

From	To	MEA
Typho, HI FIX .....	* Robyn, HI FIX .....	** 3000
* 3900-MCA Robyn, HI FIX, SE BND .....	SE BND .....	** 8000
** 1300-MOCA .....	NW BND .....	5000
Robyn, HI FIX .....	Kona, HI VORTEC .....	

From	To	MEA	MAA
------	----	-----	-----

**§ 95.7001 Jet Routes**  
**§ 95.7045 Jet Route J45 Is Amended To Read in Part**

# Alma, GA VORTAC .....	Macon, GA VORTAC .....	18000	45000
# Alma R-320 Unusable use Macon R-139 .....			

**§ 95.7149 Jet Route J149 Is Amended To Read in Part**

# Armel, VA VORTAC .....	Eytee, WV FIX .....	* 31000	41000
* 18000—GNSS MEA .....			
# Armel R-281 Unusable BYD 119 NM. NA Except for Aircraft Equipped With Suitable RNAV System With GPS. .....			
* GNSS Required. .....			
Eytee, WV FIX .....	Geffs, WV FIX .....	* 31000	41000
* 18000—GNSS MEA .....			
* GNSS Required .....			

From	To	Changeover points	
		Distance	From

**§ 95.8003 VOR Federal Airway Changeover Points Airway Segment V119 Is Amended To Add Changeover Point**

Newcombe, KY VORTAC .....	Henderson, WV VORTAC .....	32	Newcombe
---------------------------	----------------------------	----	----------

**V578 Is Amended To Delete Changeover Point**

Tift Myers, GA VOR .....	Alma, GA VORTAC .....	26	Tift Myers
--------------------------	-----------------------	----	------------

[FR Doc. 2011-19504 Filed 8-1-11; 8:45 am]

BILLING CODE 4910-13-P

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**48 CFR Part 1816**

RIN 2700-AD69

**NASA Implementation of Federal Acquisition Regulation (FAR) Award Fee Language Revision**

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Final rule.

**SUMMARY:** NASA has adopted, without change, an interim final rule amending the NASA FAR Supplement (NFS) to implement the FAR Award Fee revision issued in Federal Acquisition Circular (FAC) 2005-46.

**DATES:** *Effective Date:* August 2, 2011.

**FOR FURTHER INFORMATION CONTACT:** Bill Roets, NASA, Office of Procurement, Contract Management Division (Suite 5G86); (202) 358-4483; *e-mail:* [william.roets-1@nasa.gov](mailto:william.roets-1@nasa.gov).

**SUPPLEMENTARY INFORMATION:**

**A. Background**

An interim rule was published on February 8, 2011 (76 FR 6696) implementing Federal Acquisition Circular (FAC) 2005-46 which significantly revised FAR Parts 16.305, 16.401, and 16.405-2 by incorporating new requirements relative to the use of award fee incentives. Specifically, the FAR rule implemented section 814 of the John Warner 2007 National Defense Authorization Act (NDAA) and section 867 of the Duncan Hunter 2009 NDAA and which required agencies to:

- (1) Link award fees to acquisition objectives in the areas of cost, schedule, and technical performance;
- (2) Clarify that the base fee may be included in a cost plus award fee type contract at the discretion of the contracting officer;
- (3) Prescribe narrative ratings when making a percentage of award fee available;
- (4) Prohibit the issuance of award fees for a rating period if the contractor's performance is judged to be below satisfactory;
- (5) Conduct an analysis and consider the results of the analysis when determining whether to use an award fee type contract or not;

(6) Include specific content in the award fee plans; and

(7) Prohibit the rolling over of unearned award fees to subsequent rating periods.

NASA received no comments on the interim rule and has adopted the interim rule as a final rule without change.

**B. Executive Orders 12866 and 13563**

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule is not a major rule under 5 U.S.C. 804.

**C. Regulatory Flexibility Act**

NASA certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, at 5 U.S.C. 601, *et seq.*,

because it merely implements the FAR Award Fee revisions and does not impose an economic impact beyond that addressed in the FAC 2005–46 publication of the FAR final rule.

#### D. Paperwork Reduction Act

This final rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.* in accordance with the Paperwork Reduction Act.

#### List of Subjects in 48 CFR Part 1816

Government procurement.

William P. McNally,

Assistant Administrator for Procurement.

#### PART 1816—TYPES OF CONTRACTS

Accordingly, the interim rule amending 48 CFR part 1816 which was published at 76 FR 6696 on February 8, 2011, is adopted as a final rule without change.

[FR Doc. 2011–19105 Filed 8–1–11; 8:45 am]

BILLING CODE 7510–01–P

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 679

[Docket No. 101126522–0640–02]

RIN 0648–XA612

#### Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Trawl Vessels Participating in the Rockfish Entry Level Trawl Fishery in the Central Regulatory Area of the Gulf of Alaska

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

**ACTION:** Temporary rule; modification of a closure.

**SUMMARY:** NMFS is opening directed fishing for Pacific ocean perch by trawl catcher vessels participating in the rockfish entry level fishery in the Central Regulatory Area of the Gulf of Alaska (GOA) for 48 hours. This action is necessary to fully use the 2011 directed fishing allowance of Pacific ocean perch for trawl catcher vessels participating in the rockfish entry level fishery in the Central Regulatory Area of the GOA.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), July 29, 2011, through 1200 hrs, A.l.t., July 31, 2011. Comments

must be received at the following address no later than 4:30 p.m., A.l.t., August 12, 2011.

**ADDRESSES:** Send comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, Attn: Ellen Sebastian. You may submit comments, identified by 0648–XA612, by any one of the following methods:

- *Electronic Submissions:* Submit all electronic public comments via the Federal eRulemaking Portal Web site at <http://www.regulations.gov>.

- *Mail:* P.O. Box 21668, Juneau, AK 99802.

- *Fax:* (907) 586–7557.

- *Hand delivery to the Federal Building:* 709 West 9th Street, Room 420A, Juneau, AK.

All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe portable document file (pdf) formats only.

**FOR FURTHER INFORMATION CONTACT:** Steve Whitney, 907–586–7269.

**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 directed fishing for Pacific ocean perch by trawl catcher vessels participating in the rockfish entry level fishery in the Central Regulatory Area of the GOA under § 679.20(d)(1)(iii) on July 9, 2011 (publication in the **Federal Register** pending).

NMFS has determined that approximately 120 metric tons of Pacific ocean perch remain in the directed fishing allowance. Therefore, in accordance with § 679.25(a)(1)(i), (a)(2)(i)(C), and (a)(2)(iii)(D), and to fully utilize the 2011 directed fishing for

Pacific ocean perch by trawl catcher vessels participating in the rockfish entry level fishery in the Central Regulatory Area of the GOA, NMFS is terminating the previous closure and is reopening directed fishing for Pacific ocean perch by trawl catcher vessels participating in the rockfish entry level fishery in the Central Regulatory Area of the GOA. This will enhance the socioeconomic well-being of harvesters dependent upon Pacific ocean perch in this area. The Administrator, Alaska Region (Regional Administrator) considered the following factors in reaching this decision: (1) The current catch of Pacific ocean perch by trawl catcher vessels participating in the rockfish entry level fishery and, (2) the harvest capacity and stated intent on future harvesting patterns of vessels participating in this fishery.

In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance will be reached after 48 hours. Consequently, NMFS is prohibiting directed fishing for Pacific ocean perch by trawl catcher vessels participating in the rockfish entry level fishery in the Central Regulatory Area of the GOA effective 1200 hrs, A.l.t., July 31, 2011.

#### Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), 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 impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the opening of Pacific ocean perch by trawl catcher vessels participating in the rockfish entry level fishery in the Central Regulatory Area of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent and relevant data only became available as of July 27, 2011.

The AA 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 fishery for Pacific ocean perch by trawl catcher vessels participating in the rockfish