

and procedures for questioning and disallowing costs charged to LSC funds based on violations of substantive restrictions appearing in the LSC statutes, regulations, and other requirements. Furthermore, the proposed approach ensures that LSC has one standard, set out in Part 1610, for determining whether a recipient has used non-LSC funds in violation of the restrictions.

In this rulemaking, the commenters asked LSC to retain the omission so that § 1630.16 would not permit LSC to disallow costs for the unauthorized use of public, non-LSC funds in violation of the LSC Act Restrictions. They provided no rationale, however, as to why such an exception should exist for public funds but not for private or tribal funds. They also did not address why such an exception should exist when public funds are used in violation of the LSC Act Restrictions but not when public funds are used in violation of the Appropriations Restrictions.

### III. Elimination of the Conflict Between Parts 1610 and 1630

LSC proposes to harmonize parts 1610 and 1630 with new text in § 1630.16(a) that will replace the existing § 1630.16(a) and (b) and that will reference the substantive rules on non-LSC funds set out in part 1610. Doing so will eliminate the conflict between the rules. It will also incorporate into § 1630.16 the more detailed information about the application of these restrictions to non-LSC funds set out in the proposed part 1610. These revisions capture the statutory requirements more accurately than the current text of either § 1630.16 or part 1610.

The Proposed Rule would provide at § 1630.16(a) that:

No cost may be charged to non-LSC funds in violation of §§ 1610.3 or 1610.4 of this chapter.

The referenced sections of part 1610 are as set out in the Proposed Rule at 84 FR 39787. That proposed text would replace the existing text at § 1630.16(a) and (b) that provides (emphasis added):

(a) No costs attributable to a purpose prohibited by the LSC Act, as defined by 45 CFR 1610.2(a), may be charged to private funds, except for tribal funds used for the specific purposes for which they were provided.

(b) No cost attributable to an activity prohibited by or inconsistent with Public Law 103–134, title V, sec. 504, as defined by 45 CFR 1610.2(b), may be charged to non-LSC funds, except for tribal funds used for the specific purposes for which they were provided.

Part 1600 defines “non-LSC funds” as “any funds that are not Corporation

funds or LSC funds,” which includes private funds, public funds, and tribal funds. Part 1610 defines “private funds,” “public funds,” and “tribal funds.”

### IV. Request for Comments

LSC requests public comments on this proposal. Comments that propose keeping the gap between part 1610 and § 1630.16 must:

1. Identify a valid purpose for the gap consistent with the statutory restrictions;

2. Explain why, for the LSC Act Restrictions, § 1630.16 should not apply to unauthorized uses of public funds that violate the LSC Act while continuing to apply to unauthorized uses of tribal funds that violate the LSC Act;

3. Explain why § 1630.16 should not apply to unauthorized uses of public funds that violate the LSC Act while continuing to apply to any uses of public funds that violate the restrictions in the LSC appropriation.

Comments that otherwise oppose the proposed cross reference to part 1610 in § 1630.16(a) must provide a justification for any distinction between the rules for the use on non-LSC funds in part 1610 and in § 1630.16, including justifying the distinction consistent with the statutory restrictions and justifying any distinctions in § 1630.16 among the different types of restrictions on non-LSC funds set out in part 1610.

### List of Subjects in 45 CFR Part 1630

Accounting, Government contracts, Grant programs—law, Hearing and appeal procedures, Legal services, Questioned costs.

For the reasons set forth in the preamble, the Legal Services Corporation proposes to amend 45 CFR chapter XVI as follows:

### PART 1630—COST STANDARDS AND PROCEDURES

■ 1. The authority citation for part 1630 continues to read as follows:

**Authority:** 42 U.S.C. 2996g(e).

■ 2. Revise § 1630.16 to read as follows:

#### § 1630.16 Applicability to non-LSC funds.

(a) No cost may be charged to non-LSC funds in violation of §§ 1610.3 or 1610.4 of this chapter.

(b) LSC may recover from a recipient’s LSC funds an amount not to exceed the amount improperly charged to non-LSC funds. The review and appeal procedures of §§ 1630.11 and 1630.12 govern any decision by LSC to recover funds under this paragraph.

Dated: February 4, 2020.

**Mark Freedman,**

*Senior Associate General Counsel.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 200121–0026]

RIN 0648–BJ38

### Fisheries of the Northeastern United States; Implementing Permitting and Reporting for Private Recreational Tilefish Vessels; Correction

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

**ACTION:** Proposed rule; correction.

**SUMMARY:** This action corrects errors in the comment identifier and the comments link specified in the **ADDRESSES** section of the proposed rule to implement permitting and reporting for private recreational tilefish vessel published in the **Federal Register** on January 29, 2020.

**DATES:** February 7, 2020.

**ADDRESSES:** You may submit comments, identified by NOAA–NMFS–2020–0005, by either 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-2020-0005](http://www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2020-0005), click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

- **Mail:** Michael Pentony, Regional Administrator, NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope: “Comments on Permitting and Reporting for Private Recreational Tilefish Anglers.”

**Instructions:** 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 by NMFS. All comments received are part of the public record and will generally be posted to [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted

voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

Copies of Amendment 6, and of the Environmental Assessment (EA), are available from the Mid-Atlantic Fishery Management Council, 800 North State Street, Suite 201, Dover, DE 19901.

The EA and Regulatory Impact Review are also accessible via the internet at: <http://www.mafmc.org/actions/blueline-tilefish>.

**FOR FURTHER INFORMATION CONTACT:** Laura Hansen, Fishery Management Specialist, 978–281–9225.

**SUPPLEMENTARY INFORMATION:** On January 29, 2020, we published a rule proposing to implement permitting and reporting for private recreational tilefish vessels (85 FR 5186). The proposed rule included errors in the comment identifier and the link to the comment portal. The corrections have been made in the **ADDRESSES** section of this document.

Dated: February 4, 2020.

**Samuel D. Rauch III,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 665**

[Docket No. 200204–0045]

**RIN 0648–BJ41**

**Pacific Island Fisheries; 2019–2021 Annual Catch Limits and Accountability Measures**

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes to implement main Hawaiian Islands (MHI) annual catch limits (ACLs) and accountability measures (AMs) for deepwater shrimp, precious corals, and gray jobfish (uku) in 2019–2021, and for Kona crab in 2019. The proposed ACLs and AMs support the long-term sustainability of Pacific Island fisheries.

**DATES:** NMFS must receive comments by March 2, 2020.

**ADDRESSES:** You may submit comments on the proposed rule, identified by NOAA–NMFS–2019–0124, by either of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2019-1024>, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.
- *Mail:* Send written comments to Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Regional Office (PIRO), 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818.

*Instructions:* NMFS may not consider comments sent by any other method, to any other address or individual, or received after the end of the comment period. 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.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

NMFS prepared environmental analyses that describe potential impacts on the human environment. These analyses are available at [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:** Brett Schumacher, NMFS PIRO Sustainable Fisheries, 808–725–5185.

**SUPPLEMENTARY INFORMATION:** NMFS and the Western Pacific Fishery Management Council (Council) manage fisheries in the U.S. Exclusive Economic Zone (EEZ, or Federal waters) around the U.S. Pacific Islands under archipelagic fishery ecosystem plans (FEPs) for American Samoa, Hawaii, the Pacific Remote Islands, and the Mariana Archipelago (Guam and the CNMI). A fifth FEP covers pelagic fisheries. The Council developed the FEPs, and NMFS implemented them under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), with regulations at Title 50 Code of Federal Regulations, Part 665 (50 CFR 665).

Each FEP contains a process for the Council and NMFS to specify ACLs and AMs; that process is codified at 50 CFR 665.4. NMFS must specify an ACL and AM(s) for each stock and stock complex of management unit species (MUS) in an FEP, as recommended by the Council and considering the best available scientific, commercial, and other information about the fishery. If a fishery exceeds an ACL, the regulations require the Council to take action, which may include reducing the ACL for the subsequent fishing year by the amount of the overage, or other appropriate action.

NMFS proposes to implement ACLs and AMs for MHI deepwater shrimp, precious corals, and uku for 2019–2021, and for Kona crab for 2019 (see Table 1). The proposed rule is consistent with recommendations made by the Council at its October 2017 and October 2018 meetings. The Council recommended that NMFS implement ACLs and AMs for 2019, 2020, and 2021 for all stocks, except for MHI Kona crab, which they recommended that NMFS implement an ACL and AM only for 2019 because a new stock assessment is available to support ACL recommendations for this stock for 2020 and beyond. The fishing year for each fishery begins on January 1 and ends on December 31, except for precious coral fisheries, which begin July 1 and end on June 30 of the next year.

TABLE 1—PROPOSED ACLS FOR STOCKS IN THIS PROPOSED RULE

Stock	ACL (lb)	Year(s)
Deepwater shrimp .....	250,773	2019–2021
Kona crab .....	3,500	2019
Uku .....	127,205	2019–2021
Auau Channel—Black coral .....	5,512	2019–2021
Makapuu Bed—Pink and red coral .....	2,205	2019–2021
Makapuu Bed—Bamboo coral .....	551	2019–2021
180 Fathom Bank—Pink and red coral .....	489	2019–2021
180 Fathom Bank—Bamboo coral .....	123	2019–2021