

- c. In the Alternate I clause—
- i. In the clause heading, removing the date “(AUG 2016)” and adding “(DEC 2016)” in its place; and
- ii. In paragraph (a), the definition of “Qualifying country”, adding, in alphabetical order, the country of “Estonia”.

**252.225–7002 [Amended]**

- 5. Section 252.225–7002 is amended by—
- a. In the clause heading, removing the date “(AUG 2016)” and adding “(DEC 2016)” in its place; and
- b. In paragraph (a), the definition of “Qualifying country”, adding, in alphabetical order, the country of “Estonia”.

**252.225–7012 [Amended]**

- 6. Section 252.225–7012 is amended by—
- a. In the clause heading, removing the date “(JUL 2016)” and adding “(DEC 2016)” in its place; and
- b. In paragraph (a), the definition of “Qualifying country”, adding, in alphabetical order, the country of “Estonia”.

**252.225–7017 [Amended]**

- 7. Section 252.225–7017 is amended by—
- a. In the clause heading, removing the date “(SEP 2016)” and adding “(DEC 2016)” in its place; and
- b. In paragraph (a), the definition of “Qualifying country”, adding, in alphabetical order, the country of “Estonia”.

**252.225–7021 [Amended]**

- 8. Section 252.225–7021 is amended by—
- a. In the clause heading, removing the date “(SEP 2016)” and adding “(DEC 2016)” in its place;
- b. In paragraph (a), the definition of “Qualifying country”, adding, in alphabetical order, the country of “Estonia”; and
- c. In the Alternate II clause—
- i. In the clause heading, removing the date of “(SEP 2016)” and adding “(DEC 2016)” in its place; and
- ii. In paragraph (a), the definition of “Qualifying country”, adding, in alphabetical order, the country of “Estonia”.

**252.225–7036 [Amended]**

- 9. Section 252.225–7036 is amended by—
- a. In the clause heading, removing the date “(AUG 2016)” and adding “(DEC 2016)” in its place;
- b. In paragraph (a), the definition of “Qualifying country”, adding, in alphabetical order, the country of “Estonia”;

- c. In the Alternate I clause—
- i. In the clause heading, removing the date “(AUG 2016)” and adding “(DEC 2016)” in its place; and
- ii. In paragraph (a), the definition of “Qualifying country”, adding, in alphabetical order, the country of “Estonia”;
- d. In the Alternate II clause—
- i. In the clause heading, removing the date “(AUG 2016)” and adding “(DEC 2016)” in its place; and
- ii. In paragraph (a), the definition of “Qualifying country”, adding, in alphabetical order, the country of “Estonia”;
- e. In the Alternate III clause—
- i. In the clause heading, removing the date “(AUG 2016)” and adding “(DEC 2016)” in its place; and
- ii. In paragraph (a), the definition of “Qualifying country”, adding, in alphabetical order, the country of “Estonia”;
- f. In the Alternate IV clause—
- i. In the clause heading, removing the date “(AUG 2016)” and adding “(DEC 2016)” in its place; and
- ii. In paragraph (a), the definition of “Qualifying country”, adding, in alphabetical order, the country of “Estonia”; and
- g. In the Alternate V clause—
- i. In the clause heading, removing the date “(AUG 2016)” and adding “(DEC 2016)” in its place; and
- ii. In paragraph (a), the definition of “Qualifying country”, adding, in alphabetical order, the country of “Estonia”.

[FR Doc. 2016–30598 Filed 12–21–16; 8:45 am]

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**DEPARTMENT OF DEFENSE****Defense Acquisition Regulations System****48 CFR Part 232**

[Docket DARS–2016–0009]

RIN 0750–AI90

**Defense Federal Acquisition Regulation Supplement: Contract Financing (DFARS Case 2015–D026)**

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) by providing that contracting officers are not required to further justify a decision to provide customary

contract financing, other than loan guarantees and advance payments identified in FAR part 32, for certain fixed-price contracts.

**DATES:** Effective December 22, 2016.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mark Gomersall, telephone 571–372–6099.

**SUPPLEMENTARY INFORMATION:****I. Background**

DoD published a proposed rule in the **Federal Register** at 81 FR 42607 on June 30, 2016, to revise the DFARS regarding the use of customary contract financing, other than loan guarantees and advance payments identified in FAR part 32, on fixed-price contracts with a period of performance in excess of one year that meet the dollar thresholds established in FAR 32.104(d). DoD has determined that the use of such customary contract financing provides improved cash flow as an incentive for commercial companies to do business with DoD, is in the Department’s best interest, and requires no further justification of its use.

**II. Discussion and Analysis**

No public comments were submitted in response to the proposed rule. Therefore, there are no changes from the proposed rule made in the final rule.

**III. Applicability to Contracts at or Below the Simplified Acquisition Threshold and for Commercial Items, Including Commercially Available Off-the-Shelf Items**

This final rule only provides DoD policy regarding providing contract financing for certain fixed-priced contracts. The rule does not add any new provisions or clauses or impact any existing provisions or clauses.

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

## V. Regulatory Flexibility Act

A final regulatory flexibility analysis has been prepared consistent with the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, and is summarized as follows:

The objective of the rule is to clarify that the use of certain customary contract financing does not require further justification, as it has been determined to be in DoD's best interest for fixed-price contracts with a period of performance in excess of one year that meet the dollar thresholds in FAR 32.104(d).

DoD does not expect this final rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* This rule only changes processes that are internal to the Government and does not have any impact on small entities.

There were no significant issues raised by the public in response to the initial regulatory flexibility analysis.

There is no change to reporting or recordkeeping as a result of this rule.

There are no known significant alternative approaches to the rule that would meet the requirements.

## VI. Paperwork Reduction Act

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

### List of Subjects in 48 CFR Part 232

Government procurement.

**Jennifer L. Hawes,**

*Editor, Defense Acquisition Regulations System.*

Therefore, 48 CFR part 232 is amended as follows:

### PART 232—CONTRACT FINANCING

■ 1. The authority citation for part 232 continues to read as follows:

**Authority:** 41 U.S.C. 1303 and 48 CFR chapter 1.

■ 2. Add section 232.104 to subpart 232.1 to read as follows:

#### 232.104 Providing contract financing.

For fixed-price contracts with a period of performance in excess of a year that meet the dollar thresholds established in FAR 32.104(d), and for solicitations expected to result in such contracts, in lieu of the requirement at FAR 32.104(d)(1)(ii) for the contractor to demonstrate actual financial need or the unavailability of private financing, DoD has determined that—

(1) The use of customary contract financing (see FAR 32.113), other than loan guarantees and advance payments, is in DoD's best interest; and

(2) Further justification of its use in individual acquisitions is unnecessary.

[FR Doc. 2016–30596 Filed 12–21–16; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 161017970–6999–02]

**RIN 0648–XE976**

#### Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2017–2018 Summer Flounder Specifications and Announcement of 2017 Summer Flounder and Black Sea Bass Commercial Accountability Measures

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

**ACTION:** Final rule.

**SUMMARY:** In this rule, NMFS issues revised final 2017 and 2018 specifications for the summer flounder fishery, which include commercial and recreational catch limits and prohibit federally permitted commercial fishing vessels from landing summer flounder in Delaware in 2017 due to continued quota repayment from previous years' overages. NMFS also announces a black sea bass commercial accountability measure that revises the 2017 annual catch target and commercial quota to account for a catch overage in 2015. These actions are necessary to comply with regulations implementing the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan, and to ensure compliance with the Magnuson-Stevens Fishery Conservation and Management Act. The intent of this action is to establish harvest levels and other management measures based on updated scientific information to ensure that summer flounder are not overfished or subject to overfishing in 2017 and 2018, and to enact the catch limit adjustments that are required by the fishery management plan.

**DATES:** Effective January 1, 2017, through December 31, 2018.

**ADDRESSES:** Copies of the specifications document, consisting of a supplemental environmental assessment (SEA), Initial

Regulatory Flexibility Analysis (IRFA), other supporting documents used by the Mid-Atlantic Fishery Management Council and its committees, and the original environmental assessment for the 2016–2018 summer flounder, scup, and black sea bass specifications are available from Dr. Christopher Moore, Executive Director, Mid-Atlantic Fishery Management Council, Suite 201, 800 North State Street, Dover, DE 19901. The specifications document is also accessible via the Internet at <http://www.greateratlantic.fisheries.noaa.gov>. The Final Regulatory Flexibility Analysis (FRFA) consists of the IRFA, public comments and responses contained in this final rule, and the summary of impacts and alternatives contained in this final rule. Copies of the small entity compliance guide are available from John K. Bullard, Regional Administrator, Greater Atlantic Region, National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930–2298.

**FOR FURTHER INFORMATION CONTACT:** Emily Gilbert, Fishery Policy Analyst, (978) 281–9244.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission cooperatively manage the summer flounder, scup, and black sea bass fisheries. The Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) and its implementing regulations outline the Council's process for establishing specifications. Specifications in these fisheries include various catch and landing subdivisions, such as the commercial and recreational sector annual catch limits (ACLs), annual catch targets (ACTs), and sector-specific landing limits (*i.e.*, the commercial fishery quota and recreational harvest limit). Annual specifications may be established for three-year periods, and, in interim years, specifications are reviewed by the Council to ensure previously established multi-year specifications remain appropriate. The FMP and its implementing regulations also outline the Council's process for establishing specifications. Requirements of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), including the 10 national standards, also apply to specifications.

The most recent specifications for summer flounder, scup, and black sea bass fisheries were established in a December 28, 2015, final rule (80 FR