

regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasized the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The Office of Management and Budget (OMB) designated this rule as not significant according to Executive Order 12866 and therefore this rule has not been reviewed by OMB.

#### E. Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not retroactive and does not preempt State or local laws, regulations, or policies unless they present an irreconcilable conflict with this rule. Before any judicial action may be brought regarding the provisions of this rule, appeal provisions of 7 CFR parts 11 and 780 must be exhausted.

#### F. Executive Order 13132

This proposed rule has been reviewed in accordance with Executive Order 13132, Federalism, and does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. Provisions of this proposed rule will not have a substantial direct effect on States or their political subdivisions or on the distribution of power and responsibilities among the various government levels.

#### G. Unfunded Mandates Reform Act of 1995

This proposed rule contains no Federal mandates under the regulatory provisions of Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), and therefore a written statement is not required.

#### H. Executive Order 12372

This proposed rule has been reviewed in accordance with Executive Order 12372, Intergovernmental review of Federal programs, and does not establish federal financial assistance or direct Federal development with State and local governments, and is therefore outside the scope of Executive Order 12372, which requires intergovernmental consultation with State and local officials.

#### I. Executive Order 13175

This proposed rule has been reviewed in accordance with Executive Order 13175, Consultation and Coordination With Indian Tribal Governments, and does not have tribal implications or

impose unfunded mandates with Indian tribes.

#### J. E-Government Act Compliance

USDA is committed to compliance with the E-Government Act, which requires Government agencies, in general, to provide the public the option of submitting information or transacting business electronically to the maximum extent possible. This proposed rule requires one letter from requestors which can be sent electronically to USDA. USDA will continue to seek other avenues to increase electronically submitted information.

#### List of Subjects in 48 CFR Part 422

Classified information, Computer technology, Government procurement, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, the Department of Agriculture amends 48 CFR part 422, as follows:

#### PART 422—[AMENDED]

■ 1. The authority citation for part 422 continues to read as follows:

**Authority:** 5 U.S.C. 301 and 40 U.S.C. 486(c).

■ 2. Subpart 422.70 is added to read as follows:

#### Subpart 422.70—Labor Law Violations

##### 422.7001 Contract clause.

Insert the clause at 452.222–7001, *Labor Law Violations*, in solicitations and contracts that exceed the simplified acquisition threshold. Contracting officers shall report violations to the Office of Procurement and Property Management, Procurement Policy Division, within two working days following notification by the contractor.

##### 452.222–7001 Labor Law Violations.

As prescribed in 422.7001, insert the following clause:

#### Labor Law Violations (August 2011)

In accepting this contract award, the contractor certifies that it is in compliance with all applicable labor laws and that, to the best of its knowledge, its subcontractors of any tier, and suppliers, are also in compliance with all applicable labor laws. The Department of Agriculture will vigorously pursue corrective action against the contractor and/or any tier subcontractor (or supplier) in the event of a violation of labor law made in the provision of supplies and/or services under this or any other government contract. The contractor is responsible for promptly reporting to the contracting officer when formal allegations or formal findings of non-compliance of labor laws are determined. The Department of

Agriculture considers certification under this clause to be a certification for purposes of the False Claims Act. The Department will cooperate as appropriate regarding labor laws applicable to the contract which are enforced by other agencies.

(End of Clause)

Dated: November 17, 2011.

**Lisa M. Wilusz,**

*Director, Office of Procurement and Property Management.*

[FR Doc. 2011–30874 Filed 11–30–11; 8:45 am]

**BILLING CODE 3410–98–P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 575

[Docket No. NHTSA 2010–0025]

RIN 2127–AK51

### New Car Assessment Program (NCAP); Safety Labeling

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to a final rule (49 CFR 575.302), which was published in the *Federal Register* of Friday, July 29, 2011 (76 FR 45453). The final rule amended NHTSA's regulation on vehicle labeling of safety rating information to reflect the enhanced NCAP ratings program.

**DATES:** *Effective Date:* January 3, 2012.

**FOR FURTHER INFORMATION CONTACT:** For non-legal issues, you may contact Ms. Jennifer N. Dang, Office of Crashworthiness Standards (*Telephone:* (202) 366–1740) (*Fax:* (202) 493–2739). For legal issues, you may call Mr. Edward Glancy, Office of the Chief Counsel (*Telephone:* (202) 366–2992) (*Fax:* (202) 366–3820). You may send mail to both of these officials at the National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., West Building, Washington, DC 20590–0001.

#### SUPPLEMENTARY INFORMATION:

##### Background

NHTSA published in the *Federal Register* of July 29, 2011 (76 FR 45453), a final rule revising the agency's regulation on vehicle labeling of safety rating information.

##### Need for Correction

As published, the final regulation inadvertently contained several errors.

In the first sentence of section 575.302(b), pickup trucks were incorrectly listed as an example of automobiles that are required by the Automobile Information Disclosure Act (AIDA) to have Monroney labels (price sticker labels). However, AIDA does not require Monroney labels for pickup trucks.<sup>1</sup> That sentence also included a minor typographical error (the first use of the word “are” was extraneous).

In section 575.302(e)(4)(iii), the regulatory text specifying certain language for the label incorrectly indicated that the word “only” is to be in italics, when it should have indicated that the word is to be capitalized. We note that the sample label shown in Figure 2 to section 575.302 correctly shows the word capitalized.

Also, separate from the July 2011 final rule, we identified certain errors in the authority citation, which we are correcting.

#### List of Subjects in 49 CFR Part 575

Consumer protection, Motor vehicle safety, Reporting and recordkeeping requirements, Tires.

Accordingly, 49 CFR part 575 is corrected by making the following correcting amendments:

#### PART 575—CONSUMER INFORMATION

- 1. The authority citation for part 575 is revised to read as follows:

**Authority:** 49 U.S.C. 32302, 32304A, 30111, 30115, 30117, 30123, 30166, 30168, and 32908, Pub. L. 104–414, 114 Stat. 1800, Pub. L. 109–59, 119 Stat. 1144, Pub. L. 110–140, 121 Stat. 1492, 15 U.S.C. 1232(g); delegation of authority at 49 CFR 1.50.

- 2. In § 575.302, revise paragraphs (b) and (e)(4)(iii) to read as follows:

#### § 575.302 Vehicle labeling of safety rating information (compliance required for model year 2012 and later vehicles manufactured on or after January 31, 2012).

\* \* \* \* \*

(b) *Application.* This section applies to automobiles with a GVWR of 10,000 pounds or less, manufactured on or after January 31, 2012 that have vehicle identification numbers that identify the vehicles to be model year 2012 or later and that are required by the Automobile Information Disclosure Act, 15 U.S.C. 1231–1233, to have price sticker labels (Monroney labels), (e.g., passenger

vehicles, station wagons, passenger vans, and sport utility vehicles). Model Year 2012 or later vehicles manufactured prior to January 31, 2012, at the manufacturer’s option, may be labeled according to the provisions of this § 575.302 provided the ratings placed on the safety rating label are derived from vehicle testing conducted by the National Highway Traffic Safety Administration under the enhanced NCAP testing and rating program.

\* \* \* \* \*

(e) \* \* \*

(4) \* \* \*

(iii) The words “Based on the combined ratings of frontal, side and rollover” followed by the statement “Should ONLY be compared to other vehicles of similar size and weight” (on the following line) must be placed at the bottom of the overall vehicle score area and left justified.

\* \* \* \* \*

Issued On: November 23, 2011.

**Christopher J. Bonanti,**

*Associate Administrator for Rulemaking.*

[FR Doc. 2011–30910 Filed 11–30–11; 8:45 am]

**BILLING CODE 4910–59–P**

#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 0808041037–1687–03]

RIN 0648–AX05

#### Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Amendment 11

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

**ACTION:** Final rule; effectiveness of collection-of-information requirements.

**SUMMARY:** NMFS announces approval by the Office of Management and Budget (OMB) of collection-of-information requirements in regulations implementing Amendment 11 to the Atlantic Mackerel, Squid, and Butterfish (MSB) Fishery Management Plan (FMP). This final rule sets the effective date of the collection-of-information requirements.

**DATES:** The collection-of-information requirements in 50 CFR 648.4 and 648.7 are effective on December 7, 2011.

**ADDRESSES:** Written comments regarding the burden-hour estimates or

other aspects of the collection-of-information requirements contained in this final rule may be submitted to the Northeast Regional Office, NMFS, 55 Great Republic Drive, Gloucester, MA 01930, by email to [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov), or by fax to (202) 395–7285.

**FOR FURTHER INFORMATION CONTACT:** Aja Szumylo, Fishery Policy Analyst, (978) 281–9195.

#### SUPPLEMENTARY INFORMATION:

#### Background

A final rule for Amendment 11 to the MSB FMP was published in the **Federal Register** on November 7, 2011 (76 FR 68642). Details regarding the measures in Amendment 11 are in the final rule and are not repeated here. The OMB approval of the collection-of-information requirements for §§ 648.4 and 648.7 (as it relates to mackerel permit holders) had not been received by the date the final rule was submitted to the Office of the Federal Register for publication. OMB approved the collection-of-information requirements in the rule on November 9, 2011. This final rule makes the collection-of-information requirements effective.

#### Classification

NMFS previously solicited public comments on Amendment 11, including this collection of information, through the rulemaking process. NMFS received no comments on the collection of information requirements. Thus, this action merely implements portions of Amendment 11 that were previously proposed and subjected to public comment, but that under the Paperwork Reduction Act (PRA) required OMB approval in order to become effective. OMB has now approved the collection of information provisions. Because the public has already had an opportunity to comment on these provisions, an additional public comment period is unnecessary.

The AA finds good cause to waive the 30-day delayed effective date required by 5 U.S.C. 553 and make this rule effective upon publication. While the requirement to have a limited access mackerel permit is delayed until March 1, 2012, it is important to begin now the underlying administrative process in order to maximize the number of permit applications that can be acted upon by this deadline.

This final rule has been determined to be not significant for purposes of Executive Order 12866.

Notwithstanding any other provision of the law, no person is required to respond to, and no person shall be

<sup>1</sup> NHTSA provided a discussion of this issue in the preamble to a final rule published in the **Federal Register** (71 FR 53572) on September 12, 2006. See also chapter VIII, Automobile Information Disclosure, Monograph, Consumer Protection Branch, Department of Justice, available at [http://www.justice.gov/civil/docs\\_forms/CPB\\_Monograph.pdf](http://www.justice.gov/civil/docs_forms/CPB_Monograph.pdf).