

Dated: February 25, 2005.

**R. Thomas Weimer,**  
Acting Assistant Secretary—Water and  
Science.  
[FR Doc. 05–6190 Filed 3–28–05; 8:45 am]  
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Dated: March 21, 2005.

**S.G. Venckus,**  
Chief, Regulations and Administrative Law,  
United States Coast Guard, DHS.  
[FR Doc. 05–6139 Filed 3–28–05; 8:45 am]  
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deviations and clarify the term “class deviation,” and adds GSAR 501.404–70 to clarify the term “contract action.”

This is not a significant regulatory action and, therefore, was not subject to review under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

#### B. Regulatory Flexibility Act

The Regulatory Flexibility Act does not apply to this rule. This final rule does not constitute a significant FAR revision within the meaning of FAR 1.501 and Public Law 98–577, and publication for public comments is not required. However, GSA will consider comments from small entities concerning the affected GSAR Subpart 501.4 in accordance with 5 USC. 610. Interested must parties must submit such comments separately and should cite 5 U.S.C. 601, et. seq. (GSAR case 2004–G508), in correspondence.

#### C. Paperwork Reduction Act

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

#### List of Subjects in 48 CFR Part 501

Government procurement.

Dated: March 22, 2005.

**David A. Drabkin,**

*Senior Procurement Executive, Office of the Chief Acquisition Officer, General Services Administration.*

■ Therefore, GSA amends 48 CFR part 501 as set forth below:

#### PART 501—GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION SYSTEM

■ 1. The authority citation for 48 CFR part 501 is revised to read as follows:

**Authority:** 40 U.S.C. 121(c).

■ 2. Amend section 501.403 by revising paragraphs (a) and (c) to read as follows:

##### 501.403 Individual deviations.

(a) An individual deviation affects only one contract action.

(1) The Head of the Contracting Activity (HCA) must approve an individual deviation to the FAR. The authority to grant an individual deviation may not be re-delegated. A copy of the deviation must be provided to GSA's Senior Procurement Executive (SPE).

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 46 CFR Part 401

[USCG–2002–11288]

**RIN 1625-AA38 [Formerly RIN 2115–AG30]**

### Rates for Pilotage on the Great Lakes

**AGENCY:** Coast Guard, Department of Homeland Security.

**ACTION:** Interim rule; correction.

**SUMMARY:** This document contains corrections to the interim rule published in the **Federal Register** on March 10, 2005. The interim rule establishes new rates for pilotage on the Great Lakes.

**DATES:** Effective on March 29, 2005.

**FOR FURTHER INFORMATION CONTACT:** For questions on this correction document, call or e-mail Paul Wasserman, Director, Office of Great Lakes Pilotage (G–MW–1), U.S. Coast Guard, at telephone 202–267–2856, or [pwasserman@comdt.uscg.mil](mailto:pwasserman@comdt.uscg.mil).

### SUPPLEMENTARY INFORMATION:

#### Need for Correction

The interim rule, as published, contained incorrect column headings in two tables and an incorrect date. These errors could confuse the reader and need to be corrected.

#### Correction of Publication

■ Accordingly, the publication on March 10, 2005, of the interim rule [USCG–2002–11288], FR Doc. 05–4586, is corrected as follows:

■ 1. On page 12097, in the table entitled “District Three—Projected Rate of Return on Investment”, change the column heading “Total district” to read “Total district three”.

■ 2. On page 12098, in the table entitled “District Three—Adjustment Determination”, change the column heading “Total district” to read “Total district three”.

■ 3. On page 12100, in column one, in line 16 under “Regulatory Evaluation”, change the words ‘March 1, 2005’ to read “April 11, 2005”.

## GENERAL SERVICES ADMINISTRATION

### 48 CFR Part 501

[**GSAR Amendment 2005–01; GSAR Case 2004–G508 (Change 14)**]

**RIN 3090–AI07**

### General Services Administration Acquisition Regulation; Deviations

**AGENCIES:** General Services Administration (GSA), Office of the Chief Acquisition Officer.

**ACTION:** Final rule.

**SUMMARY:** The General Services Administration (GSA) is amending the General Services Administration Acquisition Regulation (GSAR) by issuing a final rule to modify existing policy on obtaining deviations from both the Federal Acquisition Regulation (FAR) and GSAR. This final rule will include revised procedures for obtaining deviations and will clarify the term “class deviation,” and add clarification regarding the term “contract action”.

**DATES:** *Effective Date:* March 29, 2005.

**FOR FURTHER INFORMATION CONTACT** The Regulatory Secretariat (VIR), Room 4035, GS Building, Washington, DC, 20405, (202) 501–4755, for information pertaining to status or publication schedules. For clarification of content, contact Mr. Ernest Woodson, Procurement Analyst, at (202) 501–3775. Please cite Amendment 2005–01, GSAR case 2004–G508 (Change 14).

### SUPPLEMENTARY INFORMATION:

#### A. Background

The FAR prescribes policies and procedures for authorizing deviations from the FAR when necessary to meet the specific needs and requirements of an agency unless precluded by law, executive order, or regulation. FAR 1.402 provides that the development and testing of new techniques and methods of acquisition should not be stifled simply because such actions would require a FAR deviation. However, deviations to the FAR and the GSAR have raised questions indicating the need to increase the involvement of the Office of the Chief Acquisition Officer. Therefore, this final rule modifies GSAR 501.403 and 501.404 to include revised procedures for obtaining

(2) An individual deviation to the GSAR must be approved by the HCA. The authority to grant an individual deviation may be re-delegated to the Contracting Director.

\* \* \* \*

(c) Send a copy of each deviation to GSA's SPE (V).

■ 3. Amend section 501.404 by revising paragraphs (a), (c), and (e)(2) to read as follows:

#### **501.404 Class deviations.**

(a) A class deviation affects more than one contract action. A deviation for any solicitation that will result in multiple awards or any solicitation under the multiple award Federal Supply Schedule program is considered to be a class deviation. Each award under such a solicitation is considered an individual contract action.

(1) A class deviation to the FAR must be forwarded by the cognizant HCA to GSA's SPE for approval. Prior to approving a class deviation to the FAR, the SPE will consult with the Chairman of the Civilian Agency Acquisition Council (CAAC) in accordance with FAR 1.404(a)(1).

(2) A class deviation to the GSAR must be forwarded by the cognizant HCA to GSA's SPE for approval.

(3) When an HCA knows that a proposed class deviation will be required on a permanent basis, the HCA should propose or recommend an appropriate FAR and/or GSAR revision.

\* \* \* \*

(c) Send a copy of each deviation to GSA's SPE (V).

\* \* \* \*

(e) \*

(2) May be rescinded earlier by GSA's SPE or by officials designated under paragraph (a) of this section without prejudice to any action taken previously.

■ 4. Add sections 501.404–70 and 501.404–71 to read as follows:

#### **501.404–70 Contract action.**

*Contract action.* A contract action, for the purpose of determining whether an individual or class deviation is appropriate, has the same meaning as that used for reporting contract actions to Federal Procurement Data System—Next Generation (FPDS-NG). A contract action includes, but is not limited to, any of the following:

(a) Initial letter contract.

(b) Definitive contract superseding letter contract.

(c) New definitive contract.

(d) Purchase order/BPA calls using simplified acquisition procedures.

(e) Orders under single award indefinite delivery contracts.

- (f) Orders under BOA.
- (g) Order/modification under Federal schedule contract.
- (h) Modification.
- (i) Termination for Default.
- (j) Termination for Convenience.
- (k) Order under multiple award contract.
- (l) Initial load of Federal schedule contract.

#### **501.404–71 Deviations to the nonregulatory GSAM.**

Handle individual and class deviations to the nonregulatory (unshaded) part of the GSAM as stated in 501.403 and 501.404.

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**BILLING CODE 6820–61–S**

Washington, DC 20240; phone: 703–358–1708; fax: 703–358–2276; e-mail: [scientificauthority@fws.gov](mailto:scientificauthority@fws.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **Background**

On May 30, 2002, the U.S. Fish and Wildlife Service (Service), published a final rule (67 FR 37695) reclassifying the vicuña (*Vicugna vicugna*) in Argentina, Bolivia, Chile, and Peru from endangered to threatened under the ESA. The final rule also established a special rule (under section 4(d) of the ESA) allowing the importation into the United States of legal fiber and legal products produced with fiber from vicuña populations listed as threatened under the Act and in Appendix II of CITES, if certain conditions are satisfied by the exporting (range) or re-exporting country. This special rule is contained in 50 CFR 17.40(m).

The special rule contains errors in two paragraphs: (1) Paragraph (m)(2)(i)(A) on labeling requirements for legal vicuña fiber and fiber products; and (2) paragraph (m)(4)(i) on annual reporting requirements. With this technical amendment, we are correcting existing errors, as well as making changes to these paragraphs to clarify language that has been identified as unclear.

Paragraph (m)(2)(i)(A) addresses labeling requirements for legal vicuña fiber and fiber products. The special rule is perhaps not explicit enough in explaining that labeling requirements pertain to all imports, exports, and re-exports. We are amending paragraph (m)(2)(i)(A) to explicitly state that labeling requirements pertain to all imports, exports, and re-exports, including raw fiber re-exported from, or products manufactured in, intermediary countries.

Paragraph (m)(2)(i)(A)(1) specifies that cloth and cloth products must bear the logo adopted by countries signatory to the “Convenio para la Conservación y Manejo de la Vicuña,” and the words “VICUÑA–(Country of Origin)” (where country of origin is the name of the original exporting country where the vicuña fiber in the products originated, either Argentina, Bolivia, or Chile) or “VICUÑA–PERU–ARTESANIA” (for Peru only). However, the words “VICUÑA–PERU–ARTESANIA” have never been used to label cloth and cloth products from Peru. Peru uses the words “VICUÑA–PERU” for these products. We are amending paragraph (m)(2)(i)(A)(1) to reflect that only the words “VICUÑA–(Country of Origin)” are used for cloth and cloth products.

In addition, paragraph (m)(2)(i)(A)(1) does not specify how the logo and

#### **DEPARTMENT OF THE INTERIOR**

#### **Fish and Wildlife Service**

#### **50 CFR Part 17**

#### **RIN 1018–AE04**

#### **Endangered and Threatened Wildlife and Plants; Reclassification of Certain Vicuña Populations From Endangered to Threatened With a Special Rule; Technical Amendment**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** This document amends the special rule for the vicuña (*Vicugna vicugna*), as published in the **Federal Register** on May 30, 2002. The May 30, 2002, special rule allows the importation into the United States of legal fiber and legal products produced with fiber from vicuña populations listed as threatened under the U.S. Endangered Species Act of 1973 (ESA) and in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), if certain conditions are satisfied by the countries of origin and re-export. This document: (1) Corrects and clarifies the labeling requirements for legal vicuña fiber and fiber products; and (2) corrects an inadvertent typographical error in the section on annual reporting requirements.

**DATES:** This amendment to the special rule for vicuña is effective on March 29, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert R. Gabel, Chief, Division of Scientific Authority, U.S. Fish and Wildlife Service, 18th and C Streets, NW., Mail Stop ARLSQ–750,