PART 952—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 15. The authority citation for part 952 is revised to read as follows:

Authority: 42 U.S.C. 2201; 2282a; 2282b; 2282c; 42 U.S.C. 7101 *et seq.;* 50 U.S.C. 2401 *et seq.*

■ 16. Section 952.247–70 is amended by:

■ a. Revising the date of the clause to read as set forth below; and

■ b. Removing "or its successor Official Foreign Travel, or any subsequent version of the order" in the clause and adding in its place "Official Foreign Travel, or its successor".

The revision reads as follows:

952.247–70 Foreign travel.

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FOREIGN TRAVEL JUN 2010

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PARTS 928, 931, 932, 933, 936, 937, 941, 942, 950, 951, and 952 [AMENDED]

■ 17. In the table below, for each section indicated in the left column, remove the word indicated in the middle column from where it appears in the section, and add the word in the right column:

Section	Remove	Add
928.101–1	"FAR"	"48 CFR"
928.301	"FAR Part"	"48 CFR part"
931.102 in 2 places	"FAR"	"48 CFR"
931.102	"FAR Part 31"	"48 CFR part 31"
931.205–32(a)	"FAR"	"48 CFR"
931.205–47(h)(1), in the Employee whistleblower action definition	"29 CFR Part 24,"	"29 CFR part 24,"
931.205–47(h)(1), in the Employee whistleblower action definition	"10 CFR Part 708"	"10 CFR part 708"
932.006–4(a)	"FAR"	"48 CFR"
932.803(d)	"FAR"	"48 CFR"
932.7004–1 in 3 places	"FAR"	"48 CFR"
932.7004–3(a)	"FAR"	"48 CFR"
933.103(k)	"FAR"	"48 CFR"
933.104(b)	"FAR"	"48 CFR"
933.104(c)	"FAR"	"48 CFR"
933.104(g)	"FAR"	"48 CFR"
933.106(a)	"FAR"	"48 CFR"
936.602–70(a)(8)	"FAR"	"48 CFR"
936.609–3	"FAR"	"48 CFR"
936.7100	"FAR Part"	"48 CFR part"
937.7040	"FAR"	"48 CFR"
942.704(b) in 2 places	"FAR"	"48 CFR"
942.705–1(b)(1)	"FAR"	"48 CFR"
950.7003(a) in the first sentence	"(DOE)"	"DOE"
951.102(a)	"FAR Part"	"48 CFR part"
951.102(a)	"DOE PMR 41 CFR 109–26"	"DOE PMR 41 CFR 109"
952.233–2 in the introductory text	"FAR"	"48 CFR"
952.233–4(a)	"FAR"	"48 CFR"
952.233–4(b)	"FAR"	"48 CFR"
952.235–71(b)(1)	"warranted;"	"warranted."
952.250–70(e)(2)	"which:"	"which—"

[FR Doc. 2010–12520 Filed 5–25–10; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No.: 0910051338–0167–03]

RIN 0648–AY29

Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Revisions to Framework Adjustment 44 to the Northeast Multispecies Fishery Management Plan and Sector Annual Catch Entitlements: Updated Annual Catch Limits for Sectors and the Common Pool for Fishing Year 2010

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

ACTION: Temporary rule; adjustment to specifications.

SUMMARY: Based on finalized Northeast (NE) multispecies sector rosters submitted on April 30, 2010, NMFS announces adjustments to the NE multispecies fishing year (FY) 2010 specification of annual catch limits (ACLs) for common pool vessels (common pool sub-ACLs), ACLs for sector vessels (sector sub-ACLs), and sector Annual Catch Entitlements (ACEs) for each of the 20 groundfish stocks managed under the NE Multispecies Fishery Management Plan (FMP). This revision to catch levels is necessary because some vessel owners have chosen to drop out of sectors and fish in the common pool for FY 2010.

DATES: Effective May 21, 2010 through April 30, 2011.

FOR FURTHER INFORMATION CONTACT: Travis Ford, Fishery Management Specialist, (978) 281–9233.

SUPPLEMENTARY INFORMATION: Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act and Amendment 16 to the FMP (75 FR 18262; April 9, 2010), Framework Adjustment 44 (FW 44) to the FMP, which was published in the **Federal Register** on April 9, 2010 (75 FR 18356), specified catch levels for 20 NE groundfish stocks for FY 2010–2012. Catch levels were specified for various components of the groundfish fishery, including sub-ACLs for the common pool and sectors. These sub-ACLs were set based on the catch history of the vessels enrolled in sectors, as of January 22, 2010. A final sector rule that also published on April 9, 2010, (75 FR 18113; sector rule), approved sector operation plans and allocated ACE to sectors for FY 2010. The sector rule included FY 2010 sector sub-ACL information also reflected in FW 44, where the sum of the ACEs for each sector equals the sector sub-ACL. To provide increased flexibility to the fishing industry, NMFS allowed vessels that were initially enrolled in sectors for FY 2010 to drop out and join the common pool through April 30, 2010. Because the sector ACEs, as well as the sector sub-ACLs (sum of ACEs for all sectors) and the common pool sub-ACL (groundfish sub-ACL minus sector sub-ACL), are based upon the specific membership of sectors, the change in membership between January 22, 2010, and May 1, 2010, requires that the sector ACEs, and sub-ACLs for the common pool and sectors, be revised. Based on the April 30, 2010, finalized sector rosters, this rule adjusts the FY 2010 sector ACEs and sub-ACLs for common pool and sectors.

The preamble of the final rule implementing FW 44 informed the public that "NMFS intends to publish a rule in early May 2010 to modify the common pool and sector sub-ACLs and notify the public, if these numbers change." Through this temporary final rule, NMFS is specifying revised ACEs for all approved sectors, and revised sub-ACLs for common pool and sector vessels based on the finalized sector rosters. The final number of vessels electing to fish in sectors for FY 2010 is 762 (reduced by 50 vessels since the January 22, 2010 roster). All ACE and sub-ACL values for sectors assume that each sector MRI has a valid permit for FY 2010.

Tables 1, 2, and 3 contain the amount of ACE for each sector and stock, as a percentage and absolute amount (in metric tons and pounds), based on the final rosters.

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Table 1. Percentage (%) of ACE Each Sector Will Receive by Stock For FY 2010 *

Sector Name (Defined Below)	Moratorium Right Identifier (MRI) Count	Georges Bank (GB) Cod	Gulf of Maine (GOM) Cod	GB Haddock	GOM Haddock	GB Yellowtail Flounder	Southern New England (SNE) / Massachusetts (MA) Yellowtail Flounder	Cape Cod (CC)/GOM Yellowtail Flounder	American plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	Redfish	White Hake	Pollock
FGS	94	28	2	6	1	0	0	2	1	1	0	2	3	6	8
NCCS	18	0	0	0	0	1	1	0	0	0	0	0	0	1	0
NEFS 2	77	5	19	12	18	2	2	19	8	13	2	20	17	6	12
NEFS 3	72	1	16	0	11	0	0	8	4	3	0	10	1	5	7
NEFS 4	46	5	9	5	7	2	3	7	9	9	1	8	6	8	6
NEFS 5	37	3	0	5	1	10	27	2	2	3	3	1	0	0	0
NEFS 6	17	2	2	3	3	1	5	2	3	4	1	3	5	4	3
NEFS 7	26	6	1	5	1	16	4	5	4	4	17	3	0	1	1
NEFS 8	22	7	0	7	0	16	6	7	2	3	21	3	0	1	1
NEFS 9	51	12	2	10	5	19	7	10	8	8	34	3	6	4	4
NEFS 10	40	1	5	0	3	0	0	12	2	3	0	16	1	1	1
NEFS 11	48	0	14	0	3	0	0	2	2	2	0	2	2	5	9
NEFS 12	7	0	1	0	0	0	0	0	0	0	0	0	0	0	0
NEFS 13	31	8	1	14	1	15	11	3	3	5	11	1	5	2	2
PCCGS	41	0	5	0	2	0	1	1	6	4	0	2	3	5	4
SHS	116	17	18	30	41	8	9	11	40	34	8	7	49	51	38
TSS	19	1	1	1	1	7	1	2	1	1	2	2	0	0	0

*All ACE values for sectors outlined in Table 1 assume that each sector MRI has a valid permit for FY 2010.

-Georges Bank Cod Fixed Gear Sector (FGS), Northeast Coastal Communities Sector (NCCS), Northeast Fishery Sectors (NEFS), Port Clyde Community Groundfish Sector (PCCGS), Sustainable Harvest Sector (SHS), and Tri-State Sector (TSS)

Table 2. ACE Each Sector Will Receive by Stock for FY 2010 * (mt)

Sector Name	MRI Count	GB Cod-East	GB Cod-West	GOM Cod	GB Haddock-East	GB Haddock-West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	American plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	Redfish	White Hake	Pollock
FGS	94	95	866	87	768	1822	11	0	1	14	16	7	0	4	198	150	214
NCCS	18	1	5	21	14	34	2	8	2	3	4	2	1	0	30	22	12
NEFS 2	77	18	165	870	1394	3308	146	16	5	149	235	112	31	31	1131	157	338
NEFS 3	72	3	29	726	19	46	89	0	0	64	122	25	0	16	100	129	202
NEFS 4	46	16	146	394	650	1543	55	21	8	56	263	79	13	12	442	202	155
NEFS 5	37	9	87	10	637	1511	6	92	82	12	59	21	47	1	28	9	11
NEFS 6	17	6	58	77	321	761	24	13	15	16	97	36	16	5	356	93	88
NEFS 7	26	20	186	28	630	1495	6	156	13	38	114	35	315	5	34	20	21
NEFS 8	22	25	228	21	792	1881	2	154	18	57	69	27	382	5	30	13	18
NEFS 9	51	42	386	76	1237	2936	39	183	22	75	215	65	623	4	396	104	105
NEFS 10	40	3	29	233	31	74	23	0	1	91	49	25	0	26	39	24	40
NEFS 11	48	1	12	624	4	11	26	0	0	17	53	16	0	3	128	123	255
NEFS 12	7	0	0	58	0	0	1	0	0	4	10	2	0	1	5	1	1
NEFS 13	31	25	233	32	1686	4002	5	149	33	24	97	38	200	2	309	45	61
PCCGS	41	1	6	215	6	14	19	0	2	8	181	38	0	3	175	117	117
SHS	116	56	516	817	3548	8421	340	79	29	85	1132	289	157	11	3354	1292	1047
TSS	19	3	26	40	175	416	5	70	4	17	33	11	36	3	1	3	2

*All ACE values for sectors outlined in Table 2 assume that each sector MRI has a valid permit for FY 2010.

Table 3. ACE Each Sector Will Receive by Stock for FY 2010 * (1,000 lbs)

Sector Name	MRI Count	GB Cod-East	GB Cod-West	GOM Cod	GB Haddock-East	GB Haddock-West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	American plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	Redfish	White Hake	Pollock
FGS	94	209	1909	191	1693	4017	23	0	1	31	35	15	1	8	436	332	472
NCCS	18	1	11	46	32	76	4	18	4	7	9	4	3	1	67	49	27
NEFS 2	77	40	363	1917	3072	7292	322	36	11	328	517	248	69	68	2494	345	745
NEFS 3	72	7	65	1601	42	101	197	1	0	142	269	56	1	35	219	285	446
NEFS 4	46	35	321	868	1433	3401	122	46	18	123	579	174	29	26	974	446	342
NEFS 5	36	21	188	23	1404	3332	12	203	181	27	130	47	104	2	62	20	25
NEFS 6	17	14	128	170	707	1678	54	28	33	35	213	78	34	11	785	206	194
NEFS 7	26	45	410	61	1389	3296	13	343	28	83	252	76	695	11	74	43	45
NEFS 8	22	55	502	47	1747	4146	4	339	41	125	153	59	842	12	66	29	39
NEFS 9	51	93	851	168	2727	6472	86	403	49	165	473	143	1374	9	873	229	231
NEFS 10	40	7	64	513	68	162	50	0	1	201	109	55	0	57	86	52	87
NEFS 11	48	3	27	1375	10	23	58	0	0	38	117	35	0	7	283	272	561
NEFS 12	7	0	1	127	0	0	2	0	0	8	23	5	0	1	10	2	3
NEFS 13	31	56	513	70	3717	8822	11	328	72	53	214	85	441	5	682	99	133
PCCGS	41	2	14	474	13	30	42	0	5	17	399	83	0	7	385	258	259
SHS	116	124	1137	1802	7822	18565	750	175	64	187	2495	637	345	25	7395	2849	2309
TSS	19	6	58	88	387	918	12	154	8	38	73	24	79	8	2	7	3

*All ACE values for sectors outlined in Table 3 assume that each sector MRI has a valid permit for FY 2010.

Table 4 compares the preliminary FY 2010 sub-ACLs for common pool and sector vessels from FW 44, with the

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current revised sub-ACLs based on the final sector rosters.

TABLE 4—TOTAL ACLS, SUB-ACLS, AND ACL-SUBCOMPONENTS FOR FY 2010 (MT) *

Stock	Groundfish total	Preliminary common pool sub-ACL	Preliminary sector sub-ACL	Revised common pool sub-ACL	Revised sector sub-ACL
GB cod	3,430	103	3,327	128	3,302
GOM cod	** 7,240	178	4,389	240	4,327
GB haddock	40,440	202	40,238	254	40,186
GOM haddock	** 1,149	13	812	26	799
GB yellowtail flounder	964	21	943	23	941
SNE/MA yellowtail flounder	310	63	247	75	235
CC/GOM yellowtail flounder	779	31	748	50	729
American plaice	2,848	71	2,777	100	2,748
Witch flounder	852	19	833	25	827
GB winter flounder	1,852	26	1,826	29	1,823
GOM winter flounder	† 158	20	138	25	133
SNE winter flounder	520	520	0	520	0
Redfish	† 6,846	62	6,786	90	6,756
White hake	† 2,556	44	2,522	51	2,505
Pollock	2,748	47	2,701	62	2,686
N. window	110	110	0	110	0
S. window	154	154	0	154	0
Ocean pout	239	239	0	239	0
Halibut	30	30	0	30	0
Wolffish	73	73	0	73	0

* All sub-ACL values for sectors outlined in Table 4 assume that each sector MRI has a valid permit for FY 2010.
** This contains the recreational sub-ACL as specified in FW 44 (75 FR 18356; April 9, 2010).
† Changed from FW 44 Final Rule due to minor differences in calculations.

The sub-ACLs for individual groundfish stocks have changed from between 0 mt and 62 mt. The sub-ACLs for stocks in sectors have decreased between 0.18% and 4.99%, with GOM cod having the largest actual decrease of 62 mt (1.4%) and SNE/MA yellowtail flounder having the greatest percentage decrease of 4.99% (12 mt). The sub-ACLs for stocks in the common pool have increased between 11% and 101%, with CC/GOM yellowtail flounder and GOM haddock having the greatest increases of 60% and 101%, respectively. Other notable increases include: GOM cod increasing 35% (62 mt) and redfish increasing by 45% (28 mt).

FW 44 specifies incidental catch TACs applicable to the NE multispecies Special Management Programs for FY 2010–2012, based on the ACLs, the FMP, and advice from the Council. Incidental catch TACs are specified for certain stocks of concern for common pool vessels fishing in the Special Management Programs, in order to limit the amount of catch of stocks of concern that can be caught under such programs. Since these incidental catch TACs are based on the sub-ACLs for the common pool, they have changed based on the revised sub-ACLs. The incidental catch TACs were based upon the council's September 2009 Environmental Assessment and were not revised based on the January 2010 roster, so they are decreasing when compared with those of the April 9 final rule.

TABLE 5—INCIDENTAL CATCH TACS BY STOCK FOR FY 2010–2010 (MT)

Stock	Percentage of sub-ACL	Final rule 2010 incidental catch TAC	Revised 2010 incidental catch TAC
GB cod	2	3.5	2.55
GOM cod	1	3.4	2.40
GB yellowtail flounder	2	0.4	0.47
CC/GOM yellowtail flounder	1	0.5	0.50
SNE/MA yellowtail flounder	1	0.6	0.75
American plaice	5	9.2	5.00
Witch flounder	5	2.1	1.23
SNE/MA winter flounder	1	5.2	5.20
GB winter flounder	2	1.1	0.58
White hake	2	2.4	1.02
Pollock	2	2.4	1.24

TABLE 6–INCIDENTAL CATCH TACS FOR SPECIAL MANAGEMENT PROGRAMS BY STOCK FOR FY 2010—2012 (MT)

Stock	Regular B DAS program		Closed area I hook gear haddock SAP		Eastern U.S./Canada haddock SAP	
	Final rule 2010	Revised 2010	Final rule 2010	Revised 2010	Final rule 2010	Revised 2010
GB cod	1.75	1.28	1.75	1.28	0	0
GOM cod	3.4	2.40	.....	.....	.....	.....
GB yellowtail flounder	0.4	0.47	.....	.....	0	0
CC/GOM yellowtail flounder	0.5	0.50	.....	.....	.....	.....
SNE/MA yellowtail flounder	0.9	0.75	.....	.....	.....	.....
American plaice	9.2	5.00	.....	.....	.....	.....
Witch flounder	2.1	1.23	.....	.....	.....	.....
SNE/MA winter flounder	1.1	5.20	.....	.....	.....	.....
GB winter flounder	1.1	0.58	.....	.....	0	0
White hake	5.2	1.02	.....	.....	.....	.....
Pollock	2.0	1.04	0.4	0.2	0	0

Classification

NMFS has determined that this action is consistent with the FMP, the Magnuson-Stevens Act and other applicable law.

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B) and (d)(3), there is good cause to waive prior notice and opportunity for public comment, as well as the delayed effectiveness for this action, because notice, comment, and a delayed effectiveness would be impractical and contrary to the public interest. If the sector ACEs and sub-ACLs are not adjusted immediately, the time period during which the fishery will be operating under incorrect catch specifications will be prolonged. Specifically, the common pool would be allocated insufficient fish, and vessels fishing in sectors would be allocated excessive fish.

The implications of delaying the date on which the specifications are corrected depends upon the size of the ACE and sub-ACL, the size of the change in specification relative to the ACE and sub-ACL, and the rate of catch of the particular stock. If, for example, a sector were catching a particular stock at a high rate, and one for which they have a small ACE, and this rule makes a substantial change to the sector's ACE for that stock, a significant fraction of the ACE could be harvested between the start of the May 1, 2010 FY, and the date the ACE is adjusted downward. The catch associated with vessels fishing in sectors could be excessive, and the catch associated with vessels fishing in the common pool may be unnecessarily constrained. In the worst case scenario, excessive catch by sectors could lead to a sector catching more than its ACE for the FY. Constrained catch could cause negative economic impacts to the common pool.

Further, a longer period of time between the start of the May 1, 2010 FY and the time of ACL adjustment would increase the uncertainty in the fishery, and could cause disruption to the fishing industry when the sub-ACLs are adjusted, especially for stocks where the sub-ACLs are very low relative to historic catch levels. Vessel owners and crews, and businesses dependent upon the groundfish fishery, are already experiencing considerable uncertainty, given the implementation of multiple new management elements in the fishery (*e.g.,* many sectors, restrictive ACLs, and additional fishing effort reductions) that became effective May 1, 2010. Additional sources of uncertainty, therefore, should be minimized where possible. Fishermen may make business decisions based on the ACLs in a given sector or the common pool; thus, it is important to implement adjusted ACEs and sub-ACLs as soon as possible. FW 44, which was open to public comment, notified the public that modification to sub-ACLs for the common pool and sectors would be likely based on the expectation that sector rosters would change (be reduced).

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

Dated: May 19, 2010.

John Oliver,

Deputy Assistant Administrator for Operations, National Marine Fisheries Service.

[FR Doc. 2010–12657 Filed 5–21–10; 4:15 pm]

BILLING CODE 3510–22–P