hybrid III 3-year-old dummies in the context of that rulemaking.

### Conclusion

For the reasons discussed above, the agency is denying both Ford petitions for reconsideration.

**Authority:** 49 U.S.C. 30162; delegations of authority at 49 CFR 1.50 and 49 CFR 501.8.

Issued on: March 14, 2003.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*  
[FR Doc. 03-6746 Filed 3-20-03; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 020311051-2135-02; I.D. 022002C]

RIN 0648-AN75

#### **Fisheries Off West Coast States and in the Western Pacific; Western Pacific Pelagic Fisheries; Pelagic Longline Gear Restrictions, Seasonal Area Closure, and Other Sea Turtle Take Mitigation Measures; Correction**

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

**ACTION:** Correction to a final rule.

**SUMMARY:** This document contains a correction to a final rule that was published on June 12, 2002.

**DATES:** Effective March 21, 2003.

**FOR FURTHER INFORMATION CONTACT:** Alvin Z. Katekaru, Pacific Islands Area Office, NMFS, 808-973-2937.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On June 12, 2002 (67 FR 40232), NMFS published a final rule in the **Federal Register** that implements the reasonable and prudent alternative of the March 29, 2001, Biological Opinion issued by NMFS under the Endangered Species Act. Section 660.22(ss) contains an incorrect reference.

##### **Correction**

In the rule FR Doc. 02-14749, in the issue of Wednesday, June 12, 2002 (67 FR 40232), on page 40236, under (ss) on the eighth line of the first column, change “§ 660.33(h)” to “§ 660.33(i)”.

Dated: March 18, 2003.

**Rebecca Lent,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

[FR Doc. 03-6850 Filed 3-20-03; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 021212306-2306-01; I.D. 031703B]

#### **Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska**

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

**ACTION:** Modification of a closure.

**SUMMARY:** NMFS is opening directed fishing for pollock in Statistical Area 610 of the Gulf of Alaska (GOA) for 24 hours. This action is necessary to fully use the B season allowance of the total allowable catch (TAC) of pollock specified for Statistical Area 610.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), March 18, 2003, through 1200 hrs, A.l.t., March 19, 2003.

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

**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.

NMFS closed the B season directed fishery for pollock in Statistical Area 610 of the GOA under § 679.20(d)(1)(iii) on March 11, 2003 (68 FR 11994, March 13, 2003).

NMFS has determined that, approximately 1,500 mt of pollock remain in the B season directed fishing allowance. Therefore, in accordance with § 679.25(a)(2)(i)(C) and (a)(2)(iii)(D), and to fully utilize the B season allowance of pollock TAC specified for Statistical Area 610, NMFS is terminating the previous closure and is reopening directed fishing for pollock in Statistical Area 610 of the GOA. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance will be reached after 24 hours. Consequently, NMFS is prohibiting directed fishing for pollock in Statistical Area 610 of the GOA effective 1200 hrs, A.l.t., March 19, 2003.

**Classification**

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is contrary to the public interest. This requirement is contrary to the public interest as it would delay the opening of the fishery, not allow the full utilization of the B season allowance of the pollock TAC, and therefore reduce the public's ability to use and enjoy the fishery resource.

The Assistant Administrator for Fisheries, NOAA, also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: March 17, 2003.

**Richard W. Surdi,**

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

[FR Doc. 03-6840 Filed 3-18-03; 3:52 pm]

**BILLING CODE 3510-22-S**

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

[Docket No. 021122286-3036-02; I.D. 031703D]

**Fisheries of the Exclusive Economic Zone off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska**

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

**ACTION:** Inseason adjustment; request for comments.

**SUMMARY:** NMFS issues an inseason adjustment opening the B fishing season for pollock in Statistical Area 630 of the Gulf of Alaska (GOA) for 12 hours effective 1200 hrs, Alaska local time (A.l.t.), March 20, 2003, until 2400 hrs, A.l.t., March 20, 2003. This adjustment is necessary to allow the fishing industry opportunity to harvest the B

season allowance of the pollock total allowable catch (TAC) in Statistical Area 630 of the GOA.

**DATES:** Effective 1200 hrs, A.l.t., March 20, 2003, until 2400 hrs, A.l.t., March 20, 2003. Comments must be received no later than 4:30 p.m., A.l.t., April 2, 2003.

**ADDRESSES:** Comments may be mailed to Sue Salvesson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Lori Durall. Comments also may be sent via facsimile (fax) to 907-586-7557. Comments will not be accepted if submitted via e-mail or Internet. Courier or hand delivery of comments may be made to NMFS in the Federal Building, Room 453, Juneau, AK 99801.

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

**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.

NMFS issued a prohibition to directed fishing for pollock effective March 10, 2003, for Statistical Area 630, in accordance with § 679.20(d)(1)(iii) (68 FR 11994, March 13, 2003).

As of March 11, 2003, 857 metric tons (mt) of pollock remain in the B season allowance of the pollock TAC in Statistical Area 630 of the GOA. Regulations at § 679.23(b) specify that the time of all openings and closures of fishing seasons other than the beginning and end of the calendar fishing year is 1200 hrs, A.l.t. Current information shows the catching capacity of vessels catching pollock for processing by the inshore component in Statistical Area 630 of the GOA is about 1,500 mt per day. The Administrator, Alaska Region, NMFS, has determined that the B season allowance of the pollock TAC could be exceeded if a 24-hour fishery were allowed to occur. NMFS is not allowing a 24-hour directed fishery in order that the seasonal allowance not be exceeded. NMFS, in accordance with § 679.25(a)(1)(i) and § 679.25(a)(2)(i), is adjusting the B fishing season for pollock in Statistical Area 630 of the GOA by opening the fishery at 1200 hrs, A.l.t., March 20, 2003 and closing the fishery at 2400 hrs, A.l.t., March 20, 2003, at which time directed fishing for

pollock will be prohibited. This action has the effect of opening the fishery for 12 hours.

NMFS is taking this action to allow a controlled fishery to occur, thereby preventing the overharvest of the B season allowance of the pollock TAC designated in accordance with the final 2003 harvest specifications for groundfish in the GOA (68 FR 9924, March 3, 2003) and § 679.20(a)(5)(iii). In accordance with § 679.25(a)(2)(iii), NMFS has determined that prohibiting directed fishing at 2400 hrs, A.l.t., March 20, 2003, after a 12-hour opening is the least restrictive management adjustment to achieve the B season allowance of the pollock TAC. Pursuant to § 679.25(b)(2), NMFS has considered data regarding catch per unit of effort and rate of harvest in making this adjustment.

**Classification**

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is contrary to the public interest. This requirement is contrary to the public interest as it would delay the opening of the fishery, not allow the full utilization of the pollock TAC, and therefore reduce the public's ability to use the fishery resource.

The Assistant Administrator for Fisheries, NOAA, also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

Without this inseason adjustment, NMFS could not allow the B season allowance of the pollock TAC in Statistical Area 630 of the GOA to be harvested in an expedient manner and in accordance with the regulatory schedule. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to see **ADDRESSES** until April 2, 2003.

This action is required by §§ 679.20 and 679.25 and is exempt from review under Executive Order 12866.

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

Dated: March 17, 2003.

**Richard W. Surdi,**

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

[FR Doc. 03-6839 Filed 3-18-03; 3:52 pm]

**BILLING CODE 3510-22-S**