

provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). “Burden” is defined at 5 CFR 1320.3(b). Executive Order 12898 (59 FR 7629, February 16, 1994) establishes federal executive policy on environmental justice. Its main provision directs federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States. Because this action proposes authorization of pre-existing State rules which are at least equivalent to, and no less stringent than existing Federal requirements, and imposes no additional requirements beyond those imposed by State law, and there are no anticipated significant adverse human health or environmental effects, this proposed rule is not subject to Executive Order 12898.

#### List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements.

**Authority:** This action is issued under the authority of sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act as amended, 42 U.S.C. 6912(a), 6926, and 6974(b).

Dated: August 5, 2019.

Mary S. Walker,

Regional Administrator, Region 4.

[FR Doc. 2019-18239 Filed 8-22-19; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 73 and 76

[MB Docket No. 19-177; FCC 19-721]

### Review of EEO Compliance and Enforcement in Broadcast and Multichannel Video Programming Industries

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document announces that the Federal Communications Commission granted a motion filed by

the Multicultural Media, Telecom and Internet Council (MMTC) in MB Docket No. 19-177 to extend the deadlines for filing comments and replies in response to the Commission’s document on possible improvements to equal employment opportunity (EEO) compliance and enforcement.

**DATES: Comments Due:** September 20, 2019. **Replies Due:** November 4, 2019.

**ADDRESSES: Electronic Filers:** Comments may be filed electronically using the internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.

**Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing.

- Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission’s Secretary must be delivered to FCC Headquarters at 445 12th St. SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of *before* entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW, Washington, DC 20554.

For detailed instructions on submitting comments and replies and additional information on the rulemaking process, see the Commission’s *Proposed Rule*, MB Docket No. 19-177, FCC 19-54, adopted June 12, 2019, and released June 21, 2019.

#### FOR FURTHER INFORMATION CONTACT:

Radhika Karmarkar, Industry Analysis Division, Media Bureau, [Radhika.Karmarkar@fcc.gov](mailto:Radhika.Karmarkar@fcc.gov), (202) 418-1523.

**SUPPLEMENTARY INFORMATION:** This document summarizes the Media Bureau’s Order in MB Docket No. 19-177 which was adopted and released July 30, 2019. On July 25, 2019, MMTC filed a motion requesting an extension of time to file comments and replies until September 20, 2019, and November 4, 2019, respectively in response to the Commission’s Proposed

Rule in MB Docket No. 19-177, FCC 19-54 (rel. June 21, 2019), 84 FR 35063, July 22, 2019. For good cause shown, the Media Bureau, pursuant to delegated authority, granted the motion. Comments were originally due August 21, 2019, and replies were due September 5, 2019. Grant of the MMTC’s request makes comments now due on September 20, 2019 and replies due on November 4, 2019. This proceeding is treated as “permit-but-disclose” for purposes of the Commission’s *ex parte* rules. See generally 47 CFR 1.200-1.216. As a result of the permit but disclose status, *ex parte* presentations will be governed by the procedures set forth in Section 1.1206 of the Commission’s rules applicable to non-restricted proceedings. The full text of the Media Bureau’s Order in Docket No. 19-177 is available electronically at <https://ecfsapi.fcc.gov/file/0730148503545/DA-19-721A1.pdf>.

**People With Disabilities.** To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

Federal Communications Commission.

Marlene Dortch,  
Secretary.

[FR Doc. 2019-18231 Filed 8-22-19; 8:45 am]

BILLING CODE 6712-01-P

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

#### 48 CFR Part 52

[FAR Case 2018-022; Docket No. FAR-2019-0010, Seq. No. 01]

RIN 9000-AN80

### Federal Acquisition Regulations: Orders Issued via Fax or Electronic Commerce

**AGENCY:** Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Proposed rule.

**SUMMARY:** DoD, GSA, and NASA are proposing to amend a Federal Acquisition Regulation (FAR) clause to permit the issuance of task or delivery orders via fax or electronic commerce

and clarify when an order is considered “issued” when using these methods.

**DATES:** Interested parties should submit written comments to the Regulatory Secretariat at one of the addresses shown below on or before October 22, 2019 to be considered in the formulation of a final rule.

**ADDRESSES:** Submit comments identified by FAR Case 2018–022 by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by entering “FAR Case 2018–022” under the heading “Enter keyword or ID” and selecting “Search.” Select the link “Comment Now” that corresponds with “FAR Case 2018–022.” Follow the instructions provided on the screen. Please include your name, company name (if any), and “FAR Case 2018–022” on your attached document.

- *Mail:* General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Second floor, ATTN: Lois Mandell, Washington, DC 20405.

*Instructions:* Please submit comments only and cite “FAR Case 2018–022” in all correspondence related to this case. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Mr. Curtis E. Glover, Sr., Procurement Analyst, at 202–501–1448 for clarification of content. Please cite FAR Case 2018–022. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at (202) 501–4755. Please cite “FAR Case 2018–022.”

#### SUPPLEMENTARY INFORMATION:

##### I. Background

DoD, GSA, and NASA are proposing to amend the FAR to update a clause to permit the issuance of task or delivery orders via fax or electronic commerce, and to clarify when an order is considered to be “issued” when using these methods. FAR clause 52.216–18, Ordering, currently states that task or delivery orders may be issued orally, by facsimile, or electronic commerce only if authorized in the contract schedule. If mailed, task or delivery orders are considered “issued” when the Government puts the order in the mail. The clause is included in solicitations and contracts when an indefinite-delivery definite-quantity, requirements, or indefinite-delivery indefinite-quantity contract is contemplated.

As part of today’s business environment, the Government and Federal contractors frequently use email, fax, or other electronic commerce methods to communicate with one another. In an effort to reflect current business practices and maintain speed and efficiency in the ordering process, this rule updates FAR clause 52.216–18 to no longer require a separate authorization in the contract to use electronic commerce or fax to issue task or delivery orders. The rule also identifies when a task or delivery order is considered “issued” when using such methods. As a result, contracting officers will no longer need to include supplemental ordering language in the contract when anticipating the use of fax or electronic commerce to issue task or delivery orders. Ordering information will be located in one place in the contract. A common understanding of when a task or delivery order is considered issued, in such situations, will be applied Governmentwide.

As task or delivery orders are not issued orally as frequently as other issuance methods and the use of such a method is dependent upon the particular circumstances of the procurement, the authority to issue orders orally must still be authorized under the contract and is not being amended by this rule.

##### II. Discussion and Analysis

This rule proposes to amend FAR clause 52.216–18, Ordering, to (1) remove the language stating that the use of fax or electronic commerce may only be used if authorized in the contract; and (2) identify the point in time in which a task or delivery order is considered issued when sent by fax or electronically.

##### III. Applicability to Contracts at or Below the Simplified Acquisition Threshold (SAT) and for Commercial Items, Including Commercially Available Off-the-Shelf (COTS) Items

This proposed rule does not create any new provisions or clauses, nor does it change the applicability or burden of any existing provisions or clauses included in solicitations and contracts valued at or below the SAT, or for commercial items, including COTS items.

##### 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. Executive Order 13771

This rule is not subject to E.O. 13771, because this rule is not a significant regulatory action under E.O. 12866.

##### VI. Regulatory Flexibility Act

DoD, GSA, and NASA do not expect this 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.* However, an initial regulatory flexibility analysis (IRFA) has been performed and is summarized as follows:

The Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA) are proposing to revise the Federal Acquisition Regulation (FAR) to update a clause to automatically permit the issuance of task or delivery orders via fax or electronic commerce, without additional authorization text in the contract and to clarify when an order is considered to be “issued” when using these methods.

The objective of the rule is to update the clause language to reflect current business practices and maintain speed and efficiency when issuing task and delivery orders under a contract.

DoD, GSA, and NASA do not expect this 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.* The rule simply formalizes a current business practice. The Government does not collect data on the total number of task and delivery orders issued by mail, fax, and/or electronic commerce. However, the Federal Procurement Data System (FPDS) provides the following information for fiscal year 2018:

The Federal Government awarded approximately 17,690 new indefinite-delivery indefinite-quantity, indefinite-delivery definite-quantity, and requirements contracts; of which approximately 62% were awarded to approximately 7,420 unique small businesses.

The proposed rule does not impose any Paperwork Reduction Act reporting, recordkeeping, or other compliance requirements on any small entities. The proposed rule does not duplicate, overlap, or conflict with any other Federal rules. There are no known significant alternative approaches to the proposed rule that would meet the proposed objectives.

The Regulatory Secretariat has submitted a copy of the IRFA to the Chief Counsel for Advocacy of the Small Business Administration. A copy of the IRFA may be obtained from the Regulatory Secretariat. DoD, GSA, and NASA invite comments from small business concerns and other interested parties on the expected impact of this rule on small entities.

DoD, GSA, and NASA will also consider comments from small entities concerning the existing regulations in subparts affected by this rule consistent with 5 U.S.C. 610. Interested parties must submit such comments separately and should cite 5 U.S.C. 610 (FAR Case 2018-022) in correspondence.

**VII. 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 52**

Government procurement.

**William F. Clark,**

*Director, Office of Government-wide Acquisition Policy, Office of Acquisition Policy, Office of Government-wide Policy.*

Therefore, DoD, GSA, and NASA propose amending 48 CFR part 52 as set forth below:

**PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

■ 1. The authority citation for 48 CFR part 52 continues to read as follows:

**Authority:** 40 U.S.C. 121(c); 10 U.S.C. chapter 137; and 51 U.S.C. 20113.

■ 2. Amend section 52.216-18 by—

- a. Revising the date of the clause;
- b. Revising paragraph (c); and
- c. Adding paragraph (d).

The revisions and additions reads as follows:

**52.216-18 Ordering.**

\* \* \* \* \*

**Ordering (Date)**

\* \* \* \* \*

(c) A delivery order or task order is considered “issued” when—

(1) If sent by mail (includes transmittal by U.S. mail or private delivery service), the Government deposits the order in the mail;

(2) If sent by fax, the Government transmits the order to the Contractor’s fax number; or

(3) If sent electronically, the Government either—

(i) Posts a copy of the delivery order or task order to a Government document access system, and notice is sent to the Contractor; or

(ii) Distributes the delivery order or task order via email to the Contractor’s email address.

(d) Orders may be issued by methods other than those enumerated in this clause only if authorized in the contract.

(End of clause)

[FR Doc. 2019-18141 Filed 8-22-19; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 660**

[Docket No. 190816-0016]

RIN 0648-BJ22

**Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Biennial Specifications**

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

**ACTION:** Proposed rule.

**SUMMARY:** NMFS proposes to implement allowable catch levels, an overfishing limit, an allowable biological catch, and an annual catch limit for Pacific mackerel in the U.S. exclusive economic zone off the West Coast (California, Oregon and Washington) for the fishing seasons 2019-2020 and 2020-2021. This rule is proposed pursuant to the Coastal Pelagic Species Fishery Management Plan. The proposed harvest guideline and annual catch target for the 2019-2020 fishing season are 11,109 metric tons (mt) and 10,109 mt, respectively. The proposed harvest guideline and annual catch target for the 2020-2021 fishing season are 7,950 mt and 6,950 mt, respectively. If the fishery attains the annual catch target in either fishing season, the directed fishery will close, reserving the 1,000-mt difference between the harvest guideline and annual catch target as a set-aside for incidental landings in other Coastal Pelagic Species fisheries and other sources of mortality. This rule is intended to conserve and manage the Pacific mackerel stock off the U.S. West Coast.

**DATES:** Comments must be received by September 23, 2019.

**ADDRESSES:** You may submit comments on this document, identified by NOAA-NMFS-2019-0087, by any of the following methods:

• **Electronic Submissions:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2019-0087](http://www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2019-0087), click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

• **Mail:** Submit written comments to Lynn Massey, Sustainable Fisheries Division, West Coast Region, NMFS, 501 W Ocean Blvd., Ste. 4200, Long Beach, CA 90802-4250.

• **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).

Copies of the report, “Pacific Mackerel Stock Assessment for U.S. Management in 2019-2020 and 2020-2021” may be obtained from the Long Beach NMFS office or viewed at the following website: [https://www.pcouncil.org/wpcontent/uploads/2019/05/F3\\_Att1\\_Mackerel\\_Stock\\_Assessment\\_Full\\_Electric\\_Only\\_Jun2019BB.pdf](https://www.pcouncil.org/wpcontent/uploads/2019/05/F3_Att1_Mackerel_Stock_Assessment_Full_Electric_Only_Jun2019BB.pdf).

**FOR FURTHER INFORMATION CONTACT:** Lynn Massey, West Coast Region, NMFS, [Lynn.Massey@noaa.gov](mailto:Lynn.Massey@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1801 et seq., NMFS manages the Pacific mackerel fishery in the U.S. exclusive economic zone (EEZ) off the West Coast in accordance with the Coastal Pelagic Species (CPS) Fishery Management Plan (FMP). The CPS FMP and its implementing regulations require NMFS to set annual harvest specifications for the Pacific mackerel fishery based on the annual specification framework and