

Agenda,” which established a Federal policy “to alleviate unnecessary regulatory burdens” on the American people. In accordance with E.O. 13777, DoD established a Regulatory Reform Task Force to review and validate DoD regulations, including the DFARS. A public notice of the establishment of the DFARS Subgroup to the DoD Regulatory Reform Task Force, for the purpose of reviewing DFARS provisions and clauses, was published in the **Federal Register** at 82 FR 35741 on August 1, 2017, and requested public input. No public comments were received on these clauses. The DoD Task Force reviewed the requirements of DFARS clauses 252.229–7014 and 252.229–7015, and recommended removal, contingent upon similar clauses being implemented in the FAR that are available for use by all Federal agencies, when applicable.

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

This rule only removes obsolete DFARS clauses 252.229–7014 and 252.229–7015. The rule does not impose any new requirements on contracts at or below the simplified acquisition threshold and for commercial items, including commercially available off-the-shelf items.

## III. Publication of This Final Rule for Public Comment Is Not Required by Statute

The statute that applies to the publication of the Federal Acquisition Regulation (FAR) is Office of Federal Procurement Policy statute (codified at title 41 of the United States Code). Specifically, 41 U.S.C. 1707(a)(1) requires that a procurement policy, regulation, procedure or form (including an amendment or modification thereof) must be published for public comment if it relates to the expenditure of appropriated funds, and has either a significant effect beyond the internal operating procedures of the agency issuing the policy, regulation, procedure, or form, or has a significant cost or administrative impact on contractors or offerors. This final rule is not required to be published for public comment, because DoD is not issuing a new regulation; rather, this rule is merely removing obsolete clauses from the DFARS.

## IV. Executive Orders 12866 and 13563

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

Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule under 41 U.S.C. 1707(a)(1) (see section III. of this preamble), the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Accordingly, no regulatory flexibility analysis is required, and none has been prepared.

## 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 Parts 212, 229, and 252

Government procurement.

**Jennifer D. Johnson**,  
*Regulatory Control Officer, Defense Acquisition Regulations System.*

Therefore, 48 CFR parts 212, 229, and 252 are amended as follows:

- 1. The authority citation for 48 CFR parts 212, 229, and 252 continues to read as follows:

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

## PART 212—ACQUISITION OF COMMERCIAL ITEMS

### 212.301 [Amended]

- 2. Amend section 212.301 by removing paragraph (f)(xii) and redesignating paragraphs (f)(xiii) through (xix) as paragraphs (f)(xii) through (xviii).

## PART 229—TAXES

### 229.402–70 [Amended]

- 3. Amend section 229.402–70 by removing paragraphs (k) and (l).

## PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

### 252.229–7014 [Removed]

- 4. Remove section 252.229–7014.

### 252.229–7015 [Removed]

- 5. Remove section 252.229–7015.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

### 50 CFR Part 648

[RTID 0648–XA648]

### Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer from NC to CT

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

**ACTION:** Notification; quota transfer.

**SUMMARY:** NMFS announces that the State of North Carolina is transferring a portion of its 2020 commercial summer flounder quota to the State of Connecticut. This quota adjustment is necessary to comply with the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan quota transfer provisions. This announcement informs the public of the revised commercial quotas for North Carolina and Connecticut.

**DATES:** Effective November 20, 2020, through December 31, 2020.

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

**SUPPLEMENTARY INFORMATION:** Regulations governing the summer flounder fishery are found in 50 CFR 648.100 through 648.110. These regulations require annual specification of a commercial quota that is apportioned among the coastal states from Maine through North Carolina. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.102 and final 2020 allocations were published on October 9, 2019 (84 FR 54041).

The final rule implementing Amendment 5 to the Summer Flounder Fishery Management Plan, as published in the **Federal Register** on December 17, 1993 (58 FR 65936), provided a mechanism for transferring summer flounder commercial quota from one state to another. Two or more states, under mutual agreement and with the concurrence of the NMFS Greater Atlantic Regional Administrator, can transfer or combine summer flounder commercial quota under § 648.102(c)(2). The Regional Administrator must approve any such transfer based on the criteria in § 648.102(c)(2)(i). In evaluating requests to transfer a quota or combine quotas, the Regional Administrator shall consider whether: The transfer or combinations would preclude the overall annual quota from being fully harvested; the transfer addresses an unforeseen variation or contingency in the fishery; and the transfer is consistent with the objectives of the FMP and the Magnuson-Stevens Act.

North Carolina is transferring 40,000 lb (18,144 kg) to Connecticut. This transfer is occurring through mutual agreement of the states. This transfer was requested to ensure Connecticut would not exceed its 2020 quota. The revised summer flounder quotas for fishing year 2020 are now: North Carolina, 3,085,501 lb (1,399,560 kg); and Connecticut, 300,241 lb (136,187 kg).

### Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 648.102(c)(2)(i)(A) through (C), which was issued pursuant to section 304(b), and is exempted from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: November 17, 2020.

**Jennifer M. Wallace,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 201110-0301]

RIN 0648-BJ63

### Fisheries Off West Coast States; Delay Implementation of West Coast Groundfish Electronic Monitoring Program

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

**ACTION:** Final rule.

**SUMMARY:** This final rule delays implementation of the Electronic Monitoring (EM) Program for the West Coast Groundfish Trawl Rationalization Program to January 1, 2022. NMFS is making this change to provide additional time for industry and prospective service providers to prepare for implementation, to strengthen Pacific Fishery Management Council (Council) and industry support for the EM program, and to increase participation when it is implemented in 2022.

**DATES:** Effective December 23, 2020.

**ADDRESSES:** The proposed rule and this final rule are accessible via the internet at the Office of the Federal Register website at <https://www.federalregister.gov>.

Background information and documents are available at the NMFS West Coast Region website at: <http://www.westcoast.fisheries.noaa.gov/fisheries/groundfish/index.html> and at the Pacific Fishery Management Council's website at <http://www.pcouncil.org/groundfish/fishery-management-plan/groundfish-amendments-in-development/>.

**FOR FURTHER INFORMATION CONTACT:** Melissa Hooper, Permits and Monitoring Branch Chief, phone: 206-526-4357, or email: [melissa.hooper@noaa.gov](mailto:melissa.hooper@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Background

At the recommendation of the Council, on June 28, 2019, NMFS published a final rule to implement an EM program for the West Coast Groundfish Trawl Rationalization Program (84 FR 31146). The EM Program allows vessels to use EM systems (video cameras and associated sensors) to meet the 100-percent at-sea observer coverage requirements of the Trawl Rationalization Program. The EM

Program was set to begin January 1, 2021. The Council initiated a regulatory amendment at its April 2020 meeting to make several administrative changes to the EM Program requirements and to delay implementation of the EM Program to January 1, 2022. The Council took final action on EM regulatory changes at its June 2020 meeting and requested that NMFS delay implementation of the program to 2022. NMFS published a proposed rule August 28, 2020 (85 FR 53313) proposing to delay the EM Program, but postponed consideration of the other regulatory changes to a separate rulemaking to be completed at a later date. A more extensive discussion of the development of this regulatory amendment and the EM measures is available in the proposed rule and is not repeated here. Public comments were accepted on the proposed rule from August 28, 2020, through September 28, 2020. No public comments were received.

#### Final Measures

Through this final rule, NMFS is delaying implementation of the EM Program for the Trawl Rationalization Program to January 1, 2022. To implement this change, NMFS is revising the trawl fishery regulations at 50 CFR 660.603, which describes EM provider permits and responsibilities, and 50 CFR 660.604, which describes vessel and first receiver responsibilities, to delay the acceptance of EM service provider and EM vessel owner applications to 2021, thereby delaying implementation of the EM program to January 1, 2022.

In this rule, NMFS is implementing the Council's request to delay implementation of the EM program to 2022, as it would strengthen industry support for the EM program and may increase participation when it is implemented in 2022. At its April and June 2020 meetings, the Council recommended NMFS delay implementation of the EM program to January 2022 to provide additional time for the industry and EM service providers to prepare for implementation of the EM program. Specifically, the Council wanted to provide more time for industry and the Pacific States Marine Fisheries Commission (PSMFC), a potential service provider, to develop a model for industry to fund PSMFC for review of video from their fishing trips. The Council believes that this delay is necessary to increase industry buy-in and for success of the EM program at reducing monitoring costs for the fishery. Increased support for and participation in the EM Program would