

■ a. In paragraph (c)(1), remove the words “The average and individual results of testing the minimum number of samples prescribed by § 160.076–25(d)(2)” and add, in their place, the words “The materials in each inflatable chamber”; and remove the words “§ 160.076–21(b) and (c)” and add, in their place, the words “Table 29.1 of UL 1191 (incorporated by reference, see § 160.076–11)”;

■ b. In paragraph (c)(2), remove the words “§ 160.076–21(d)(2)(iv). The results for each inflation chamber must be at least 90% of the results obtained in approval testing” and add, in their place, the words “Table 29.1 of UL 1191”;

■ c. In paragraph (c)(3), after the words “UL 1180”, add the words “(incorporated by reference, see § 160.076–11)”, and remove the number “7.15”, and add, in its place, the number “41”;

■ d. In paragraph (c)(4), after the words “UL 1180 section”, remove the number “7.16”, and add, in its place, the number “42”;

■ e. In paragraph (c)(5), after the words “UL 1180 section”, remove the words “7.2.2–7.2.10, except 7.2.5” and add, in their place, the number “29”; and

■ f. In paragraph (c)(6), after the words “UL 1180 section”, remove the words “7.4.1 and .2” and add, in their place, the number “31”.

#### § 160.076–35 [Amended]

■ 12. Amend § 160.076–35 by adding the words “(incorporated by reference, see § 160.076–11)” after the words “UL 1123”.

#### § 160.076–37 [Amended]

■ 13. Amend § 160.076–37(b) by removing the words “section 11 of” after the words “specified in” and by adding the words “(incorporated by reference, see § 160.076–11)” after the words “UL 1180”.

#### § 160.076–39 [Amended]

■ 14. Amend § 160.076–39 as follows:

■ a. In paragraph (a), remove the words “section 10” and add, in their place, the words “(incorporated by reference, see § 160.076–11)”; and

■ b. Remove paragraph (e).

Dated: March 22, 2012.

**J.G. Lantz,**

*Director of Commercial Regulations and Standards, U.S. Coast Guard.*

[FR Doc. 2012–7791 Filed 4–2–12; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### 49 CFR Part 10

[Docket No. DOT–OST–1996–1437]

RIN 2105–AD85

#### Privacy Act of 1974: Implementation of Exemptions; DOT/ALL 24—Departmental Office of Civil Rights System System of Records

**AGENCY:** Department of Transportation (DOT), Office of the Secretary (OST).

**ACTION:** Final rule.

**SUMMARY:** The Department of Transportation is issuing a final rule to amend its regulations to exempt portions of a newly established or updated and reissued system of records titled, “DOT/ALL 24—Departmental Office of Civil Rights System” from certain provisions of the Privacy Act. Specifically, the Department exempts portions of the “DOT/ALL 24—Departmental Office of Civil Rights System” from one or more provisions of the Privacy Act because of criminal, civil, and administrative enforcement requirements.

**DATES:** This final rule is effective April 3, 2012.

#### FOR FURTHER INFORMATION CONTACT:

Claire W. Barrett, Departmental Chief Privacy Officer, Office of the Chief Information Officer, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590 or [privacy@dot.gov](mailto:privacy@dot.gov) or (202) 366–8135.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department of Transportation (DOT), Office of the Secretary (OST) published a notice of proposed rulemaking in the **Federal Register** (76 FR 71930) November 21, 2011, proposing to exempt portions of the system of records from one or more provisions of the Privacy Act because of criminal, civil, and administrative enforcement requirements. The system of records that is the subject of the notice of proposed rulemaking is the DOT/ALL 24—Departmental Office of Civil Rights System of Records. The DOT/ALL 24—Departmental Office of Civil Rights System system of records notice was published in the **Federal Register** (76 FR 71108) November 16, 2011, and comments were invited on both the Notice of Proposed Rulemaking (NPRM) and System of Records Notice (SORN). The notice of proposed rulemaking was inadvertently published under RIN 2105–AD11, and was entitled

“Maintenance of and Access to Records Pertaining to Individuals; Proposed Exemption.” In addition, the notice of proposed rulemaking indicated that the proposed rule would add a new paragraph 8 to Part II.A of the Appendix to Part 10. The notice of proposed rulemaking should have stated that the proposed rule would add a new paragraph 9 to Part II.A of the Appendix to Part 10. The final rule has been revised accordingly.

#### Public Comments

DOT received no comments on the NPRM and no comments on the SORN.

#### Regulatory Analysis and Notices

This final rule is not a “significant regulatory action” within the meaning of Executive Order 12886. It is also not significant within the definition in DOT’s Regulatory Policies and Procedures, 49 FR 11034 (1979), in part because it does not involve any change in important Departmental policies. Because the economic impact should be minimal, further regulatory evaluation is not necessary. Moreover, I certify that this rule does not have a significant economic impact on a substantial number of small entities, because the reporting requirements, themselves, are not changed and because it applies only to information on individuals that is maintained by the Federal Government.

This rule does not significantly affect the environment, and therefore an environmental impact statement is not required under the National Environmental Policy Act of 1969. It has also been reviewed under Executive Order 12612, Federalism, and it has been determined that it does not have sufficient implications for federalism to warrant preparation of a Federalism Assessment.

This rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13084 (“Consultation and Coordination with Indian Tribal Governments”). Because it has no effect on Indian Tribal Governments, the funding and consultation requirements of Executive Order 13084 do not apply.

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires an agency to review regulations to assess their impact on small entities unless the agency determines that a rule is not expected to have a significant economic impact on a substantial number of small entities. I hereby certify that this rule does not have a significant economic impact on a substantial number of small entities.

This rule imposes no new information reporting or record keeping necessitating clearance by the Office of

Management and Budget. The Department has determined that the requirements of Title II of the Unfunded Mandates Reform Act of 1995 do not apply to this document.

#### List of Subjects in 49 CFR Part 10

Privacy.

In consideration of the foregoing, DOT amends Part 10 of Title 49, Code of Federal Regulations, as follows:

#### PART 10—[AMENDED]

■ 1. The authority citation for part 10 continues to read as follows:

**Authority:** 5 U.S.C. 552a; 49 U.S.C. 322.

■ 2. The appendix to part 10 is amended by republishing Part II, A introductory text and adding paragraph 9 to read as follows:

#### Appendix to Part 10—Exemptions.

\* \* \* \* \*

#### Part II. Specific Exemptions

A. The following systems of records are exempt from subsection (c)(3) (Accounting of Certain Disclosures), (d) (Access to Records), (e)(4)(G), (H), and (I) (Agency Requirements), and (f) (Agency Rules) of 5 U.S.C. 552a, to the extent that they contain investigatory material compiled for law enforcement purposes, in accordance 5 U.S.C. 552a(k)(2):

\* \* \* \* \*

9. Departmental Office of Civil Rights System (DOCRS).

\* \* \* \* \*

Issued in Washington, DC, on February 22, 2012.

**Nitin Pradhan,**

*Chief Information Officer.*

[FR Doc. 2012-7980 Filed 4-2-12; 8:45 am]

**BILLING CODE 4910-62-P**

#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 120316196-2195-01]

RIN 0648-BB89

#### Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Interim Action

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

**ACTION:** Temporary rule; interim measures; request for comments.

**SUMMARY:** This temporary rule implements interim Gulf of Maine (GOM) Atlantic cod (cod) management measures for the 2012 fishing year. This action is necessary to: Establish GOM cod Annual Catch Limits (ACLs); implement recreational management measures that will constrain catch to the recreational sub-ACL; and reduce overfishing occurring on GOM cod in anticipation of further action to end overfishing in fishing year 2013.

**DATES:** Effective May 1, 2012, until September 30, 2012; comments must be received by June 4, 2012.

**ADDRESSES:** You may submit comments on this document, identified by “NOAA-NMFS-2012-0045,” by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal [www.regulations.gov](http://www.regulations.gov). To submit comments via the e-Rulemaking Portal, first click the “submit a comment” icon, then enter NOAA-NMFS-2012-0045 in the keyword search. Locate the document you wish to comment on from the resulting list and click on the “Submit a Comment” icon on the right of that line.

- **Mail:** Submit written comments to Daniel Morris, Acting Regional Administrator, 55 Great Republic Drive, Gloucester, MA 01930.

- **Fax:** (978) 281-9135.

**Instructions:** Comments must be submitted by one of the above methods to ensure that the comments are received, documented, and considered by NMFS. Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the sender will 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 or Excel, WordPerfect, or Adobe PDF file formats only.

Copies of the supplemental environmental assessment (EA) prepared for this action by NMFS are available from Daniel Morris, Acting Regional Administrator, 55 Great

Republic Drive, Gloucester, MA 01930. The supplemental EA is accessible via the Internet at <http://www.nero.noaa.gov>. A copy of the most recent stock assessment for GOM cod is also accessible via the Internet at <http://www.nefsc.noaa.gov/groundfish>.

**FOR FURTHER INFORMATION CONTACT:** Michael Ruccio, Fishery Policy Analyst, phone: 978-281-9104.

#### SUPPLEMENTARY INFORMATION:

#### Plain Language Executive Summary

A recent assessment of the amount of cod found in the GOM was finalized in January 2012. The results are substantially different from those from a similar examination conducted in 2008. The new assessment concludes that GOM cod are “overfished,” meaning there is a lower amount of fish than necessary to sustain the population over the long term. It also concludes that GOM cod are subject to “overfishing,” meaning fishing activities are removing too many fish from the sea to sustain the population. The required population and fishing-related removal levels are set for GOM cod under a fishery management plan developed by the New England Fishery Management Council (Council) in collaboration with NMFS. This plan is designed to satisfy requirements of the primary law governing U.S. fisheries—the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

The new assessment indicates that increasing GOM cod to the rebuilding stock size target is not possible by 2014, even if no cod are harvested by fisheries between now and then. Based on the information in the new assessment, NMFS has determined that the GOM cod rebuilding program is not making adequate progress toward building the stock to the required size. NMFS has notified the Council of this finding. Based on this notification and in accordance with Magnuson-Stevens Act requirements, the Council must revisit the GOM cod rebuilding plan and revise it within the next two years so that the recovery effort is back on track. NMFS also advised the Council that there is some limited flexibility the agency may use to reduce, rather than end, overfishing on GOM cod for up to one year. The Council had originally intended to use the new assessment information and recommend measures for fishing year 2012 (May 1, 2012–April 30, 2013). However, the Council elected not to do so, based on concerns about the new assessment. Instead, the Council has asked NMFS to implement interim measures for the fishing year,