



# Federal Register

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**Monday,  
December 3, 2001**

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**Part IV**

**Department of  
Commerce**

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**Semiannual Regulatory Agenda**

**DEPARTMENT OF COMMERCE (DOC)**

**DEPARTMENT OF COMMERCE**

**Office of the Secretary**

**13 CFR Ch. III**

**15 CFR Subtitle A; Subtitle B, Chs. I, II, III, VII, VIII, IX, and XI**

**19 CFR Ch. III**

**37 CFR Chs. I, IV, and V**

**48 CFR Ch. 13**

**50 CFR Chs. II, III, IV, and VI**

**October 2001 Semiannual Agenda of Regulations**

**AGENCY:** Office of the Secretary, Commerce.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** In compliance with Executive Order 12866 entitled "Regulatory Planning and Review" and the Regulatory Flexibility Act, as amended, the Department of Commerce, in April and October of each year, publishes in the **Federal Register** an agenda of regulations under development or review over the next 12 months. Rulemaking actions are grouped according to prerulemaking, proposed rules, final rules, long-term actions, and rulemaking actions completed since the April 2001 agenda. The purpose of the agenda is to provide information to the public on regulations currently under review, being proposed, or issued by the Department. The agenda is intended to facilitate comments and views by interested members of the public.

The Department's October 2001 regulatory agenda includes regulatory activities that are expected to be conducted during the period October 1, 2001, through September 30, 2002.

**FOR FURTHER INFORMATION CONTACT:**

*Specific:* For additional information about specific regulatory actions listed in the agenda, contact the individual identified as the contact person.

*General:* Comments or inquiries of a general nature about the agenda should be directed to Daniel Cohen, Chief Counsel for Regulation, Office of the Assistant General Counsel for Legislation and Regulation, U.S. Department of Commerce, Washington, DC 20230; telephone: 202-482-3151.

**SUPPLEMENTARY INFORMATION:** Executive Order 12866 requires agencies to publish an agenda of those regulations that are under consideration pursuant to this order. By memorandum of July 10, 2001, the Office of Management and Budget issued guidelines and procedures for the preparation and publication of the October 2001 Unified Agenda of Federal Regulatory and Deregulatory Actions. The Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, requires agencies to publish, in April and October of each year, a regulatory flexibility agenda which contains a brief description of the subject area of any rule which is likely to have a significant economic impact on a substantial number of small entities. The agenda also identifies those entries that have been selected for periodic review under section 610 of the Regulatory Flexibility Act.

This edition of the Unified Agenda of Federal Regulatory and Deregulatory Actions includes The Regulatory Plan, which appears in part II of this issue of the **Federal Register**. The Department of Commerce's Statement of Regulatory Priorities is included in part II.

**Explanation of Information Contained in the Agenda**

Within the Department, the Office of the Secretary and various operating units may issue regulations. Operating units, such as the National Oceanic and Atmospheric Administration (NOAA), the Bureau of Export Administration, and the Patent and Trademark Office issue the greatest share of the Department's regulations.

A large number of regulatory actions reported in the agenda deal with fishery management programs of NOAA's National Marine Fisheries Service

(NMFS). To avoid repetition of programs and definitions, as well as to provide some understanding of the technical and institutional elements of the NMFS programs, a section on "Explanation of Information Contained in NMFS Regulatory Entries" is provided below.

**Explanation of Information Contained in NMFS Regulatory Entries**

The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) (Act) governs the management of fisheries within the Exclusive Economic Zone (EEZ). The EEZ refers to those waters from the outer edge of the State boundaries, generally 3 nautical miles, to a distance of 200 nautical miles. Fishery Management Plans (FMPs) are to be prepared for fisheries, which require conservation and management measures. Regulations implementing these FMPs regulate domestic fishing and foreign fishing where permitted. Foreign fishing can be conducted in a fishery in which there is no FMP only if a preliminary fishery management plan has been issued to govern that foreign fishing. Under the Act, eight Regional Fishery Management Councils (Councils) prepare FMPs or amendments to FMPs for fisheries within their respective areas. In the development of such plans or amendments and their implementing regulations, the Councils are required by law to conduct public hearings on the draft plans and to consider the use of alternative means of regulating.

The Council process for developing FMPs and amendments makes it difficult for NMFS to determine the significance and timing of some regulatory actions under consideration by the Councils at the time the semiannual regulatory agenda is published.

The DOC October 2001 regulatory agenda follows.

**Theodore Kassinger,**  
*General Counsel.*

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
480	Nondiscrimination on the Basis of Race, Color, National Origin, Handicap, and Age in Programs and Activities Receiving Federal Financial Assistance .....	0690-AA30

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## Office of the Secretary—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
481	Employee Responsibilities and Conduct; Removal of Obsolete Regulations .....	0690-AA32

## Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
482	Standards of Ethical Conduct—Department of Commerce Supplemental Regulations .....	0690-AA23

## Bureau of Economic Analysis—Prerule Stage

Sequence Number	Title	Regulation Identification Number
483	Transactions of U.S. Affiliate, Except U.S. Banking Affiliate, With Foreign Parent (BE-605) and Transactions of U.S. Banking Affiliate With Foreign Parent (BE-605) .....	0691-AA45

## Bureau of Economic Analysis—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
484	Benchmark Survey of Selected Services Transactions With Unaffiliated Foreign Persons—2001 .....	0691-AA41
485	International Services Surveys: BE-48, Annual Survey of Reinsurance and Other Insurance Transactions by U.S. Insurance Companies With Foreign Persons .....	0691-AA42
486	Annual Survey of Selected Services Transactions With Unaffiliated Foreign Persons .....	0691-AA43
487	Benchmark Survey of Foreign Direct Investment in the United States—2002 .....	0691-AA44
488	Initial Report on Foreign Person's Direct or Indirect Acquisition, Establishment, or Purchase of Operating Assets, or U.S. Business Enterprise, Including Real Estate .....	0691-AA46

## Bureau of the Census—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
489	Special Services and Studies by the Bureau of the Census; Amendments to Age Search Procedures .....	0607-AA24

## Bureau of the Census—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
490	Reporting Value on Shipper's Export Declaration for Inland Freight and Insurance Charges .....	0607-AA29
491	Reporting the Value of Repairs and Replacement Parts on the Shipper's Export Declaration .....	0607-AA30
492	Notation of the Shipper's Export Declaration Filing Exemption Statement on Manifest Documents .....	0607-AA31
493	Mandatory Automated Export System (AES) Filing for All Items on the Commerce Control List (CCL) and the United States Munitions List (USML) .....	0607-AA34

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## Bureau of the Census—Completed Actions

Sequence Number	Title	Regulation Identification Number
494	Furnishing Personal Census Data From Census of Population Schedules; General Requirements .....	0607-AA25
495	Furnishing Personal Census Data From Census of Population Schedules; General Requirements .....	0607-AA26
496	Special Services and Studies by the Bureau of the Census; Fee Structure for Age Search and Citizenship Information .....	0607-AA27

## General Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
497	Uniform Administrative Requirement for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofits and Commercial Organizations .....	0605-AA09

## General Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
498	Public Information, Freedom of Information and Privacy .....	0605-AA14
499	Governmentwide Debarment and Suspension (Nonprocurement) .....	0605-AA16

## International Trade Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
500	Import of Certain Worsted Wool Fabric: Implementation of Tariff Rate Quote Established Under Title V of the Trade and Development Act of 2000 .....	0625-AA58

## International Trade Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
501	Procedures for Conducting Five-Year (Sunset) Reviews of Antidumping and Countervailing Duty Orders .....	0625-AA51
502	Export Trade Certificates of Review (15 CFR 325) .....	0625-AA52
503	Proposed Changes in the Insular Possessions Watch, Watch Movement and Jewelry Program .....	0625-AA57

## Bureau of Export Administration—Prerule Stage

Sequence Number	Title	Regulation Identification Number
504	Removal of Licensing Exemption for Exports and Reexports of Missile Technology-Controlled Items Destined to Canada .....	0694-AC48

## Bureau of Export Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
505	SNAP: Simplified Network Application Process .....	0694-AC20

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## Bureau of Export Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
506	Offsets in Military Exports .....	0694-AC27

## Bureau of Export Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
507	Chemical Weapons Convention Regulations .....	0694-AB06
508	Revisions to the Export Administration Regulations; Additions to the Entity List .....	0694-AB60
509	Revisions to the Export Administration Regulations; Country Group E:1; License Exception TMP .....	0694-AB76
510	Exports and Reexports of Explosive Detection Systems; Expansion of Foreign Policy Controls .....	0694-AB87
511	Export Administration Regulations: Support Documentation .....	0694-AC04
512	Exports and Reexports to Sudan .....	0694-AC05
513	Anti-Terrorism Controls on Iraq .....	0694-AC06
514	Revisions to the North Korean Embargo Policy .....	0694-AC10
515	Expansion of License Exception GOV; Exports and Reexports to International Organizations .....	0694-AC15
516	De Minimis Expansion of Eligibility: U.S. Origin Software Incorporated Into Foreign Made Retail Commodities .....	0694-AC17
517	Revisions to the Export Administration Regulations Related to the Missile Technology Control Regime (MTCR) ....	0694-AC22
518	Revision to the Export Administration Regulations: Replacement Licenses .....	0694-AC23
519	Revisions and Clarifications to the Export Administration Regulations .....	0694-AC24
520	Entity List: Additions and Revisions .....	0694-AC28
521	Crime Control Items: Revisions to the Commerce Control List .....	0694-AC31
522	License Exception AVS: Cuba, Libya, Serbia .....	0694-AC33
523	Clarifications to Part 753: Special Comprehensive License Requirements .....	0694-AC34
524	Chemical Weapons Convention: Revisions to the Export Administration Regulations .....	0694-AC35
525	Exports of Agricultural Commodities, Medicines and Medical Devices .....	0694-AC37
526	Entity List: Removal of Two Russian Entities .....	0694-AC40
527	Implementation of the Wassenaar Arrangement List of Dual-Use Items Revisions: Computers; and Revisions to License Exception CTP .....	0694-AC42
528	Revisions and Clarifications to the Commerce Control List; Chemical and Biological Weapons Controls; Australia Group .....	0694-AC43
529	Implementation of the Wassenaar Arrangement List of Dual-Use Items: Revisions to Categories 1, 2, 3, 4, 5, 6, 7 and 9 of the Commerce Control List and Revisions to Reporting Requirements .....	0694-AC44
530	Exports to Afghanistan (the Taliban) and Liberia: Imposition of Foreign Policy Controls .....	0694-AC45
531	Addition and Revision of Missile Projects in the Export Administration Regulations .....	0694-AC46
532	Revision, Suspension, or Prohibition of Use of "No License Required" Provisions .....	0694-AC47
533	Licensing Jurisdiction for "Space Qualified" Items .....	0694-AC49
534	Export Administration Regulations Entity List: Removal of Indian and Pakistani Entities, and Revision in License Policy. ....	0694-AC50

## Bureau of Export Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
535	Transfer of Dual-Use Items From U.S. Munitions List to the Commerce Control List .....	0694-AA52
536	Administration of State Log Exports Ban .....	0694-AB25
537	Change the Commerce Control List To Revise Controls on Communication Intercepting Devices (Export Commerce Control Number ECCN 5A980) .....	0694-AB41
538	Clarification of License Exception GFT (Humanitarian Donations) .....	0694-AB49
539	Exports of Technology and Software; Release of Technology or Source Code to Foreign Nationals in the United States .....	0694-AB59
540	India and Pakistan Sanctions .....	0694-AB73
541	Expansion of License Exception CIV Eligibility for "Microprocessors" Controlled by ECCN 3A001 .....	0694-AB90
542	Export of Technology and Software Through Electronic Transmissions, Downloads, and Programmed Onto Hardware .....	0694-AB97
543	Short Supply Controls: Crude Oil Exports .....	0694-AC25

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## Bureau of Export Administration—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
544	Revisions to Encryption Items .....	0694-AC32

## Bureau of Export Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
545	Libya: Expansion of Foreign Policy Controls .....	0694-AB28
546	Revisions to Commerce Control List: Addition of Technology and Software Controls for Certain Crime Control Commodities .....	0694-AB53
547	De Minimis Exclusion for Technology and Software .....	0694-AB62
548	Definition Harmonization .....	0694-AC03
549	License Exception CTP and PRC End-User Certificates .....	0694-AC12

## National Institute of Standards &amp; Technology—Completed Actions

Sequence Number	Title	Regulation Identification Number
550	National Voluntary Laboratory Accreditation Program .....	0693-AB50

## National Oceanic and Atmospheric Administration—Prerule Stage

Sequence Number	Title	Regulation Identification Number
551	Taking Marine Mammals Incidental to Rocket Launches From the Kodiak Launch Complex, Kodiak Island, Alaska .....	0648-AP62

## National Oceanic and Atmospheric Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
552	Fishery Management Plan for Tilefish .....	0648-AF87
553	Amendment 4 to the Fishery Management Plan for the Reef Fish Fishery of Puerto Rico and the U.S. Virgin Islands .....	0648-AG87
554	Amendments to the Observer Program - Amendment 47 to the FMP for BSAI Groundfish and Amendment 47 to the FMP for GOA Groundfish .....	0648-AI69
555	Regulatory Amendment To Establish Permit and Reporting Requirements for Pelagic Troll and Handline Vessels Fishing Off Pacific Remote Islands of the United States .....	0648-AJ08
556	Amend the Foreign Fishing Regulations To Implement the Provisions of a Pacific Insular Area Fishery Agreement .....	0648-AJ60
557	Establish Central Registry for Limited Access System Permits .....	0648-AJ77
558	Regulatory Amendment To Develop a C. Bairdi Vessel Incentive Program .....	0648-AK08
559	Regulatory Amendment To Allocate Pacific Halibut to the Charter Boat Fleet .....	0648-AK17
560	Regulatory Amendment To Require Mandatory Observer Coverage in the At-Sea Processing Sector of the Whiting Fishery .....	0648-AK26
561	Amendment 54 to FMP for Groundfish Fishery of Bering Sea and Aleutian Islands Area and Amendment 54 to FMP for Groundfish of Gulf of Alaska .....	0648-AK70
562	Adjustment of Management Program: Bottomfish Fisheries in the Hawaiian Islands .....	0648-AK82
563	Revise Exempted Fishing Regulations To Specify Compensatory Fishing Under Exempted Fishing .....	0648-AK84
564	Regulatory Amendment To Fund Purchase of Limited Entry Trawl Permits To Reduce Excess Capacity in Pacific Coast Groundfish Fleet .....	0648-AL66
565	Adjustment of Management Program: Crustacean Fisheries in the Western Pacific .....	0648-AL67
566	Regulatory Amendment To Allocate Lingcod and Bocaccio Rockfish Between Commercial and Recreational Groundfish Fisheries .....	0648-AL69

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## National Oceanic and Atmospheric Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
567	Fishery Management Plan for Calico Scallop Fishery in the South Atlantic Region (FMP) .....	0648-AL78
568	Comprehensive Amendment Addressing Sustainable Fisheries Act Requirements Regarding Overfishing, Bycatch, Fishing Communities and Provisions for Fishery Management Plans for the Caribbean .....	0648-AL86
569	Crab Community Development Quota Reserves .....	0648-AL92
570	Regulatory Amendment To Reinstate 6000 Pound Trip Limit of Halibut in Area Northeast of the Bering Sea .....	0648-AL97
571	Amendment 6 - Definition of Overfishing for Salmon Fisheries Off Alaska .....	0648-AL98
572	Fishery Management Plan Amendment To Revise CDQ Regulations .....	0648-AM07
573	Amendment 10 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (FMP) .....	0648-AM23
574	Enhanced Measures To Mitigate Seabird Bycatch in the Alaska Longline Fisheries .....	0648-AM30
575	Alaska Groundfish Fishery Management Plan Amendment To Revise Improved Retention/Improved Utilization Program .....	0648-AM39
576	Amendment 67 to the FMP for the Groundfish Fishery of the Bering Sea and the Aleutian Islands area .....	0648-AM40
577	Regulatory Amendment To Change the Regulations Implementing the North Pacific Observer Program .....	0648-AM44
578	Amendment 53 to the Groundfish Fisheries of the Gulf of Alaska Fishery Management Plan .....	0648-AM51
579	Framework Regulatory Amendment for the Atlantic Highly Migratory Species (HMS) Fisheries .....	0648-AM91
580	Amendment 62 to the FMP for the Groundfish Fishery of the Bering Sea and Aleutian Islands Management Area and Amendment 62 to the FMP for the Groundfish of the Gulf of Alaska .....	0648-AM94
581	Implementation of Western Pacific Coral Reef Ecosystem Fishery Management Plan (FMP) .....	0648-AM97
582	Adjustment of Management Program: Bottomfish Fisheries in the Western Pacific .....	0648-AM98
583	Atlantic Highly Migratory Species Fisheries; Management of the Atlantic Blue Marlin and White Marlin Recreational Fisheries .....	0648-AN06
584	Amendment 7 to the Fishery Management Plan for the Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic FMP .....	0648-AN08
585	Amendment 18 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico .....	0648-AN09
586	Amendment 7 to the Fishery Management Plan for the Stone Crab Fishery of the Gulf of Mexico .....	0648-AN10
587	Amendment 13 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan .....	0648-AN12
588	Amendment 10 to the Atlantic Sea Scallop Fishery Management Plan .....	0648-AN16
589	Amendment 13 to the Northeast Multispecies Fishery Management Plan .....	0648-AN17
590	Deep-Sea Red Crab Fishery Management Plan .....	0648-AN68
591	Regulatory Amendment To Prevent or Mitigate the Take of Sea Turtles in the Western Pacific Pelagic Fisheries ..	0648-AN75
592	Amendment 9 to the Fishery Management Plan Amendment for the Pelagic Fisheries of the Western Pacific Region .....	0648-AN76
593	Generic Amendment Addressing the Establishment of the Tortugas Marine Reserves Under the Fishery Management Plans of the Gulf of Mexico .....	0648-AN83
594	Regulatory Amendment Modifying the Gulf of Mexico BRD Protocol Under the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (FMP) .....	0648-AN84
595	Regulatory Amendment Modifying the South Atlantic BRD Testing and Certification Protocol .....	0648-AN86
596	Fishery Management Plan for Sargassum Habitat of the South Atlantic (FMP) .....	0648-AN87
597	Amendment 3 to the Fishery Management Plan for the Golden Crab Fishery Off the Southern Atlantic States (FMP) .....	0648-AO23
598	Adjustment of Management Program: Precious Coral Fisheries in the Hawaiian Islands .....	0648-AO47
599	Amendment 11 to Fishery Management Plan for Shrimp Fishery of Gulf of Mexico (FMP) .....	0648-AO51
600	Amendment 14 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan .....	0648-AO55
601	Regulatory Amendment To Address Inaccuracies in Current Northeast Fisheries Regulations .....	0648-AO57
602	Amendments to FMPs for Gulf of Mexico Reef Fish and Gulf of Mexico and South Atlantic Coastal Migratory Pelagic Resources To Limit Entry Into Gulf of Mexico Recreational-for-Hire Fisheries .....	0648-AO62
603	Fishery Management Plan for the Dolphin and Wahoo Fishery of the Atlantic, Caribbean, and Gulf of Mexico (FMP) .....	0648-AO63
604	Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna Incidental Catch .....	0648-AO75
605	Atlantic Highly Migratory Species; Exempted Fishing Permits Procedures .....	0648-AO79
606	Vessel Monitoring System to the Pollock, Pacific Cod, and Atka Mackerel Groundfish Fisheries in the BSAI and GOA .....	0648-AO81
607	Recreational Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries for Fishing Year 2002 .....	0648-AO91
608	Atlantic Highly Migratory Species; Swordfish Quotas and Fishing Areas .....	0648-AO93
609	Regulatory Amendment Under the Fishery Management Plan for Gulf of Mexico Reef Fish (FMP) To Establish a Red Snapper Stock Rebuilding Plan and To Set Red Snapper Overfishing Targets and Thresholds .....	0648-AP02
610	Amendment 13 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region ...	0648-AP03
611	Specifications for the Summer Flounder, Scup, and Black Sea Bass Fisheries for Fishing Year 2002 .....	0648-AP06
612	Specifications for the Spiny Dogfish Fishery for Fishing Year 2002 .....	0648-AP07

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## National Oceanic and Atmospheric Administration—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
613	Specifications for the Atlantic Mackerel, Squid, and Butterfish Fisheries for Fishing Year 2002 .....	0648-AP08
614	Specifications for the Atlantic Surf Clam and Ocean Quahog Fisheries for Fishing Year 2002 .....	0648-AP09
615	Annual Framework Adjustment for the Monkfish Fishery Management Plan for Fishing Year 2002 .....	0648-AP11
616	Framework Adjustment 2 to the Fishery Management Plan for the Atlantic Mackerel, Squid, and Butterfish Fisheries .....	0648-AP12
617	American Lobster Fishery; Revisions to Lobster Trap Limits, Conservation Equivalency in New Hampshire Waters, and Clarification of Lobster Management Boundaries per Addendum 1 .....	0648-AP15
618	American Lobster; Modify Management Measures, Historical Participation .....	0648-AP18
619	Fishing Capacity Reduction Program for the Crab Species Covered by the Fishery Management Plan for the Bering Sea/Aleutian Islands King and Tanner Crabs .....	0648-AP25
620	Extension of Implementation Date of the Year 4 Default Management Measures for Small-Mesh Multispecies (Whiting, Red Hake and Offshore Hake) .....	0648-AP32
621	Regulatory Amendment to Implement Permit Stacking in the Limited Entry Fixed Gear Sablefish Fishery in 2002 and Beyond .....	0648-AP38
622	Regulatory Amendment To Allow Experimental Setnet Sablefish Landings to Qualify Limited Entry Sablefish Endorsement Holders for Tier Assignment in the West Coast Primary Sablefish Fishery .....	0648-AP39
623	Amendment 5 to the Fishery Management Plan for the Shrimp Fishery of the South Atlantic Region .....	0648-AP41
624	Implementation of Fishery Management Plan for Highly Migratory Species Fisheries Off the West Coast .....	0648-AP42
625	Framework 1 to the Atlantic Herring Fishery Management Plan .....	0648-AP44
626	Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Rocket Launches at Vandenberg Air Force Base, CA .....	0648-AP47
627	Atlantic Highly Migratory Species; Pelagic Longline Fishery; Sea Turtle Protection Measures .....	0648-AP49
628	Regulatory Amendment Under the Coastal Migratory Pelagics Fishery Management Plan .....	0648-AP50
629	Amendment 2 to the Fishery Management Plan for the Queen Conch Resources of Puerto Rico and the U.S. Virgin Islands .....	0648-AP51
630	Adjustment of Management Program: Bottomfish Fisheries in the Western Pacific .....	0648-AP53
631	Atlantic Surfclam and Ocean Quahog Fisheries; Amendment 13 .....	0648-AP57
632	Atlantic Bluefish Fishery; Specifications for Fishing Year 2002 .....	0648-AP59
633	Atlantic Mackerel, Squid, and Butterfish Fisheries; Amendment 9 .....	0648-AP60
634	Rulemaking to Implement a Vessel Monitoring System under the South Pacific Tuna Act .....	0648-AP61
635	Sea Turtle Monitoring and Conservation Measures for Nonshrimp Fisheries .....	0648-AE54
636	Issuance of Permits for Marine Mammal Photography .....	0648-AH31
637	Proposed Guidelines for Defining Serious Injury; Request for Comments .....	0648-AL44
638	Section 4(d) of ESA Protective Regulations for Johnson's Seagrass, a Threatened Species .....	0648-AL59
639	North Atlantic Whale Protection .....	0648-AM85
640	Swimming or Recreational Interaction With Wild Population of Marine Mammals .....	0648-AN43
641	Sea Turtle Conservation Regulations; Shrimp Fishery .....	0648-AN62
642	Rule for Gear Modifications to the Atlantic Large Whale Take Reduction Plan .....	0648-AN88
643	Designated Critical Habitat: Proposed Critical Habitat for Northern California Steelhead .....	0648-AO04
644	Captive Steller Sea Lions .....	0648-AO61
645	Endangered and Threatened Species; Take of Four Threatened Evolutionarily Significant Units of West Coast Salmon .....	0648-AP17
646	Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations .....	0648-AP48
647	Revision of Overflight Regulations .....	0648-AI91
648	Interagency Consultation for the National Marine Sanctuary Program .....	0648-AL06
649	Natural Resource Damage Assessment Under the Oil Pollution Act of 1990 .....	0648-AM80

## National Oceanic and Atmospheric Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
650	Guidelines for the Description, Identification, Conservation, and Enhancement of Essential Fish Habitat .....	0648-AJ30
651	Regulatory Amendment To Update Regulations Governing the Operation of Regional Fishery Management Councils .....	0648-AJ82
652	Adjustment of the Management Program for Precious Corals Fisheries in the Western Pacific .....	0648-AK23
653	Proposed Highly Migratory Species Process .....	0648-AK40

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## National Oceanic and Atmospheric Administration—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
654	Regulatory Amendment To Prohibit Fishing by Vessels Over 50 Feet From Fishing for Pelagic Management Unit Species Within 50 Nautical Miles of American Samoa .....	0648-AL41
655	Steller Sea Lion Conservation Measures for the BSAI and GOA Pollock Fisheries .....	0648-AM32
656	Prohibit Use of Set Net Gear To Harvest Groundfish in Certain Portions of the Exclusive Economic Zone Waters Seaward of California .....	0648-AN03
657	Resubmission of Sustainable Fisheries Act Amendment Crustaceans, Bottomfish, and Pelagics Regarding Overfishing Definitions .....	0648-AN79
658	Revisions to Recordkeeping and Reporting Requirements for 2001 .....	0648-AO20
659	Regulatory Amendment to Modify the Management Program for the Western Pacific Pelagic Fisheries to Mitigate the Take of Seabirds .....	0648-AO35
660	2001 Quotas for Purse Seine Fisheries in the Eastern Pacific .....	0648-AO48
661	Pacific Coast Groundfish Fishery; Announcement of the 2002 Groundfish Fishery Specifications and Management Measures .....	0648-AO69
662	Steller Sea Lion Protection Measures for Groundfish Fisheries Off Alaska; Reasonable and Prudent Alternative Under November 30 Biological Opinion on Alaska Groundfish Fisheries .....	0648-AO82
663	Harvesting Restrictions for the Dolphin and Wahoo Fishery in the Atlantic Exclusive Economic Zone (EEZ) .....	0648-AO83
664	Announcement of the Optimum Yield and Harvest Limit for Pacific Sardines .....	0648-AP00
665	Framework 36 to the Northeast Multispecies Fishery Management Plan .....	0648-AP05
666	Implementation of the Shark Finning Prohibition Act .....	0648-AP21
667	Western Pacific Pelagics Fisheries; Hawaii-Based Pelagic Longline Restrictions and Seasonal Area Closure, Sea Turtle and Sea Bird Mitigation Measures .....	0648-AP24
668	Status Review of Gulf of Maine/Bay of Fundy Population of Harbor Porpoise Under the ESA .....	0648-AP33
669	Eligibility Criteria and Definitions for Western Pacific Community Development Programs and Western Pacific Demonstration Projects .....	0648-AP36
670	Annual Specifications for the Atlantic Herring Fishery for Fishing Year 2002 .....	0648-AP37
671	Announcement of the Optimum Yield and Harvest Limit for Pacific Mackerel .....	0648-AP43
672	Annual Adjustment Measures for the Northeast Multispecies Fishery for Fishing Year 2002 .....	0648-AP45
673	Framework Adjustment for the Northeast Multispecies (Whiting) Fishery .....	0648-AP46
674	2002-2003 Management Measures for Commercial, Recreational, and Treaty Indian Salmon Fisheries Off the Coasts of Washington, Oregon, and California .....	0648-AP52
675	Resubmission of Sustainable Fisheries Act Amendment Bottomfish, Crustacean, and Pelagics Regarding Bycatch Provisions .....	0648-AP54
676	Resubmission of Sustainable Fisheries Act Amendment Bottomfish, Crustaceans, and Pelagics Regarding Fishing Communities .....	0648-AP55
677	Summer Flounder, Scup, and Black Sea Bass Fisheries; Framework 3 .....	0648-AP56
678	Interagency Policy on the Prescription of Fishways Under Section 18 of the Federal Power Act .....	0648-AO70
679	Policy for Review of Mandatory Conditions Developed by the Departments of the Interior and Commerce in the Context of Hydropower Licensing .....	0648-AO84
680	Establish Guidelines for Nonlethally Deterring Marine Mammals From Endangering Personal Safety or Damaging Public or Private Property .....	0648-AH19
681	General Authorization for Scientific Research Involving Level B Harassment .....	0648-AH20
682	Provide Regulations for Permits for Capture, Transport, Import and Export of Protected Species for Public Display, and for Maintaining a Captive Marine Mammal Inventory .....	0648-AH26
683	Implementation of 1997 MMPA Amendments Affecting Yellowfin Tuna Purse Seine Fishing in the Eastern Tropical Pacific .....	0648-AI85
684	Pacific Offshore Cetacean Take Reduction Plan .....	0648-AL70
685	Draft Policy for Evaluation of Conservation Efforts in Making Listing Decisions .....	0648-AL91
686	Rulemaking for the Incidental Taking of Marine Mammals During Worldwide Deployment of the U.S. Navy's Low Frequency Active Sonar .....	0648-AM62
687	Sea Turtle Conservation Regulations; Summer Flounder Fishery .....	0648-AM89
688	Sea Turtle Conservation Regulations; Fisheries .....	0648-AN64
689	Taking of the Cook Inlet, Alaska, Stock of Beluga Whales by Alaska Natives .....	0648-AO16

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## National Oceanic and Atmospheric Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
690	General Provisions for Domestic Fisheries—Standard Definitions .....	0648-AG46
691	Regulatory Amendment To Allocate Pacific Halibut to the Halibut Subsistence Fishery .....	0648-AK16
692	Fishing Capacity Reduction Program .....	0648-AK76
693	Halibut Bycatch Accounting for the Yellowfin Sole .....	0648-AM76
694	Amendment 1 to the Atlantic Herring Fishery Management Plan .....	0648-AN19
695	Amendment 14 to the Northeast Multispecies Fishery Management Plan .....	0648-AN20
696	Regulatory Amendment To Clarify the Alaska Groundfish Individual Fishing Quota Program Appeals Regulations .....	0648-AN21
697	Amendment 63 to the FMP for the Groundfish Fishery of the Bering Sea and Aleutian Islands Management Area and Amendment 63 to the FMP for the Groundfish of the Gulf of Alaska .....	0648-AN24
698	Amendments to Alaska FMPs for Groundfish, Crab, and Scallop To Reduce Halibut Mortality .....	0648-AN26
699	Amendments 61/61 for BSAI and GOA Groundfish; Amendment 13 for Commercial King and Tanner Crab; and Amendment 8 for Alaska Scallop Fishery .....	0648-AN55
700	Distribute U.S. Allocations From the Northwest Atlantic Fisheries Organization .....	0648-AN60
701	Fishery Management Plan for Northeast Skate .....	0648-AO10
702	American Fisheries Act Regulations .....	0648-AO14
703	Multispecies Community Development Quota Program Bycatch Accounting .....	0648-AO26
704	Continue Closure of Two Mid-Atlantic Areas to Scallop Fishing .....	0648-AO71
705	Implement Management Measures for the Pacific Cod Fisheries in the Gulf of Alaska, the Bering Sea, and the Aleutian Islands .....	0648-AO73
706	Atlantic Highly Migratory Species; Pelagic Longline Fishery; Gear Requirements .....	0648-AO76
707	Observer Program Electronic Reporting Requirements .....	0648-AO90
708	Amendment 65 to BSAI Groundfish, Amendment 65 to GOA Groundfish, Amendment 12 for Commercial King and Tanner Crab of BSAI, and Amendment 7 for Scallop Fishery Off Alaska .....	0648-AO98
709	Establish Measures to Address the Imminent Rapid Increase in Landings and to Halt Overfishing in the Atlantic Red Crab Fishery .....	0648-AP10
710	Sea Turtle Conservation Regulations; Fishery Activities (TEDs) .....	0648-AP16
711	Extension Atlantic Highly Migratory Species (HMS); Permit Category Deadline .....	0648-AP29
712	Spiny Dogfish Fishery; Amendment 1 .....	0648-AP58
713	Amendment of Marine Mammal Regulations To Authorize Incidental Takings of Marine Mammals by Harassment as Authorized by Public Law 103-238 .....	0648-AG80
714	Amend Regulations Governing the Taking and Importing of Marine Mammals .....	0648-AH83
715	Endangered and Threatened Species: Take of Threatened Southern Oregon/Northern California Coast Evolutionarily Significant Unit (ESU) Coho Salmon .....	0648-AJ91
716	Designate Critical Habitat; Designation of Marine Areas as Critical Habitat for Pacific Salmon .....	0648-AN89
717	Endangered and Threatened Species: Permit Exemptions .....	0648-AO37
718	Endangered and Threatened Species: Permits: Suspension Criteria and Procedures and Revocation Criteria and Procedures .....	0648-AO59
719	Florida Keys National Marine Sanctuary; Tortugas Ecological Reserve .....	0648-AO18
720	Installing and Maintaining Commercial Submarine Cables in National Marine Sanctuaries .....	0648-AO36
721	Revisions to Anchoring Prohibitions in Flower Garden Banks National Marine Sanctuary .....	0648-AP22
722	Regional Marine Research Program .....	0648-AF20

## National Oceanic and Atmospheric Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
723	Consolidate the Rules for Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic and Stone Crab Fishery of the Gulf of Mexico With 50 CFR 622 .....	0648-AJ28
724	Implementation of Data Collection and Reporting Requirements to the Fishery Management Plan for the American Lobster Fishery .....	0648-AJ75
725	Amendment to Portions of Individual Fishing Quota Program Regulations .....	0648-AK50
726	Amendment 14 to the Pacific Coast Groundfish Fishery Management Plan .....	0648-AL50
727	Amendment 14 to the Pacific Coast Salmon Plan .....	0648-AL51
728	Regulatory Amendment To Implement a Limited Access Program That Requires Species Endorsements To Participate in Fisheries Targeting Certain Groundfish Species .....	0648-AL65
729	Rule To Prohibit Fishing and Anchoring of Fishing Vessels in the EEZ Seaward of Navassa Island .....	0648-AL93
730	Amendments to Alaska Groundfish and Crab FMPs To Revise the License Limitation Program .....	0648-AL95

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## National Oceanic and Atmospheric Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
731	Adjustment of Management Program; Crustacean Fisheries of the Hawaiian Islands; Temporary Closure of the Northwestern Hawaiian Islands Lobster Fishery .....	0648-AM26
732	BSAI FMP Amendment 66 to the FMP for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area .....	0648-AM72
733	Implementation of Western Pacific Community Development Program .....	0648-AM96
734	Recordkeeping and Reporting Requirement Revisions to the Alaska Groundfish Fisheries Alaska Commercial Operator's Annual Report (ACOAR) .....	0648-AN01
735	Regulatory Amendment To Redefine Vessel Length Overall .....	0648-AN23
736	Regulatory Amendment To Implement an At-Sea Observer Program on Limited Entry and Open Access Catcher Vessels in the Pacific Coast Groundfish Fishery .....	0648-AN27
737	Atlantic Highly Migratory Species; Spotter Aircraft .....	0648-AN54
738	Atlantic Highly Migratory Species; Gulf of Mexico Closed Area .....	0648-AN63
739	Annual Specifications for Fishing Year 2001 for Atlantic Herring .....	0648-AN65
740	Specifications for the Atlantic Bluefish Fishery for Fishing Year 2001 .....	0648-AN66
741	Specifications for the Atlantic Mackerel, Squid, and Butterfish Fisheries for Fishing Year 2001 .....	0648-AN69
742	Recreational Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries for Fishing Year 2001 .....	0648-AN70
743	Specifications for the Summer Flounder, Scup, and Black Sea Bass Fisheries for the Fishing Year 2001 .....	0648-AN71
744	Atlantic Highly Migratory Species; Atlantic Tunas Reporting and Allocations .....	0648-AN97
745	Atlantic Coast Horseshoe Crab EEZ Regulations .....	0648-AO02
746	Annual Framework Adjustment (Framework 14) for the Atlantic Sea Scallop Fishery Management Plan for Fishing Year 2001 .....	0648-AO07
747	Amendment 13 to the Pacific Coast Groundfish Fishery Management Plan — Bycatch Reduction/Reporting, Framework Changes to Annual Management Measures Process .....	0648-AO41
748	Regulating Bycatch in the Purse Seine Fishery and Establishing a Vessel Register in the Eastern Pacific Ocean ..	0648-AO42
749	2001-2002 Management Measures for Commercial, Recreational, and Treaty Indian Salmon Fisheries Off the Coasts of Washington, Oregon, and California .....	0648-AO49
750	Specifications for Fishing Year 2001 for the Spiny Dogfish Fishery .....	0648-AO53
751	Omnibus Framework to FMPs for Summer Flounder, Scup, Black Sea Bass, Atlantic Mackerel, Loligo Squid, Illex Squid, Butterfish, and Atlantic Bluefish Fisheries .....	0648-AO54
752	Modify American Lobster Regulations Under Atlantic Coastal Fisheries Cooperative Management Act .....	0648-AO58
753	Amendment 9 to the Coastal Pelagic Species Fishery Management Plan .....	0648-AO64
754	Atlantic Highly Migratory Species; Reducing Possibility of Serious Injury and Mortality of Right Whales by Operation of the Southeast Atlantic Shark Gillnet Fishery .....	0648-AO65
755	Atlantic Highly Migratory Species; Large and Small Coastal Sharks; Commercial Quota Adjustment .....	0648-AO85
756	Revision to the Restriction on Frequency of Limited Entry Permit Transfers and Other Permit Updates in the Pacific Coast Groundfish Fishery .....	0648-AO87
757	Notice of Determination of Noncompliance; Declaration of a Moratorium on Fishing for American Lobster in Rhode Island State Waters .....	0648-AO88
758	Magnuson-Stevens Fishery Conservation and Management Act; Amendment of Foreign Fishing Regulations .....	0648-AO89
759	Framework Adjustment 2 to the Fishery Management Plan for The Summer Flounder, Scup, and Black Sea Bass Fisheries .....	0648-AO92
760	Atlantic Highly Migratory Species; Trade Measures and Monitoring .....	0648-AO94
761	Atlantic Highly Migratory Species; 2001 Bluefin Tuna Quota Specifications and Effort Controls .....	0648-AO96
762	Establish a Control Date for Permit Ownership; Sablefish Fishery; Amendment 14 to Pacific Coast Groundfish FMP .....	0648-AO97
763	Announcement of the Optimum Yield and Harvest Limit for Pacific Mackerel .....	0648-AP01
764	Regulatory Amendment Under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP) Regarding Use of Powerheads .....	0648-AP04
765	Atlantic Highly Migratory Species; Pelagic Longline Management .....	0648-AP13
766	Sea Turtle Conservation Regulations; Fisheries Activities .....	0648-AP14
767	Establishment of Control Date for Pelagic Offshore Handline Fishery Around the Hawaiian Islands .....	0648-AP19
768	Atlantic Highly Migratory Species (HMS); NOAA Information Collection Requirements; Regulatory Adjustments .....	0648-AP23
769	Regulatory Framework To Allow Incidental Halibut Retention in the West Coast Primary Sablefish Fishery .....	0648-AP26
770	Fisheries of the Northeastern United States; Black Sea Bass Fishery; Notice of Control Date .....	0648-AP28
771	Deep Sea Red Crab Fishery .....	0648-AP30
772	Atlantic Highly Migratory Species; Pelagic Longline Fishery; Sea Turtle Protection Measures .....	0648-AP31
773	Imports of Illegally Harvested Patagonian or Antarctic Toothfish Seized by Foreign Law Enforcement Authorities and Placed Into International Commerce .....	0648-AP35
774	Endangered and Threatened Species: Listing Status for White Abalone .....	0648-AM90
775	Regulations Governing the Approach to Humpback Whales in Alaska .....	0648-AN29

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## National Oceanic and Atmospheric Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
776	Taking of Marine Mammals Incidental to Shock Testing the USS Winston Churchill Off the U.S. Atlantic Coast .....	0648-AN59
777	List of Fisheries for 2001 .....	0648-AN92
778	Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Operation of a Low Frequency Sound Source by the North Pacific Acoustic Laboratory .....	0648-AO24
779	Marine Mammals; Subsistence Taking of Northern Fur Seals; Harvest Estimates .....	0648-AO40
780	Endangered and Threatened Species; Threatened Status for One Evolutionarily Significant Unit of Steelhead in California and Oregon .....	0648-AO86
781	Sea Turtle Conservation Regulation; Fisheries Activities .....	0648-AP20
782	Taking of Marine Mammals Incidental to Commercial Fishing Operations; Temporary Area and Gear Restrictions ..	0648-AP27
783	Sea Turtle Conservation Regulations; Fishery Activities .....	0648-AP34
784	Sea Turtle Conservation Regulations; Fishery Activities .....	0648-AP40
785	Operations of Motorized Personal Watercraft in the Gulf of the Farallones National Marine Sanctuary .....	0648-AK01
786	Coastal Zone Management Act Consistency Regulations .....	0648-AM88

## National Telecommunications and Information Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
787	Improvement of Technical Management of Internet Names and Addresses .....	0660-AA11
788	Mandatory Reimbursement Rules for Relocation of Federal Spectrum .....	0660-AA14

## Patent and Trademark Office—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
789	Requirements for Registration To Practice Before the PTO in Patent Cases .....	0651-AA93
790	Technical and Nontechnical Requirements for Registration To Practice Before the PTO in Patent Cases, Disciplinary Rules, and Investigations and Disciplinary Proceedings .....	0651-AA95
791	Patent and Trademark Office Acquisition Regulations .....	0651-AB11
792	Preliminary Draft Convention on Jurisdiction and Foreign Judgments and Civil and Commercial Matters .....	0651-AB25
793	Rules of Practice Before the Board of Patent Appeals and Interferences in Appeals Under 35 U.S.C. 134 .....	0651-AB27
794	Elimination of the Practice of Including Copies of U.S. Patent Documents With Office Actions .....	0651-AB40
795	Requirements for Claiming the Benefit of Prior-Filed Applications Under Eighteen-Month Publication of Patent Applications .....	0651-AB41

## Patent and Trademark Office—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
796	Elimination of Continued Prosecution Application Practice as to Utility and Plant .....	0651-AB37
797	Trademark Classification; Changes To Comport With Obligations to Nice Agreement Concerning Intl Classification of Goods and Services for Purposes of Registration of Marks of June 15, 1957, as Revised .....	0651-AB42

## Patent and Trademark Office—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
798	Complaints Regarding Invention Promoters .....	0651-AB12
799	Correspondence Filed in the Patent and Trademark Office .....	0651-AB17
800	Study of Alternative Fee Structures .....	0651-AB24

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## Patent and Trademark Office—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
801	Notification of Required and Optional Search Criteria for Computer-Implemented Business Method Patent Applications in Class 705 and Request for Comments .....	0651-AB26
802	Protection of Audiovisual Performances To Be Considered by the WIPO Diplomatic Conference .....	0651-AB28
803	Standard for Declaring a Patent Interference .....	0651-AB29
804	Establishment of Database Containing Official Insignia of Federally Recognized Native American Tribes .....	0651-AB30
805	Electronic Submission of Application for Trademark Registration and Other Documents .....	0651-AB31
806	Changes in Rules of Practice for Patent Interferences and Related Proceedings .....	0651-AB32
807	Changes to the Time Period For Making Any Necessary Deposits of Biological Materials .....	0651-AB33
808	Development of Plan To Remove Patent and Trademark Classified Paper Files From Public Search Facilities .....	0651-AB34
809	Revision of Patent Corporation Treaty Application Procedure .....	0651-AB35
810	Changes to Representation of Others Before the U.S. Patent and Trademark Office .....	0651-AB38
811	Revision of the Time Limit for National Stage Commencement in the United States for Patent Cooperation Treaty Applications .....	0651-AB44
812	Madrid Protocol Implementation Act Rules Change .....	0651-AB45
813	Patent and Trademark Office Acquisition Regulation .....	0651-AB46

## Patent and Trademark Office—Completed Actions

Sequence Number	Title	Regulation Identification Number
814	Revision of Patent and Trademark Fees for Fiscal Year 2003 .....	0651-AB01
815	Legal Processes .....	0651-AB22
816	International Effort To Harmonize Substantive Requirements of Patent Laws .....	0651-AB36
817	Notice of Electronic Products Available From the Information Products Division, Chief Information Officer, U.S. Patent and Trademark Office .....	0651-AB39

## Technology Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
818	Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts, and Cooperative Agreements .....	0692-AA14

## Technology Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
819	Acquisition and Protection of Foreign Rights in Inventions .....	0692-AA15
820	Amendment to Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts, and Cooperative Agreements .....	0692-AA18

## Technology Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
821	Licensing of Government-Owned Inventions .....	0692-AA17

**Department of Commerce (DOC)  
Office of the Secretary (OS)**
**Final Rule Stage**
**480. NONDISCRIMINATION ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, HANDICAP, AND AGE IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**
**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 794; 42 USC 2000d to 2000d-7; 42 USC 6101 to 6107; EO 12250

**CFR Citation:** 15 CFR 8; 15 CFR 8b; 15 CFR 8c; 15 CFR 20

**Legal Deadline:** None

**Abstract:** The Department of Commerce proposes to make amendments to its regulations implementing Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of The Rehabilitation Act of 1972 (section 504), and the Age Discrimination Act of 1975 (Age Discrimination Act). Together, these statutes prohibit discrimination on the basis of race, color, national origin, disability, and age in programs or activities that receive Federal financial assistance. In 1988, the Civil Rights Restoration Act (CRRRA) added definitions of "program or activity" and "program" to title VI and added a definition of "program or activity" to section 504 and the Age Discrimination Act. The added definitions were designed to clarify the broad scope of coverage of recipients' programs or

activities under these statutes. The promulgation of this proposed regulation explicitly incorporates the CRRRA's definition of "program or activity" and "program" into the Department's title VI, section 504, and Age Discrimination Act regulations. The Department's proposed regulation will be published as part of a joint notice of proposed rulemaking involving up to 24 Federal agencies.

**Timetable:**

Action	Date	FR Cite
NPRM	12/06/00	65 FR 76460
NPRM Comment Period End	01/05/01	
Final Action	01/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Lawrence N. Self, Acting Director, Office of Civil Rights, Department of Commerce, Office of the Secretary, HCHB Room 6010, 14th and Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-0625  
Fax: 202 482-5375

**RIN:** 0690-AA30

**481. ● EMPLOYEE RESPONSIBILITIES AND CONDUCT; REMOVAL OF OBSOLETE REGULATIONS**
**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 5 USC 7301; 5 USC 7353; 26 USC 7214(b); EO 12731; ...

**CFR Citation:** 15 CFR

**Legal Deadline:** None

**Abstract:** The Department of Commerce issues this final rule to remove obsolete sectors of the Commerce and Foreign Trade Regulation concerning the policies and procedures relating to employee responsibilities and conduct.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Douglas Ligor, Attorney Advisor, Department of Commerce, Office of the Secretary, HCHB Room 5898C, 14th & Constitution Avenue NW., Washington, DC 20230  
Phone: 202 482-0127  
Fax: 202 482-2998

**RIN:** 0690-AA32

**Department of Commerce (DOC)  
Office of the Secretary (OS)**
**Long-Term Actions**
**482. STANDARDS OF ETHICAL CONDUCT—DEPARTMENT OF COMMERCE SUPPLEMENTAL REGULATIONS**
**Priority:** Substantive, Nonsignificant

**CFR Citation:** Not Yet Determined

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** David Maggi

Phone: 202 482-5384

**RIN:** 0690-AA23

**Department of Commerce (DOC)  
Bureau of Economic Analysis (BEA)**
**Prerule Stage**
**483. ● TRANSACTIONS OF U.S. AFFILIATE, EXCEPT U.S. BANKING AFFILIATE, WITH FOREIGN PARENT (BE-605) AND TRANSACTIONS OF U.S. BANKING AFFILIATE WITH FOREIGN PARENT (BE-605)**
**Priority:** Substantive, Nonsignificant

**Legal Authority:** 22 USC 3101 to 3108

**CFR Citation:** 15 CFR 806

**Legal Deadline:** None

**Abstract:** This action will amend existing rule 15 CFR 806.15 on the BE-605, Transactions of U.S. Affiliated, Except a U.S. Banking Affiliate, with Foreign Parent and BE-605 Bank, Transactions of U.S. Banking Affiliate

with Foreign Parent, to bring the survey into conformity with the BE-12, Benchmark Survey of Foreign Direct Investment in the United States—2002.

**Timetable:**

Action	Date	FR Cite
NRPM	08/00/02	

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## Prerule Stage

Action	Date	FR Cite
NPRM Comment Period End	10/00/02	
Final Action	11/00/02	
Final Action Effective	12/00/02	

**Regulatory Flexibility Analysis Required:** No  
**Small Entities Affected:** No  
**Government Levels Affected:** None  
**Agency Contact:** R. David Belli, Chief, International Investment Division, Department of Commerce, Bureau of

Economic Analysis, BE-50, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
 Phone: 202 606-9807  
 Fax: 202 606-5318  
 Email: david.belli@bea.doc.gov  
**RIN:** 0691-AA45

**Department of Commerce (DOC)**  
**Bureau of Economic Analysis (BEA)**

## Proposed Rule Stage

**484. BENCHMARK SURVEY OF SELECTED SERVICES TRANSACTIONS WITH UNAFFILIATED FOREIGN PERSONS—2001**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 22 USC 3101 to 3108

**CFR Citation:** 15 CFR 801

**Legal Deadline:** None

**Abstract:** This action will amend existing rule 15 CFR part 801 to provide for the conduct of the BE-20, Benchmark Survey of Selected Services Transactions with Unaffiliated Foreign Persons—2001. The existing rule covers a similar survey for 1996 which has been completed and which the new survey will update.

**Timetable:**

Action	Date	FR Cite
NPRM	08/28/01	66 FR 45219
NPRM Comment Period End	10/29/01	
Final Action	01/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State

**Agency Contact:** R. David Belli, Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, BE-50, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
 Phone: 202 606-9807  
 Fax: 202 606-5318  
 Email: david.belli@bea.doc.gov

**RIN:** 0691-AA41

**485. • INTERNATIONAL SERVICES SURVEYS: BE-48, ANNUAL SURVEY OF REINSURANCE AND OTHER INSURANCE TRANSACTIONS BY U.S. INSURANCE COMPANIES WITH FOREIGN PERSONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 22 USC 3101 to 3108

**CFR Citation:** 15 CFR 801

**Legal Deadline:** None

**Abstract:** This action will amend existing rule 15 CFR 801 to raise the reporting threshold to \$2 million, from \$1 million, of covered transactions for the BE-48, Annual Survey of Reinsurance and other Insurance Transactions by U.S. Insurance Companies with Foreign Persons.

**Timetable:**

Action	Date	FR Cite
NPRM	09/05/01	66 FR 46407
NPRM Comment Period End	11/05/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** R. David Belli, Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, BE-50, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
 Phone: 202 606-9807  
 Fax: 202 606-5318  
 Email: david.belli@bea.doc.gov

**RIN:** 0691-AA42

**486. • ANNUAL SURVEY OF SELECTED SERVICES TRANSACTIONS WITH UNAFFILIATED FOREIGN PERSONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 22 USC 3101 to 3108

**CFR Citation:** 15 CFR 801

**Legal Deadline:** None

**Abstract:** This action will amend existing rule 15 CFR 801 to raise the threshold for reporting on the BE-22, Annual Survey of Selected Services Transactions with Unaffiliated Foreign Persons, and to bring the survey into conformity with the BE-20, Benchmark Survey of Selected Services Transactions with Unaffiliated Foreign Persons.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/02	
NPRM Comment Period End	08/00/02	
Final Action	10/00/02	
Final Action Effective	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State

**Agency Contact:** R. David Belli, Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, BE-50, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
 Phone: 202 606-9807  
 Fax: 202 606-5318  
 Email: david.belli@bea.doc.gov

**RIN:** 0691-AA43

**487. • BENCHMARK SURVEY OF FOREIGN DIRECT INVESTMENT IN THE UNITED STATES—2002**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 22 USC 3101 to 3108

**CFR Citation:** 15 CFR 806

**Legal Deadline:** None

**Abstract:** This action will amend existing rule 15 CFR 806.17 to provide for the conduct of the BE-12, Benchmark Survey of Foreign Direct Investment in the United States—2002,

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as required in the International Investment and Trade in Services Survey Act, 22 USC 3101 to 3108 (see especially section 4(b) of the Act). The existing rule covers a similar survey for 1997 which has been completed and which the new survey will update.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/02	
NPRM Comment Period End	08/00/02	
Final Action	09/00/02	
Final Action Effective	10/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** R. David Belli, Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, BE-50, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 606-9807  
Fax: 202 606-5318

Email: david.belli@bea.doc.gov

**RIN:** 0691-AA44

**488. • INITIAL REPORT ON FOREIGN PERSON'S DIRECT OR INDIRECT ACQUISITION, ESTABLISHMENT, OR PURCHASE OF OPERATING ASSETS, OR U.S. BUSINESS ENTERPRISE, INCLUDING REAL ESTATE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 22 USC 3101 to 3108

**CFR Citation:** 15 CFR 806

**Legal Deadline:** None

**Abstract:** This action will amend existing rule 15 CFR 806.15 on the BE-13, Initial Report on a Foreign Person's Direct or Indirect Acquisition, Establishment, or Purchase of the Operating Assets, of U.S. Business Enterprise, Including Real Estate and Form BE-14, Report by a U.S. Person Who Assists or Intervenes in the Acquisition of a U.S. Business by, or Who Enters Into a Joint Venture with, a Foreign Person, to bring the survey into conformity with the BE-12,

Benchmark Survey of Foreign Direct Investment in the United States—2002.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/02	
NPRM Comment Period End	09/00/02	
Final Action	10/00/02	
Final Action Effective	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** R. David Belli, Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, BE-50, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 606-9807  
Fax: 202 606-5318  
Email: david.belli@bea.doc.gov

**RIN:** 0691-AA46

**Department of Commerce (DOC)  
Bureau of the Census (CENSUS)**

## Proposed Rule Stage

**489. SPECIAL SERVICES AND STUDIES BY THE BUREAU OF THE CENSUS; AMENDMENTS TO AGE SEARCH PROCEDURES**

**Priority:** Info./Admin./Other

**Legal Authority:** 15 USC 1526; 13 USC 8

**CFR Citation:** 15 CFR 50.1(d); 15 CFR 80.1(c); 15 CFR 80.1(g); 15 CFR 50.5

**Legal Deadline:** None

**Abstract:** Chapter 1, part 50.1(d) should be amended to read as follows: If a search is unsuccessful and additional information for a further search is requested by the Bureau, such information must be received within 90 days of the request or the case will be

considered closed. Additional information received after 90 days must be accompanied by a new fee and will be considered a new request. Chapter 1, part 80.1(c): Change the address from Pittsburg, Kansas 66762 to Jeffersonville, Indiana 47131. Chapter 1, part 80.1(g): The language may be clarified by changing it to read: Census information will not be furnished to another person unless the person to whom the information relates authorizes such release in the space provided on the Form BC-600. Chapter 1, part 50.5: The note following the chart of the fee structure can be eliminated since we have not had a fee increase since February 1993.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Stanley M. Domzalski, Assistant Chief (Services), National Processing Center, Department of Commerce, Bureau of the Census, 1201 East 10th Street, Jeffersonville, IN 47132  
Phone: 812 218-3579  
Fax: 812 218-3293  
**RIN:** 0607-AA24

**Department of Commerce (DOC)**  
**Bureau of the Census (CENSUS)**

**Final Rule Stage**

**490. REPORTING VALUE ON SHIPPER'S EXPORT DECLARATION FOR INLAND FREIGHT AND INSURANCE CHARGES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 13 USC 301; 13 USC 302

**CFR Citation:** 15 CFR 30.7(q)

**Legal Deadline:** None

**Abstract:** The Bureau of the Census is amending the Foreign Trade Statistics Regulations to clarify the provisions for reporting the value of merchandise on the Shipper's Export Declaration (SED) when the inland and freight and insurance charges are not known. Current provisions define the value to be reported on the SED as the value at the U.S. port of export including inland freight and insurance charges. In situations where inland freight and insurance charges are not known the Census Bureau will require that the exporter add 3 percent of the value of the commodity to the value to determine the total value to be reported on the SED.

**Timetable:**

Action	Date	FR Cite
Final Action	05/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Dale Dickerson, Regulations, Outreach, & Education Branch, Foreign Trade Division, Department of Commerce, Bureau of the Census, Room 3148, FB-3, Washington, DC 20233  
 Phone: 301 457-2238  
 Fax: 301 457-3765

**RIN:** 0607-AA29

**491. REPORTING THE VALUE OF REPAIRS AND REPLACEMENT PARTS ON THE SHIPPER'S EXPORT DECLARATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 13 USC 301; 13 USC 302

**CFR Citation:** 15 CFR 30.30(c)

**Legal Deadline:** None

**Abstract:** The Bureau of the Census is amending the Foreign Trade Statistics

Regulations to clarify provisions for reporting the value of exports that were previously imported for repairs or alterations, and the value of replacement parts. This amendment will clarify provisions for reporting the cost of repairs and/or alterations and reporting the value of replacement parts on the Shipper's Export Declaration.

**Timetable:**

Action	Date	FR Cite
Final Action	05/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Dale Dickerson, Regulations, Outreach, & Education Branch, Foreign Trade Division, Department of Commerce, Bureau of the Census, Room 3148, FB-3, Washington, DC 20233  
 Phone: 301 457-2238  
 Fax: 301 457-3765

**RIN:** 0607-AA30

**492. NOTATION OF THE SHIPPER'S EXPORT DECLARATION FILING EXEMPTION STATEMENT ON MANIFEST DOCUMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 13 USC 301; 13 USC 302

**CFR Citation:** 15 CFR 30.50

**Legal Deadline:** None

**Abstract:** The Bureau of the Census is amending the Foreign Trade Statistics Regulations (FTSR) to clarify provisions for notating the Shipper's Export Declaration (SED) filing exemption statement on the bill of lading, air waybill, or other loading document for carrier use, in all cases, when an SED is not required to be filed. This amendment will require the exporter to reference the specific FTSR section, explaining the exemption criteria, whenever an SED is not required to be filed with the statement "No SED Required, FTSR 30.XX" on the manifest document.

**Timetable:**

Action	Date	FR Cite
Final Action	05/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Dale Dickerson, Regulations, Outreach, & Education Branch, Foreign Trade Division, Department of Commerce, Bureau of the Census, Room 3148, FB-3, Washington, DC 20233  
 Phone: 301 457-2238  
 Fax: 301 457-3765

**RIN:** 0607-AA31

**493. • MANDATORY AUTOMATED EXPORT SYSTEM (AES) FILING FOR ALL ITEMS ON THE COMMERCE CONTROL LIST (CCL) AND THE UNITED STATES MUNITIONS LIST (USML)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 106-113, title XII

**CFR Citation:** 15 CFR 30

**Legal Deadline:** None

**Abstract:** The Bureau of the Census is amending the Foreign Trade Statistics Regulations to specify the Requirement for the Mandatory Automated Export System (AES) filing for all items on the Department of Commerce's Commerce Control List (CCL) and the United States Munitions List (USML) of the Department of State. The AES is an electronic method by which export information can be transmitted. This Amendment will specify the provisions and the responsibilities of parties exporting commodities identified on the CCL and USML via AES.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Dale Dickerson, Regulations, Outreach, & Education Branch, Foreign Trade Division, Department of Commerce, Bureau of the Census, Room 3148, FB-3, Washington, DC 20233  
 Phone: 301 457-2238  
 Fax: 301 457-3765

**RIN:** 0607-AA34

**Department of Commerce (DOC)**  
**Bureau of the Census (CENSUS)**
**Completed Actions**
**494. FURNISHING PERSONAL CENSUS DATA FROM CENSUS OF POPULATION SCHEDULES; GENERAL REQUIREMENTS**

Priority: Info./Admin./Other

CFR Citation: 15 CFR 80.1(c)

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/07/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Stanley M. Domzalski  
Phone: 812 218-3579  
Fax: 812 218-3293

RIN: 0607-AA25

**495. FURNISHING PERSONAL CENSUS DATA FROM CENSUS OF POPULATION SCHEDULES; GENERAL REQUIREMENTS**

Priority: Info./Admin./Other

CFR Citation: 15 CFR 80.1(g)

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/07/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Stanley M. Domzalski  
Phone: 812 218-3579  
Fax: 812 218-3293

RIN: 0607-AA26

**496. SPECIAL SERVICES AND STUDIES BY THE BUREAU OF THE CENSUS; FEE STRUCTURE FOR AGE SEARCH AND CITIZENSHIP INFORMATION**

Priority: Info./Admin./Other

CFR Citation: 15 CFR 50.5

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/07/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Stanley M. Domzalski  
Phone: 812 218-3579  
Fax: 812 218-3293

RIN: 0607-AA27

**Department of Commerce (DOC)**  
**General Administration (ADMIN)**
**Final Rule Stage**
**497. UNIFORM ADMINISTRATIVE REQUIREMENT FOR GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NONPROFITS AND COMMERCIAL ORGANIZATIONS**

Priority: Other Significant

Legal Authority: 5 USC 301

CFR Citation: 15 CFR 14

Legal Deadline: None

Abstract: On November 29, 1993, Office of Management and Budget (OMB) Circular A-110, "Uniform Administrative Requirements for Grants and Agreements, with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations" was published in the Federal Register (58 FR 62992). In the published revised

circular, OMB specified as "required action" that Federal agencies responsible for awarding and administering grants and other agreements to recipients described therein, shall adopt the language of the Circular unless other provisions are required by Federal Statute or exceptions or deviations are approved by OMB. This interim final rule adopts the provisions of the Circular and its language to the maximum extent feasible with minor language changes made to make the language apply specifically to the DOC and its operating units.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/04/98	63 FR 47155

Action	Date	FR Cite
Interim Final Rule Effective	10/01/98	
Interim Final Rule Comment Period End	11/03/98	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Elizabeth L. Dorfman, Acting Director, Office of Executive Assistance Management, Department of Commerce, Office of Administration, 14th Street and Constitution Avenue NW, Washington, DC 20230  
Phone: 202 482-4115

RIN: 0605-AA09

**Department of Commerce (DOC)**  
**General Administration (ADMIN)**
**Long-Term Actions**
**498. PUBLIC INFORMATION, FREEDOM OF INFORMATION AND PRIVACY**

Priority: Other Significant

CFR Citation: 15 CFR 4; 15 CFR 4a; 15 CFR 4b

**Timetable:**

Action	Date	FR Cite
NPRM	05/31/00	65 FR 34606
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Andy McCready  
Phone: 202 482-8044

RIN: 0605-AA14

**499. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)**

Priority: Substantive, Nonsignificant

CFR Citation: 15 CFR 26

**Timetable:**

Action	Date	FR Cite
Final Action	03/00/03	

## DOC—ADMIN

## Long-Term Actions

**Regulatory Flexibility Analysis Required:** No  
**Small Entities Affected:** No

**Government Levels Affected:** None  
**Agency Contact:** Robert Kugelman  
 Phone: 202 482-4115

Fax: 202 482-3270  
**RIN:** 0605-AA16

**Department of Commerce (DOC)**  
**International Trade Administration (ITA)**

## Final Rule Stage

**500. IMPORT OF CERTAIN WORSTED WOOL FABRIC: IMPLEMENTATION OF TARIFF RATE QUOTE ESTABLISHED UNDER TITLE V OF THE TRADE AND DEVELOPMENT ACT OF 2000**

**Priority:** Other Significant

**Legal Authority:** PL 106-200, sec 501-504; Title V of the Trade and Development Act of 2000; Presidential Proclamation No. 7383 (December 1, 2000)

**CFR Citation:** 15 CFR 335; 15 CFR 340

**Legal Deadline:** None

**Abstract:** On January 22, 2001, the Department of Commerce issued interim regulations implementing section 501(e) and section 504(b) of the Trade and Development Act of 2000 (the Act). Section 501(e) requires the

President to fairly allocate tariff rate quotas on the import of certain worsted wool fabrics, tariff rate quotas which were established by sections 501(a) and 501(b) of the Act. Section 504(b) authorizes the President to modify the limitations on worsted wool fabric imports under the tariff rate quotas. The President has delegated to the Secretary of Commerce the authority to allocate the quantity of imports under the tariff rate quotas and to determine whether the limitations on the quantity of imports under the tariff rate quotas should be modified. Final regulations will be issued after the period for notice and comment has expired.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/22/01	66 FR 6459

Action	Date	FR Cite
Interim Final Rule Comment Period End	03/23/01	
Final Rule	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Sergio Botero, Industry Economist, Department of Commerce, International Trade Administration, HCHB Room 3119, Office of Textiles and Apparel, 14th and Constitution Avenue NW., Washington, DC 20230  
 Phone: 202 482-4058  
 Fax: 202 482-0667

**RIN:** 0625-AA58

**Department of Commerce (DOC)**  
**International Trade Administration (ITA)**

## Long-Term Actions

**501. PROCEDURES FOR CONDUCTING FIVE-YEAR (SUNSET) REVIEWS OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 19 CFR 351

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/20/98	63 FR 13516
Interim Final Rule Effective	03/20/98	
Final Action	10/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Stacy Ettinger

Phone: 202 482-4618

**RIN:** 0625-AA51

**502. EXPORT TRADE CERTIFICATES OF REVIEW (15 CFR 325)**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 15 CFR 325

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Vanessa Bachman  
 Phone: 202 482-5131  
 Fax: 202 482-1790

**RIN:** 0625-AA52

**503. PROPOSED CHANGES IN THE INSULAR POSSESSIONS WATCH, WATCH MOVEMENT AND JEWELRY PROGRAM**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 15 CFR 303

**Timetable:**

Action	Date	FR Cite
NPRM	05/23/01	66 FR 28404
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Faye Robinson  
 Phone: 202 482-3526

**RIN:** 0625-AA57

**Department of Commerce (DOC)**  
**Bureau of Export Administration (BXA)**

**Prerule Stage**

**504. • REMOVAL OF LICENSING EXEMPTION FOR EXPORTS AND REEXPORTS OF MISSILE TECHNOLOGY-CONTROLLED ITEMS DESTINED TO CANADA**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 10 USC 7420; 10 USC 7430(e); 18 USC 2501 et seq; ...

**CFR Citation:** 15 CFR 738; 15 CFR 742

**Legal Deadline:** None

**Abstract:** The Bureau of Export Administration (BXA) is reviewing the existing license exemption contained within the Export Administration Regulations (EAR) for the export of

missile technology (MT)-controlled items to Canada to determine whether the exemption should be rescinded, because of the recommendations contained in the Government Accounting Office Report entitled: "Export Controls: Regulatory Change Needed to Comply with Missile Technology Licensing Requirements" (GA-01-530). BXA is seeking comments on how removing the existing licensing exemption for MT-controlled exports to Canada would affect industry and more specifically the exporting community.

**Timetable:**

Action	Date	FR Cite
ANPRM	01/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
 Phone: 202 482-2440  
 Fax: 202 482-3355  
 Email: scook@bxa.doc.gov

**RIN:** 0694-AC48

**Department of Commerce (DOC)**  
**Bureau of Export Administration (BXA)**

**Proposed Rule Stage**

**505. SNAP: SIMPLIFIED NETWORK APPLICATION PROCESS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 50 USC app. 2401 et seq; 50 USC 1701 et seq; EO 12924, 59 FR 43437, 3 CFR, 1994 Comp., p. 917; EO 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; ...

**CFR Citation:** 15 CFR 748

**Legal Deadline:** None

**Abstract:** This proposed rule amends the Export Administration Regulations by incorporating information about access, usage, and requirements of the Simplified Network Application Process (SNAP). SNAP is an Internet access system that allows an authorized applicant to submit export or reexport applications, high performance computer notifications, commodity classification requests, and reporting forms to the Bureau of Export Administration (BXA) via the Internet.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
 Phone: 202 482-2440  
 Fax: 202 482-3355  
 Email: scook@bxa.doc.gov

**RIN:** 0694-AC20

**506. OFFSETS IN MILITARY EXPORTS**

**Priority:** Other Significant

**Legal Authority:** PL 102-558, title I, sec 124; 106 Stat. 4207; 50 USC app 2099

**CFR Citation:** 15 CFR 701

**Legal Deadline:** None

**Abstract:** The Bureau of Export Administration (BXA) proposes to amend the National Security Industrial Base Regulations to refine current defense offset reporting requirements.

These changes will allow BXA to more accurately address the impact of offsets on the defense preparedness, industrial competitiveness, employment, and trade of the United States. These changes will also further standardize the data collection framework, thus reducing the burden of reporting requirements on U.S. firms.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Brad Botwin, Director, Trade Analysis Division, Department of Commerce, Bureau of Export Administration, Room 3878, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
 Phone: 202 482-4060  
 Fax: 202 482-5650

**RIN:** 0694-AC27

**Department of Commerce (DOC)**  
**Bureau of Export Administration (BXA)**

**Final Rule Stage**

**507. CHEMICAL WEAPONS  
 CONVENTION REGULATIONS**

**Priority:** Other Significant

**Legal Authority:** 50 USC app. 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222

**CFR Citation:** 15 CFR 710 et seq

**Legal Deadline:** None

**Abstract:** The final rule will make effective the proposed rule published July 21, 1999. The purpose of the regulation is to implement the provisions of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention) and the Chemical Weapons Convention Implementation Act of 1998, requiring private facilities to submit information on certain activities involving toxic chemicals, and to make certain private facilities subject to periodic inspection by the Organization for the Prohibition of Chemical Weapons (OPCW), the international organization created to administer the Convention and to monitor compliance by States Parties.

**Timetable:**

Action	Date	FR Cite
NPRM	07/21/99	64 FR 39193
Interim Final Rule	12/30/99	64 FR 73744
Correction	06/00/02	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Federal

**Agency Contact:** Willard Fisher, Export Administration Specialist, Department of Commerce, Bureau of Export Administration, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
 Phone: 202 482-2440

**RIN:** 0694-AB06

**508. REVISIONS TO THE EXPORT  
 ADMINISTRATION REGULATIONS;  
 ADDITIONS TO THE ENTITY LIST**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 744

**Legal Deadline:** None

**Abstract:** The Export Administration Regulations (EAR) provide that the Bureau of Export Administration may inform exporters, individually or through amendment to the EAR, that a license is required for exports or reexports to certain entities. The EAR contains a list of such entities. This rule adds entities to the Entity List, and requires a license for all exports and reexports of all items subject to the EAR.

**Timetable:**

Action	Date	FR Cite
Addition to Entity List	05/16/97	62 FR 26922
Addition to Entity List	06/30/97	62 FR 35334
Addition to Entity List	06/30/97	62 FR 35335
Revision to Entity List	10/01/97	62 FR 51369
Addition to Entity List - Russian Entities	07/29/98	63 FR 40363
Revisions and Additions to Entity List	05/14/01	66 FR 24264
Final Action	01/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
 Phone: 202 482-2440  
 Fax: 202 482-3355  
 Email: scook@bxa.doc.gov

**RIN:** 0694-AB60

**509. REVISIONS TO THE EXPORT  
 ADMINISTRATION REGULATIONS;  
 COUNTRY GROUP E:1; LICENSE  
 EXCEPTION TMP**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 730 to 774

**Legal Deadline:** None

**Abstract:** This interim final rule amends the Export Administration Regulations (EAR) by revising Country Group E:1 to include all terrorist-supporting countries, and replacing references to Cuba, Iran, Iraq, Libya, North Korea, Sudan and Syria with Country Group E:1 where appropriate.

This rule also expands the scope of eligible countries for License Exception TMP for exhibition and demonstration to all countries except the new Country Group E:1, with certain restrictions.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/10/01	66 FR 42108
Final Action	04/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
 Phone: 202 482-2440

Fax: 202 482-3355

Email: scook@bxa.doc.gov

**RIN:** 0694-AB76

**510. EXPORTS AND REEXPORTS OF  
 EXPLOSIVE DETECTION SYSTEMS;  
 EXPANSION OF FOREIGN POLICY  
 CONTROLS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 730 to 774

**Legal Deadline:** None

**Abstract:** The Bureau of Export Administration is amending the Export Administration Regulations by expanding the current scope of control of explosive detection systems controlled by Export Control Classification Number (ECCN) 2A993 to include all types of systems that detect the presence of explosives or explosive residue. This rule also expands the control of these explosive detection systems to Iraq. In addition, this rule establishes a new licensing requirement on the export and reexport of software designed or modified for the development, production, or use of explosive detection systems to Iran, Iraq, Sudan, and Syria for antiterrorism reasons.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/01	

## DOC—BXA

## Final Rule Stage

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Sheila Quarterman, Export Policy Analyst, Department of Commerce, Bureau of Export Administration

Phone: 202 482-2440

Email: squarter@bxa.doc.gov

**RIN:** 0694—AB87**511. EXPORT ADMINISTRATION REGULATIONS: SUPPORT DOCUMENTATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...**CFR Citation:** 15 CFR 748**Legal Deadline:** None**Abstract:** This rule clarifies and organizes the sections in the Export Administration Regulations that pertain to support documentation requirements for license applications.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/01	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440  
Fax: 202 482-3355  
Email: scook@bxa.doc.gov**RIN:** 0694—AC04**512. EXPORTS AND REEXPORTS TO SUDAN****Priority:** Other Significant**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...**CFR Citation:** 15 CFR 700 to 799**Legal Deadline:** None**Abstract:** The Bureau of Export Administration is amending the Export Administration Regulations (EAR) to reflect the imposition of economic sanctions on Sudan, as a result of the issuance of Executive Order 13067 on November 3, 1997. The Executive Order delegates implementation responsibility to the Department of the Treasury's Office of Foreign Assets Control, including authority for exports and certain reexports. In addition, this rule makes editorial revisions to the EAR relating to embargoes and anti-terrorism controls.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/00/02	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Sheila Quarterman, Export Policy Analyst, Department of Commerce, Bureau of Export Administration  
Phone: 202 482-2440  
Email: squarter@bxa.doc.gov**RIN:** 0694—AC05**513. ANTI-TERRORISM CONTROLS ON IRAQ****Priority:** Other Significant**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222**CFR Citation:** 15 CFR 700 to 799**Legal Deadline:** None**Abstract:** The Bureau of Export Administration is amending the Export Administration Regulations to impose foreign policy controls on Iraq for anti-terrorism reasons.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/00/02	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Sheila Quarterman, Export Policy Analyst, Department of Commerce, Bureau of Export Administration  
Phone: 202 482-2440

Email: squarter@bxa.doc.gov

**RIN:** 0694—AC06**514. REVISIONS TO THE NORTH KOREAN EMBARGO POLICY****Priority:** Other Significant**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222**CFR Citation:** 15 CFR 730 to 774**Legal Deadline:** None**Abstract:** On September 17, 1999, the President announced his decision to ease sanctions against North Korea. Under this new policy, most items subject to the EAR designated as EAR99 may be exported or reexported to North Korea without a license. In addition, BXA is changing the licensing policy for certain items on the Commerce Control List (CCL) destined to North Korean civil end-users from a policy of denial to case-by-case review. This regulation adds certain categories of items to the CCL for which a license will be required to North Korea. This easing of sanctions does not affect U.S. anti-terrorism or nonproliferation export controls on North Korea.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/19/00	65 FR 38148
Correction	12/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Sheila Quarterman, Export Policy Analyst, Department of Commerce, Bureau of Export Administration  
Phone: 202 482-2440  
Email: squarter@bxa.doc.gov**RIN:** 0694—AC10**515. EXPANSION OF LICENSE EXCEPTION GOV; EXPORTS AND REEXPORTS TO INTERNATIONAL ORGANIZATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

## DOC—BXA

## Final Rule Stage

**CFR Citation:** 15 CFR 730 to 774**Legal Deadline:** None

**Abstract:** The Bureau of Export Administration maintains the Export Administration Regulations. This rule expands availability of License Exception GOV to allow certain exports and reexports to the North Atlantic Treaty Organization and to the United Nations for those organizations' official use.

**Timetable:**

Action	Date	FR Cite
Final Action	02/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sheila Quarterman, Export Policy Analyst, Department of Commerce, Bureau of Export Administration  
Phone: 202 482-2440  
Email: squarter@bxa.doc.gov

**RIN:** 0694-AC15

### 516. DE MINIMIS EXPANSION OF ELIGIBILITY: U.S. ORIGIN SOFTWARE INCORPORATED INTO FOREIGN MADE RETAIL COMMODITIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 730 to 774

**Legal Deadline:** None

**Abstract:** This rule amends the Export Administration Regulations (EAR) by allowing foreign-made retail commodities that incorporate a de minimis, i.e., low percentage, value of controlled U.S. origin software to be considered "not subject" to the Export Administration Regulations (EAR) after: a one time report has been submitted to the Bureau of Export Administration (BXA); 30 days have elapsed since receipt of the report by BXA; and BXA has not informed the submitter of the report of any objections to the report. The review will determine if the foreign-made commodity meets the criteria for "retail" and verify the calculations of the de minimis value.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440  
Fax: 202 482-3355  
Email: scook@bxa.doc.gov

**RIN:** 0694-AC17

### 517. REVISIONS TO THE EXPORT ADMINISTRATION REGULATIONS RELATED TO THE MISSILE TECHNOLOGY CONTROL REGIME (MTCR)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 740; 15 CFR 774; 15 CFR 742

**Legal Deadline:** None

**Abstract:** The Bureau of Export Administration (BXA) is amending the Export Administration Regulations (EAR) to amend the Commerce Control List to reflect the reformatted Missile Technology Control Regime (MTCR) Annex of October 14, 1999 (Noordwijk/TEM). This final rule also amends Country Group A:2, MTCR, to add the Czech Republic, Korea (Republic of), Poland, Turkey, and Ukraine.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440

Fax: 202 482-3355

Email: scook@bxa.doc.gov

**RIN:** 0694-AC22

### 518. REVISION TO THE EXPORT ADMINISTRATION REGULATIONS: REPLACEMENT LICENSES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 748 to 750

**Legal Deadline:** None

**Abstract:** The Bureau of Export Administration (BXA) licenses items subject to the Export Administration Regulations (EAR) that are classified on the Commerce Control List (CCL) and require a license. The information on a license application is deemed to be a continuing representation of the existing facts or circumstances of the transaction. If a license application is under consideration by BXA, any material or substantive change in the terms of the order, or in the facts relating to the transaction, must be promptly reported to BXA. However, if a license has been issued and information submitted on the original license application has changed or will change, and these changes are not specifically excepted by the EAR, then the licensee must apply for either a new license or a replacement license to obtain prior authorization for these changes before exporting or reexporting. This rule clarifies the instructions for applying for a replacement license.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440  
Fax: 202 482-3355  
Email: scook@bxa.doc.gov

**RIN:** 0694-AC23

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**519. REVISIONS AND CLARIFICATIONS TO THE EXPORT ADMINISTRATION REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; E.O. 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...**CFR Citation:** 15 CFR 730; 15 CFR 732; 15 CFR 734; 15 CFR 736; 15 CFR 740; 15 CFR 746; 15 CFR 748; 15 CFR 752; 15 CFR 758; 15 CFR 772; 15 CFR 774**Legal Deadline:** None**Abstract:** This rule amends the EAR by making certain revisions and clarifications and, in some cases, inserts material inadvertently omitted from previous rules.**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440  
Fax: 202 482-3355  
Email: scook@bxa.doc.gov**RIN:** 0694-AC24**520. ENTITY LIST: ADDITIONS AND REVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...**CFR Citation:** 15 CFR 730 to 799**Legal Deadline:** None**Abstract:** The Export Administration Regulations (EAR) provide that the Bureau of Export Administration (BXA) may inform exporters, individually or through amendment to the EAR, that a license is required for exports or reexports to certain entities. The EAR contain a list of such entities called the Entity List. This rule makes additions, modifications and corrections to the Entity List.**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440  
Fax: 202 482-3355  
Email: scook@bxa.doc.gov**RIN:** 0694-AC28**521. CRIME CONTROL ITEMS: REVISIONS TO THE COMMERCE CONTROL LIST****Priority:** Other Significant**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...**CFR Citation:** 15 CFR 730 to 799**Legal Deadline:** None**Abstract:** This rule amends the Export Administration Regulations by expanding controls on restraint devices, such as handcuffs, and on discharge type arms, such as stun guns or shock batons. In addition, this rule modifies the license review policy to include consideration of whether there is civil disorder in the country or region or whether there is evidence that the government of the importing country may have violated internationally recognized human rights.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/13/00	65 FR 55177
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Sheila Quarterman, Export Policy Analyst, Department of Commerce, Bureau of Export Administration  
Phone: 202 482-2440  
Email: squarter@bxa.doc.gov**RIN:** 0694-AC31**522. LICENSE EXCEPTION AVS: CUBA, LIBYA, SERBIA****Priority:** Substantive, Nonsignificant**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...**CFR Citation:** 15 CFR 740**Legal Deadline:** None**Abstract:** The Bureau of Export Administration (BXA) is amending the Export Administration Regulations (EAR) by allowing equipment, spares, and plane stores under the provisions of License Exception AVS on foreign registered aircraft subject to the EAR that are temporarily reexported to Libya and Serbia, and on U.S. or foreign registered aircraft subject to the EAR that are temporarily exported or reexported to Cuba.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/00/02	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Willard Fisher, Export Administration Specialist, Department of Commerce, Bureau of Export Administration, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440**RIN:** 0694-AC33**523. CLARIFICATIONS TO PART 753: SPECIAL COMPREHENSIVE LICENSE REQUIREMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...**CFR Citation:** 15 CFR 700 to 799**Legal Deadline:** None**Abstract:** The Bureau of Export Administration administers the Special Comprehensive License (SCL) program to provide an effective export control mechanism for exporters who routinely ship to multiple end-users. This rule amends the SCL provisions of the Export Administration Regulations

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(EAR) to conform with changes in the SCL licensing process and to provide SCL applicants and consignees with additional guidance on how to fill out the forms required to submit a license application or to request changes in their SCLs. This rule also creates two new elements for SCL Internal Control Programs. These new elements require the establishment of procedures for screening customers and items to ensure that SCL transactions conform with the antiboycott provisions of the EAR and with EAR provisions concerning entities involved in weapons of mass destruction activities.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Willard Fisher, Export Administration Specialist, Department of Commerce, Bureau of Export Administration, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440

**RIN:** 0694-AC34**524. CHEMICAL WEAPONS CONVENTION: REVISIONS TO THE EXPORT ADMINISTRATION REGULATIONS****Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 700 to 799**Legal Deadline:** None

**Abstract:** The Bureau of Export Administration (BXA) administers export controls on certain toxic chemicals and precursors that are listed in the "Schedules of Chemicals" contained within the "Annex on Chemicals" to the "Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction," also known as the Chemical Weapons Convention (CWC). This rule amends the CWC provisions in the Export Administration Regulations (EAR) to clarify BXA

licensing requirements and policies for chemicals and precursors controlled for CW reasons.

**Timetable:**

Action	Date	FR Cite
Final Action	06/00/02	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Willard Fisher, Export Administration Specialist, Department of Commerce, Bureau of Export Administration, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440

**RIN:** 0694-AC35**525. EXPORTS OF AGRICULTURAL COMMODITIES, MEDICINES AND MEDICAL DEVICES****Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 700 to 799**Legal Deadline:** None

**Abstract:** This rule amends the Export Administration Regulations (EAR) to implement certain provisions of the Trade Sanctions Reform and Export Enhancement Act (TSRA) of 2000. The TSRA requires the President to terminate existing U.S. unilateral agricultural and medical sanctions and also provides that the export of agricultural commodities, medicines and medical devices to designated terrorist countries be made in accordance with the licensing regime described in that Act. The Department of Commerce is implementing TSRA as it relates to exports of agricultural commodities to Cuba. This rule establishes License Exception Agricultural Commodities (AGR) to permit exports and reexports to Cuba of agricultural commodities that are not specifically identified on the Commerce Control List (CCL) and are classified as EAR99. The Department of the Treasury's Office of Foreign Assets Control (OFAC) is implementing TSRA as it relates to exports to Iran, Libya, and Sudan of agricultural commodities, medicines and medical devices that are

not specifically identified on the CCL and are classified as EAR99.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/12/01	66 FR 36676
Final Rule	12/00/01	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Sheila Quarterman, Export Policy Analyst, Department of Commerce, Bureau of Export Administration  
Phone: 202 482-2440  
Email: squarter@bxa.doc.gov

**RIN:** 0694-AC37**526. ENTITY LIST: REMOVAL OF TWO RUSSIAN ENTITIES****Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; E.O. 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 744**Legal Deadline:** None

**Abstract:** The Export Administration Regulations (EAR) provide that the Bureau of Export Administration (BXA) may inform exporters, individually or through amendment to the EAR, that a license is required for exports or reexports to certain entities. The EAR contain a list of such entities called the Entity List. This rule removes two Russian entities from the Entity List: INOR Scientific Center, Moscow, Russia; and Polyus Scientific Production Association, 3 Ulitsa Vvedenskogo, 117342, Moscow.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440  
Fax: 202 482-3355

Email: scook@bxa.doc.gov

RIN: 0694—AC40

**527. IMPLEMENTATION OF THE WASSENAAR ARRANGEMENT LIST OF DUAL-USE ITEMS REVISIONS: COMPUTERS; AND REVISIONS TO LICENSE EXCEPTION CTP**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 740; 15 CFR 742; 15 CFR 743; 15 CFR 774; 15 CFR 748

**Legal Deadline:** None

**Abstract:** On December 1, 2000, the Wassenaar Arrangement agreed to implement several changes in its List of Dual-Use Goods and Technologies. This final rule revises the CCL to implement certain recently agreed to changes in Category 4 (Computers) of the Wassenaar List of Dual-Use Goods and Technologies, specifically in the area of computers. These changes are being implemented to reflect rapid technological advances and controllability factors. Additional changes in other categories of the Wassenaar Dual-Use List will be implemented in the CCL in a supplemental regulation.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440  
Fax: 202 482-3355  
Email: scook@bxa.doc.gov

RIN: 0694—AC42

**528. REVISIONS AND CLARIFICATIONS TO THE COMMERCE CONTROL LIST; CHEMICAL AND BIOLOGICAL WEAPONS CONTROLS; AUSTRALIA GROUP**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 2501 et seq; 30 USC 185; 42 USC 6212; 10 USC 7429; 10 USC 7430(c); 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139(a); 43 USC 1354; 50 USC app 2401 et seq; 40 USC 466(c); EO 11912; EO 12924; Notice of August 3, 2000 (65 FR 48347, August 8, 2000); ...

**CFR Citation:** 15 CFR 700 to 799

**Legal Deadline:** None

**Abstract:** The Bureau of Export Administration (BXA) is amending the Export Administration Regulations (EAR) to implement certain agreements reached at the October 2000 plenary meeting of the Australia Group Chemical and Biological Weapons Nonproliferation Control Regime. The Australia Group (AG), a multilateral form consisting of 30 participating countries (including the United States), maintains export controls on a list of chemicals, biological agents, and related equipment and technology that could be used in the production of chemical or biological weapons.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Willard Fisher, Export Administration Specialist, Department of Commerce, Bureau of Export Administration, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440

RIN: 0694—AC43

**529. IMPLEMENTATION OF THE WASSENAAR ARRANGEMENT LIST OF DUAL-USE ITEMS: REVISIONS TO CATEGORIES 1, 2, 3, 4, 5, 6, 7 AND 9 OF THE COMMERCE CONTROL LIST AND REVISIONS TO REPORTING REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201

et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 700 to 799

**Legal Deadline:** None

**Abstract:** The Bureau of Export Administration (BXA) maintains the Commerce Control List (CCL), which identifies those items subject to Department of Commerce export controls. This final rule revises certain entries controlled for national security reasons in Categories 1, 2, 3, 4, 5, 6, 7 and 9 to conform with changes in the Wassenaar Arrangement's List of Dual-Use Goods and Technologies maintained and agreed to by governments participating in the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (Wassenaar Arrangement). The Wassenaar Arrangement controls strategic items with the objective of improving regional and international security and stability.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440  
Fax: 202 482-3355  
Email: scook@bxa.doc.gov

RIN: 0694—AC44

**530. • EXPORTS TO AFGHANISTAN (THE TALIBAN) AND LIBERIA: IMPOSITION OF FOREIGN POLICY CONTROLS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 730 to 774

**Legal Deadline:** None

**Abstract:** This rule amends the Export Administration Regulations (EAR) to implement United Nations Security Council (UNSC) Resolutions 1333 of

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December 19, 2000 and 1343 of March 7, 2001, which mandated embargoes on the sale or supply of arms-related items, including technical assistance and training, to the Taliban and to Liberia, respectively. These steps taken by the Bureau of Export Administration (BXA) supplement controls implemented by the Department of State on exports of defense articles and services to the Taliban and to Liberia under the International Traffic in Arms Regulations. BXA already requires a license for the export and reexport to Afghanistan and Liberia of most of the items subject to the EAR that fall within the scope of the UNSC mandated ban on arms-related items (e.g., items controlled for regional stability and crime control reasons).

**Timetable:**

Action	Date	FR Cite
Final Rule	12/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Sheila Quarterman, Export Policy Analyst, Department of Commerce, Bureau of Export Administration  
Phone: 202 482-2440  
Email: squarter@bxa.doc.gov

**RIN:** 0694-AC45**531. • ADDITION AND REVISION OF MISSILE PROJECTS IN THE EXPORT ADMINISTRATION REGULATIONS****Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 740**Legal Deadline:** None

**Abstract:** This interim rule amends the Export Administration Regulations (EAR) by revising the footnote to Country Group D, which includes missile projects of concern. This rule updates the list of missile projects by adding missile projects and revising others by expanding the scope to missile project series. This rule will increase the amount of applications for license submitted to the Bureau of Export Administration, while curtailing the availability of goods and technology

that could contribute to missile proliferation.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/00/02	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440

Fax: 202 482-3355

Email: scook@bxa.doc.gov

**RIN:** 0694-AC46**532. • REVISION, SUSPENSION, OR PROHIBITION OF USE OF "NO LICENSE REQUIRED" PROVISIONS****Priority:** Routine and Frequent

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 732; 15 CFR 738; 15 CFR 758**Legal Deadline:** None

**Abstract:** The Bureau of Export Administration (BXA) is amending the Export Administration Regulations (EAR) to add provisions that alert the public that BXA has the authority to revise, suspend, or prohibit the use of "No License Required" provisions. These provisions were unintentionally not included in the newly "reformed" EAR during the "regulatory reform" exercise in March of 1996.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440

Fax: 202 482-3355

Email: scook@bxa.doc.gov

**RIN:** 0694-AC47**533. • LICENSING JURISDICTION FOR "SPACE QUALIFIED" ITEMS****Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; EO 12002; EO 12058; EO 12214; EO 12938; EO 13026; EO 13222; ...

**CFR Citation:** 15 CFR 740; 15 CFR 774**Legal Deadline:** None

**Abstract:** This interim final rule amends Export Administration Regulations (EAR) by revising Supplement No. 1 to part 774, the Commerce Control List (CCL) to clarify the licensing jurisdiction of certain "space qualified" items on the CCL. This rule also amends the EAR by removing certain "space qualified" items from License Exception eligibility in part 740 and the CCL.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440

Fax: 202 482-3355

Email: scook@bxa.doc.gov

**RIN:** 0694-AC49**534. • EXPORT ADMINISTRATION REGULATIONS ENTITY LIST: REMOVAL OF INDIAN AND PAKISTANI ENTITIES, AND REVISION IN LICENSE POLICY.****Priority:** Substantive, Nonsignificant

**Legal Authority:** 50 USC 2401; 50 USC 1701; 22 USC 3201; 42 USC 2139a; PL 106-508

**CFR Citation:** 15 CFR 744; 15 CFR 742**Legal Deadline:** None

**Abstract:** On November 18, 1998, the Bureau of Export Administration (BXA) published a rule in the Federal Register (63 FR 64322) that added certain Indian and Pakistani entities to the Entity List in the Export Administration Regulations (EAR). In addition, this rule lifts the sanctions imposed against

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India and Pakistan on November 19, 1998 (63 FR 64322). This rule also revises the license review policy for items classified as EAR99 (items that are subject to the EAR, but are not listed on the Commerce Control List) to a presumption of approval for all Indian and Pakistani listed entities, and revises the license review policy for

items list on the Commerce Control List to case-by-case.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Export Administration, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230  
Phone: 202 482-2440  
Fax: 202 482-3355  
Email: scook@bxa.doc.gov

**RIN:** 0694-AC50

## Department of Commerce (DOC)

## Long-Term Actions

## Bureau of Export Administration (BXA)

**535. TRANSFER OF DUAL-USE ITEMS FROM U.S. MUNITIONS LIST TO THE COMMERCE CONTROL LIST**

**Priority:** Other Significant

**CFR Citation:** 15 CFR 774 Supplement No. 1

**Timetable:**

Action	Date	FR Cite
Transfer of Communications Satellites	10/23/92	57 FR 48312
Navigation and Avionics	06/23/93	58 FR 34211
Final Rule - Transfer of Commercial Communication Satellites	09/08/93	58 FR 47322
Transfer of Items From the USMI to the CCL; Imposition of Certain Foreign Policy Controls	10/26/93	58 FR 57549
Satellite Fuel	09/29/97	62 FR 50865
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Brian Nilsson  
Phone: 202 482-4196

**RIN:** 0694-AA52

**536. ADMINISTRATION OF STATE LOG EXPORTS BAN**

**Priority:** Other Significant

**CFR Citation:** 15 CFR 754

**Timetable:**

Action	Date	FR Cite
ANPRM	06/07/95	60 FR 30030
ANPRM Comment Period End	07/07/95	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local

**Agency Contact:** Willard Fisher  
Phone: 202 482-2440

**RIN:** 0694-AB25

**537. CHANGE THE COMMERCE CONTROL LIST TO REVISE CONTROLS ON COMMUNICATION INTERCEPTING DEVICES (EXPORT COMMERCE CONTROL NUMBER ECCN 5A980)**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 15 CFR 730 to 799

**Timetable:**

Action	Date	FR Cite
Final Action	To Be Determined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Brian Nilsson  
Phone: 202 482-4196

**RIN:** 0694-AB41

**538. CLARIFICATION OF LICENSE EXCEPTION GFT (HUMANITARIAN DONATIONS)**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 15 CFR 740

**Timetable:**

Action	Date	FR Cite
Final Action	To Be Determined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Hillary Hess  
Phone: 202 482-2440  
Fax: 202 482-3355

Email: hhess@bxa.doc.gov

**RIN:** 0694-AB49

**539. EXPORTS OF TECHNOLOGY AND SOFTWARE; RELEASE OF TECHNOLOGY OR SOURCE CODE TO FOREIGN NATIONALS IN THE UNITED STATES**

**Priority:** Other Significant

**CFR Citation:** 15 CFR 730 to 799

**Timetable:**

Action	Date	FR Cite
Final Action	To Be Determined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Hillary Hess  
Phone: 202 482-2440  
Fax: 202 482-3355  
Email: hhess@bxa.doc.gov

Sharron Cook  
Phone: 202 482-2440  
Fax: 202 482-3355  
Email: scook@bxa.doc.gov

**RIN:** 0694-AB59

**540. INDIA AND PAKISTAN SANCTIONS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 15 CFR 730 to 774

**Timetable:**

Action	Date	FR Cite
Interim Final Rule - India and Pakistan Sanctions and Other Measures	11/19/98	63 FR 64322
Interim Final Rule - Correction to India and Pakistan Sanctions and Other Measures	11/27/98	63 FR 65352

## DOC—BXA

## Long-Term Actions

**Action**      **Date**      **FR Cite**

Final Rule      03/17/00      65 FR 14444  
 Final Rule      07/26/00      65 FR 45842  
 Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Hillary Hess  
 Phone: 202 482-2440  
 Fax: 202 482-3355  
 Email: hhess@bxa.doc.gov  
**RIN:** 0694—AB73

**541. EXPANSION OF LICENSE EXCEPTION CIV ELIGIBILITY FOR "MICROPROCESSORS" CONTROLLED BY ECCN 3A001**

**Priority:** Substantive, Nonsignificant**CFR Citation:** 15 CFR 730 to 774**Timetable:****Action**      **Date**      **FR Cite**

Interim Final Rule      07/08/99      64 FR 36779  
 Interim Final Rule      11/26/99      64 FR 66372  
 Interim Final Rule      06/13/00      65 FR 37039  
 Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Hillary Hess  
 Phone: 202 482-2440  
 Fax: 202 482-3355  
 Email: hhess@bxa.doc.gov  
**RIN:** 0694—AB90

**542. EXPORT OF TECHNOLOGY AND SOFTWARE THROUGH ELECTRONIC TRANSMISSIONS, DOWNLOADS, AND PROGRAMMED ONTO HARDWARE**

**Priority:** Substantive, Nonsignificant**CFR Citation:** 15 CFR 700 to 799**Timetable:****Action**      **Date**      **FR Cite**

ANPRM      To Be Determined

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Sharron Cook  
 Phone: 202 482-2440  
 Fax: 202 482-3355  
 Email: scook@bxa.doc.gov  
**RIN:** 0694—AB97

**543. SHORT SUPPLY CONTROLS: CRUDE OIL EXPORTS**

**Priority:** Substantive, Nonsignificant**CFR Citation:** 15 CFR 750; 15 CFR 754**Timetable:****Action**      **Date**      **FR Cite**

Final Action      To Be Determined

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Willard Fisher  
 Phone: 202 482-2440

**RIN:** 0694—AC25

**544. REVISIONS TO ENCRYPTION ITEMS**

**Priority:** Other Significant**CFR Citation:** 15 CFR 730 to 799**Timetable:****Action**      **Date**      **FR Cite**

Final Rule      10/19/00      65 FR 62600  
 Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Brian Nilsson  
 Phone: 202 482-4196

**RIN:** 0694—AC32

## Department of Commerce (DOC)

## Bureau of Export Administration (BXA)

## Completed Actions

**545. LIBYA: EXPANSION OF FOREIGN POLICY CONTROLS**

**Priority:** Other Significant**CFR Citation:** 15 CFR 746**Completed:****Reason**      **Date**      **FR Cite**

Withdrawn      07/25/01

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Sharron Cook  
 Phone: 202 482-2440  
 Fax: 202 482-3355  
 Email: scook@bxa.doc.gov

**RIN:** 0694—AB28

**546. REVISIONS TO COMMERCE CONTROL LIST: ADDITION OF TECHNOLOGY AND SOFTWARE CONTROLS FOR CERTAIN CRIME CONTROL COMMODITIES**

**Priority:** Substantive, Nonsignificant**CFR Citation:** 15 CFR 774 Supplement No. 1**Completed:****Reason**      **Date**      **FR Cite**

Withdrawn      07/25/01

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Sharron Cook  
 Phone: 202 482-2440  
 Fax: 202 482-3355  
 Email: scook@bxa.doc.gov

**RIN:** 0694—AB53

**547. DE MINIMIS EXCLUSION FOR TECHNOLOGY AND SOFTWARE**

**Priority:** Substantive, Nonsignificant**CFR Citation:** 15 CFR 730 to 799**Completed:****Reason**      **Date**      **FR Cite**

Withdrawn      07/25/01

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Sharron Cook  
 Phone: 202 482-2440  
 Fax: 202 482-3355  
 Email: scook@bxa.doc.gov

**RIN:** 0694—AB62

**548. DEFINITION HARMONIZATION**

**Priority:** Substantive, Nonsignificant**CFR Citation:** 15 CFR 772

## DOC—BXA

## Completed Actions

**Completed:**

Reason	Date	FR Cite
Interim Final Rule	07/16/01	66 FR 36909

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Sharron Cook  
Phone: 202 482-2440  
Fax: 202 482-3355

Email: scook@bxa.doc.gov

**RIN:** 0694-AC03**549. LICENSE EXCEPTION CTP AND PRC END-USER CERTIFICATES****Priority:** Substantive, Nonsignificant**CFR Citation:** 15 CFR 730 to 799**Completed:**

Reason	Date	FR Cite
Withdrawn	07/23/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Kirsten Mortimer  
Phone: 202 482-3856

**RIN:** 0694-AC12

## Department of Commerce (DOC)

## Completed Actions

## National Institute of Standards &amp; Technology (NIST)

**550. NATIONAL VOLUNTARY LABORATORY ACCREDITATION PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 15 CFR 285**Completed:**

Reason	Date	FR Cite
Final Action	05/30/01	66 FR 29219
Final Action Effective	06/29/01	

**Regulatory Flexibility Analysis Required:** Yes**Government Levels Affected:** None

**Agency Contact:** David F. Alderman  
Phone: 301 975-4016  
Email: david.alderman@nist.gov

**RIN:** 0693-AB50

## Department of Commerce (DOC)

## Prerule Stage

## National Oceanic and Atmospheric Administration (NOAA)

**NATIONAL MARINE FISHERIES SERVICE****551. • TAKING MARINE MAMMALS INCIDENTAL TO ROCKET LAUNCHES FROM THE KODIAK LAUNCH COMPLEX, KODIAK ISLAND, ALASKA****Priority:** Other Significant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 216**Legal Deadline:** None

**Abstract:** NMFS has received a request from the Alaska Aerospace Development Corporation (AADC) for a Letter of Authorization (LOA) to take small numbers of marine mammals incidental to rocket launches from the

Kodiak Launch Complex (KLC), Kodiak Island, Alaska. As a result of that request, NMFS is proposing regulations that would authorize the incidental taking of a small number of marine mammals. In order to issue such regulations, NMFS must determine that these takings will have a negligible impact on the affected species and stocks of marine mammals and will not have an unmitigable adverse impact on the availability of marine mammal species or stocks for subsistence uses.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/01	
ANPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State

**Agency Contact:** Simona Perry Roberts, Fishery Biologist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, 1315 East-West Highway, Room 13727, Silver Spring, MD 20910

Phone: 301 713-2322

Fax: 301 713-0376

Email: simona.roberts@noaa.gov

**RIN:** 0648-AP62

## Department of Commerce (DOC)

## Proposed Rule Stage

## National Oceanic and Atmospheric Administration (NOAA)

**NATIONAL MARINE FISHERIES SERVICE****552. FISHERY MANAGEMENT PLAN FOR TILEFISH****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This FMP would manage tilefish (*Lopholatilus chamaeleonticeps*) in the EEZ along the Atlantic Coast

north of the Virginia/North Carolina border to rebuild the stock.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

## DOC—NOAA

## Proposed Rule Stage

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Federal**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200**RIN:** 0648-AF87**553. AMENDMENT 4 TO THE FISHERY MANAGEMENT PLAN FOR THE REEF FISH FISHERY OF PUERTO RICO AND THE U.S. VIRGIN ISLANDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 622**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.**Abstract:** Amendment 3 would restrict the use of gillnets, fish traps, and other gear in the reef fish fishery in the Caribbean exclusive economic zone. Amendment 4 would address the possible need for permitting in the fish trap fishery.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/02	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301**RIN:** 0648-AG87**554. AMENDMENTS TO THE OBSERVER PROGRAM - AMENDMENT 47 TO THE FMP FOR BSAI GROUND FISH AND AMENDMENT 47 TO THE FMP FOR GOA GROUND FISH****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 679**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.**Abstract:** Amendments to FMP Amendment 47 to the Groundfish of the BSAI and FMP Amendment 47 to the Gulf of Alaska Groundfish to implement an observer program, replacing the interim Observer Program.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802  
Phone: 907 586-7228**RIN:** 0648-AI69**555. REGULATORY AMENDMENT TO ESTABLISH PERMIT AND REPORTING REQUIREMENTS FOR PELAGIC TROLL AND HANDLINE VESSELS FISHING OFF PACIFIC REMOTE ISLANDS OF THE UNITED STATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.**Abstract:** This action will establish NMFS permit/reporting requirements for pelagic troll and handline vessels fishing in waters off U.S. Pacific Island possessions.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937**RIN:** 0648-AJ08**556. AMEND THE FOREIGN FISHING REGULATIONS TO IMPLEMENT THE PROVISIONS OF A PACIFIC INSULAR AREA FISHERY AGREEMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 600**Legal Deadline:** None**Abstract:** Amend the foreign fishing regulations at 50 CFR part 600 subpart F to authorize foreign fishing under a Pacific Insular Area Fishery Agreement (PIAFA). Foreign fishing vessels fishing under a PIAFA would be authorized to fish in the EEZ around American Samoa, Guam, the Northern Mariana Islands and other U.S. insular areas in the Pacific. Prior to the negotiation of a PIAFA, American Samoa, Guam and the Northern Mariana Islands must develop a three-year Marine Conservation Plan (MCP) detailing the use of funds collected under a PIAFA. A MCP must be consistent with relevant Fishery Management Plans. The Magnuson-Stevens Act further provides that fees received by the Secretary for foreign fishing under a PIAFA for American Samoa, Guam, or the Northern Mariana Islands shall be deposited into the United States Treasury and then covered over to the Treasury of the Pacific Insular Area for which the funds were collected.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/02	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** State**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric

## DOC—NOAA

## Proposed Rule Stage

Administration, 1601 Kapiolani  
Boulevard, Suite 1110, Honolulu, HI  
96814-4700  
Phone: 808 973-2937

RIN: 0648-AJ60

### 557. ESTABLISH CENTRAL REGISTRY FOR LIMITED ACCESS SYSTEM PERMITS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 600

**Legal Deadline:** None

**Abstract:** Establishment of a central registry for limited access system permits as required by the Magnuson-Stevens Fishery Conservation and Management Act section 305(h).

**Timetable:**

Action	Date	FR Cite
ANPRM	05/07/97	62 FR 24897
ANPRM Comment Period End	08/05/97	
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Charles L. Cooper, Program Leader, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910

Phone: 301 713-2396

Email: charles.cooper@noaa.gov

RIN: 0648-AJ77

### 558. REGULATORY AMENDMENT TO DEVELOP A C. BAIRDI VESSEL INCENTIVE PROGRAM

**Priority:** Substantive, Nonsignificant.  
Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Develop a C. bairdi crab fishery vessel incentive program.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802  
Phone: 907 586-7228

RIN: 0648-AK08

### 559. REGULATORY AMENDMENT TO ALLOCATE PACIFIC HALIBUT TO THE CHARTER BOAT FLEET

**Priority:** Substantive, Nonsignificant.  
Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 773c

**CFR Citation:** 50 CFR 300

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Establish measures to manage the halibut charter boat industry off Alaska.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802  
Phone: 907 586-7228

RIN: 0648-AK17

### 560. REGULATORY AMENDMENT TO REQUIRE MANDATORY OBSERVER COVERAGE IN THE AT-SEA PROCESSING SECTOR OF THE WHITING FISHERY

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 660

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Regulations would require observer coverage on vessels in the at-

sea processing sector of the whiting fishery.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Donna Darm, Acting Regional Administrator, Northwest Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, BIN C15700, 7600 Sand Point Way NE, Building 1, Seattle, WA 48115-0070  
Phone: 206 526-6150

RIN: 0648-AK26

### 561. AMENDMENT 54 TO FMP FOR GROUNDFISH FISHERY OF BERING SEA AND ALEUTIAN ISLANDS AREA AND AMENDMENT 54 TO FMP FOR GROUNDFISH OF GULF OF ALASKA

**Priority:** Substantive, Nonsignificant.  
Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of NPRM comment period.

**Abstract:** These FMP amendments would change sablefish use limits from percentages to quota share units; add a leasing provision to allow initial recipients of quota shares to lease 10 percent of their individual fishing quota pooled across all areas, with an option to restrict this allowance to the Bering Sea; and modify plan language to allow an individual who holds an initial allocation of quota share to hire a skipper to fish individual IFQ on a collectively owned vessel.

**Timetable:**

Action	Date	FR Cite
NPRM	10/12/01	66 FR 52090
NPRM Comment Period End	11/26/01	
Final Action	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

## DOC—NOAA

## Proposed Rule Stage

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802  
Phone: 907 586-7228

**RIN:** 0648-AK70

### 562. ADJUSTMENT OF MANAGEMENT PROGRAM: BOTTOMFISH FISHERIES IN THE HAWAIIAN ISLANDS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 660

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of NPRM comment period.

**Abstract:** This regulatory action would facilitate and enable adjustments to management measures governing bottomfish fisheries of the main and Northwestern Hawaiian Islands. Possible measures include a point system based on historical participation, a limited permit transfer process, or re lottery system.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	02/00/02	
Final Action	03/00/02	
Final Action Effective	04/00/02	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937

**RIN:** 0648-AK82

### 563. REVISE EXEMPTED FISHING REGULATIONS TO SPECIFY COMPENSATORY FISHING UNDER EXEMPTED FISHING

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 600

**Legal Deadline:** None

**Abstract:** This action would revise current exempted fishing regulations to specifically authorize the use of an exempted fishing permit as the method of allowing the compensation of private vessels for their conduct of resource assessment. Specific methodology for vessel compensation would be developed on a fishery-by-fishery basis. The rule would also make other minor changes in the regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Bruce C. Morehead, Acting Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2334  
Email: bruce.morehead@noaa.gov

**RIN:** 0648-AK84

### 564. REGULATORY AMENDMENT TO FUND PURCHASE OF LIMITED ENTRY TRAWL PERMITS TO REDUCE EXCESS CAPACITY IN PACIFIC COAST GROUND FISH FLEET

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 660

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of final rule comment period.

**Abstract:** Regulations would authorize Federal purchase of Pacific Coast groundfish limited entry trawl permits, under section 312(b) of the Magnuson-Stevens Fishery Conservation and Management Act, "Fishing Capacity Reduction Program." Federal purchase of trawl permits would be considered a "loan" to the trawl fleet, which would be repaid by that fleet through a tax on groundfish landings by limited entry trawl vessels. The goal of this program would be to match effort within the fishery more closely with available resources.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Donna Darm, Acting Regional Administrator, Northwest Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, BIN C15700, 7600 Sand Point Way NE, Building 1, Seattle, WA 48115-0070  
Phone: 206 526-6150

**RIN:** 0648-AL66

### 565. ADJUSTMENT OF MANAGEMENT PROGRAM: CRUSTACEAN FISHERIES IN THE WESTERN PACIFIC

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 660

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This regulatory action, under an amendment to the Western Pacific Crustaceans FMP, would add the EEZ waters off the U.S. Pacific Island Possessions and Commonwealth of the Northern Mariana Islands as crustaceans management areas.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	02/00/02	
Final Action	03/00/02	
Final Action Effective	04/00/02	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937

**RIN:** 0648-AL67

## DOC—NOAA

## Proposed Rule Stage

**566. REGULATORY AMENDMENT TO ALLOCATE LINGCOD AND BOCACCIO ROCKFISH BETWEEN COMMERCIAL AND RECREATIONAL GROUND FISH FISHERIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of interim final rule comment period.**Abstract:** Regulations would set allocations of lingcod and bocaccio rockfish between the commercial and recreational fisheries for Pacific Coast groundfish.**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State, Federal**Agency Contact:** Donna Darm, Acting Regional Administrator, Northwest Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, BIN C15700, 7600 Sand Point Way NE, Building 1, Seattle, WA 48115-0070  
Phone: 206 526-6150**RIN:** 0648-AL69**567. FISHERY MANAGEMENT PLAN FOR CALICO SCALLOP FISHERY IN THE SOUTH ATLANTIC REGION (FMP)****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 622**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.**Abstract:** The FMP could include the following measures: (1) Definitions of management unit, MSY, OY, and overfishing; (2) requirement for a vessel permit to harvest or possess calico scallops in or from the South Atlantic EEZ; (3) designation of essential fish habitat for calico scallops; (4) prohibition on harvest of calico scallops in the area bounded to the west by 80 degrees W. longitude, to the north by 28 degrees 30 minutes N. latitude, to the south by 27 degrees 30

minutes N. latitude, and to the east by the 100 fathom depth contour; and (5) requirement for use of transponders by calico scallop vessels.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/02	

**Regulatory Flexibility Analysis**  
**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301**RIN:** 0648-AL78**568. COMPREHENSIVE AMENDMENT ADDRESSING SUSTAINABLE FISHERIES ACT REQUIREMENTS REGARDING OVERFISHING, BYCATCH, FISHING COMMUNITIES AND PROVISIONS FOR FISHERY MANAGEMENT PLANS FOR THE CARIBBEAN****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 622**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.**Abstract:** This comprehensive amendment will amend the Caribbean Fishery Management Council's existing fishery management plans for queen conch, coral resources, spiny lobster, and reef fish to address the Sustainable Fisheries Act requirements regarding section 102 definitions (e.g., overfished, overfishing), bycatch provisions, fishery impact statements, effects on fishing communities, and preventing overfishing and rebuilding overfished stocks.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Under 16 USC 1853 note, each Regional Fishery Management Council must submit to NMFS amendments to its fishery management plans and any associated proposed regulations bringing them into compliance with the Sustainable Fisheries Act (P.L. 104-297). Final regulations to be published within 30 days of NPRM comment period.**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301**RIN:** 0648-AL86**569. CRAB COMMUNITY DEVELOPMENT QUOTA RESERVES****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 679**Legal Deadline:** None**Abstract:** Regulatory amendment to specify crab community development quota reserves by calendar year.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** None**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802  
Phone: 907 586-7228**RIN:** 0648-AL92**570. REGULATORY AMENDMENT TO REINSTATE 6000 POUND TRIP LIMIT OF HALIBUT IN AREA NORTHEAST OF THE BERING SEA****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined

## DOC—NOAA

## Proposed Rule Stage

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This regulatory amendment would reinstate a 6000 pound halibut trip limit in the halibut management area northeast of the Bering Sea.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802  
Phone: 907 586-7228

**RIN:** 0648-AL97

**571. AMENDMENT 6 - DEFINITION OF OVERFISHING FOR SALMON FISHERIES OFF ALASKA**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Amendment 6 to the Fishery Management Plan for salmon fisheries in the EEZ off Alaska would define overfishing.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802

Phone: 907 586-7228

**RIN:** 0648-AL98

**572. FISHERY MANAGEMENT PLAN AMENDMENT TO REVISE CDQ REGULATIONS**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Revisions to the CDQ regulations that would include: overage/underage provisions, pooling, and removing species from CDQ; revise observer coverage requirements shoreside; crab CDQ regulations change to allow start in September crab management year instead of calendar year; change start date for CDQ trawl fisheries.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802  
Phone: 907 586-7228

**RIN:** 0648-AM07

**573. AMENDMENT 10 TO THE FISHERY MANAGEMENT PLAN FOR THE SHRIMP FISHERY OF THE GULF OF MEXICO (FMP)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 622

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Amendment 10 would extend the FMP requirements for using bycatch reduction devices in shrimp trawls in

the EEZ from Cape San Blas, Florida, east and south to the boundary line (in South Florida) between the areas of jurisdiction of the Gulf of Mexico and South Atlantic Fishery Management Councils.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

**RIN:** 0648-AM23

**574. ENHANCED MEASURES TO MITIGATE SEABIRD BYCATCH IN THE ALASKA LONGLINE FISHERIES**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, One year from approval of overfishing definitions. Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This regulatory amendment would enhance measures designed to mitigate seabird bycatch in the longline fisheries off Alaska.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802

DOC—NOAA

Proposed Rule Stage

Phone: 907 586-7228  
RIN: 0648-AM30

**575. ALASKA GROUND FISH FISHERY MANAGEMENT PLAN AMENDMENT TO REVISE IMPROVED RETENTION/IMPROVED UTILIZATION PROGRAM**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Revise regulations implementing Improved Retention/Improved Utilization Program.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802  
Phone: 907 586-7228

RIN: 0648-AM39

**576. AMENDMENT 67 TO THE FMP FOR THE GROUND FISH FISHERY OF THE BERING SEA AND THE ALEUTIAN ISLANDS AREA**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Amendment 67 will establish gear and Pacific cod species endorsements. This requires an additional species/gear endorsement on

the License Limitation Program license of fishermen who wish to fish for Pacific cod with fixed gear.

**Timetable:**

Action	Date	FR Cite
NPRM	10/01/01	66 FR 49908
NPRM Comment Period End	11/15/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802  
Phone: 907 586-7228

RIN: 0648-AM40

**577. REGULATORY AMENDMENT TO CHANGE THE REGULATIONS IMPLEMENTING THE NORTH PACIFIC OBSERVER PROGRAM**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This would change the regulations implementing the North Pacific Observer program, including authority to place NMFS personnel onboard fish or processing vessels, revised requirements for shoreside accommodations for observers, and revisions to observer coverage levels.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802

Phone: 907 586-7228  
RIN: 0648-AM44

**578. AMENDMENT 53 TO THE GROUND FISH FISHERIES OF THE GULF OF ALASKA FISHERY MANAGEMENT PLAN**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This FMP amendment is to require full retention of demersal shelf rockfish to provide State of Alaska fishery managers an enhanced estimate of bycatch rates.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802  
Phone: 907 586-7228

RIN: 0648-AM51

**579. FRAMEWORK REGULATORY AMENDMENT FOR THE ATLANTIC HIGHLY MIGRATORY SPECIES (HMS) FISHERIES**

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 971 et seq; 16 USC 1801 et seq

**CFR Citation:** 50 CFR 635

**Legal Deadline:** None

**Abstract:** Framework regulatory amendment to the HMS FMP will adjust gear/permitting/reporting requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

## DOC—NOAA

## Proposed Rule Stage

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Bruce C. Morehead, Acting Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2334  
Email: bruce.morehead@noaa.gov

**RIN:** 0648-AM91

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**580. AMENDMENT 62 TO THE FMP FOR THE GROUND FISH FISHERY OF THE BERING SEA AND ALEUTIAN ISLANDS MANAGEMENT AREA AND AMENDMENT 62 TO THE FMP FOR THE GROUND FISH OF THE GULF OF ALASKA**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined**Legal Authority:** PL 105-277**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, January 30, 2000.

**Abstract:** Fishery Management Plan amendment to comply with the requirements of the American Fisheries Act by revising inshore/offshore directed pollock allocations and replacement requirements for eligible vessels.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis****Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802  
Phone: 907 586-7228

**RIN:** 0648-AM94

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**581. IMPLEMENTATION OF WESTERN PACIFIC CORAL REEF ECOSYSTEM FISHERY MANAGEMENT PLAN (FMP)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This action would implement the Western Pacific Coral Reef Ecosystem FMP. Possible initial management measures include permit and reporting requirements, framework procedures, gear restrictions, harvest limits/restrictions, marine protected areas, no anchoring zones, etc.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis****Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Undetermined

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937

**RIN:** 0648-AM97

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**582. ADJUSTMENT OF MANAGEMENT PROGRAM: BOTTOMFISH FISHERIES IN THE WESTERN PACIFIC**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This regulatory action would facilitate and enable adjustments to management measures for the bottomfish fisheries in Guam and American Samoa. Possible regulatory changes include closed areas, gear restrictions, seasons, permit and notification/reporting requirements, etc. Also, under an amendment to the FMP, the EEZ waters of the U.S. Pacific Island Possessions and Commonwealth of the Northern Mariana Islands would be governed as bottomfish management areas.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis****Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Undetermined

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937

**RIN:** 0648-AM98

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**583. ATLANTIC HIGHLY MIGRATORY SPECIES FISHERIES; MANAGEMENT OF THE ATLANTIC BLUE MARLIN AND WHITE MARLIN RECREATIONAL FISHERIES**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 971 et seq; 16 USC 1801 et seq

**CFR Citation:** 50 CFR 635**Legal Deadline:** None

**Abstract:** The International Commission for the Conservation of Atlantic Tuna recommended that the United States limit annual recreational landings of Atlantic blue marlin and white marlin to 250 marlin, combined, for 2001 and 2002. NMFS may consider an adjustment of the minimum size, as well as management measure to enhance reporting of non-tournament landings to comply with the ICCAT framework provisions of Amendment 1 to the Atlantic Billfish Fishery Management Plan.

**Timetable:**

Action	Date	FR Cite
ANPRM	08/09/00	65 FR 48671
ANPRM Comment Period End	09/25/00	
NPRM	12/00/01	

**Regulatory Flexibility Analysis****Required:** Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Bruce C. Morehead, Acting Director, Office of Sustainable

## DOC—NOAA

## Proposed Rule Stage

Fisheries, Department of Commerce,  
National Oceanic and Atmospheric  
Administration, 1315 East-West  
Highway, Silver Spring, MD 20910  
Phone: 301 713-2334  
Email: bruce.morehead@noaa.gov

RIN: 0648-AN06

#### 584. AMENDMENT 7 TO THE FISHERY MANAGEMENT PLAN FOR THE SPINY LOBSTER FISHERY OF THE GULF OF MEXICO AND SOUTH ATLANTIC FMP

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 640

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Amendment 7 would address issues regarding the impacts of the FMP's tailing permit provisions on State spiny lobster conservation efforts.

#### Timetable:

Action	Date	FR Cite
NPRM	03/00/02	

#### Regulatory Flexibility Analysis

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

RIN: 0648-AN08

#### 585. AMENDMENT 18 TO THE FISHERY MANAGEMENT PLAN FOR THE REEF FISH RESOURCES OF THE GULF OF MEXICO

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 622

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Amendment 18 would address the need for improved conservation of grouper stocks in the Gulf of Mexico by establishing additional closed seasons and areas.

#### Timetable:

Action	Date	FR Cite
NPRM	01/00/02	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

RIN: 0648-AN09

#### 586. AMENDMENT 7 TO THE FISHERY MANAGEMENT PLAN FOR THE STONE CRAB FISHERY OF THE GULF OF MEXICO

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 654

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Amendment 7 would adopt the relevant provisions of Florida's approved limited entry trap reduction program for the stone crab fishery and apply them to vessels fishing in the exclusive economic zone off Florida's west coast.

#### Timetable:

Action	Date	FR Cite
NPRM	01/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

RIN: 0648-AN10

#### 587. AMENDMENT 13 TO THE SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS FISHERY MANAGEMENT PLAN

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Amendment 13 is being developed to bring the disapproved Essential Fish Habitat portions of Amendment 12 into compliance with the Sustainable Fisheries Act.

#### Timetable:

Action	Date	FR Cite
NPRM	01/00/02	
NPRM Comment Period End	03/00/02	
Final Action	04/00/02	
Final Action Effective	05/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** State, Federal

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

RIN: 0648-AN12

#### 588. AMENDMENT 10 TO THE ATLANTIC SEA SCALLOP FISHERY MANAGEMENT PLAN

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Amendment 10 would implement a management strategy that would incorporate rotational closed areas for rebuilding the sea scallop resource. This action may replace or modify the current DAS reduction schedule.

#### Timetable:

Action	Date	FR Cite
NPRM	03/00/02	

## DOC—NOAA

## Proposed Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	04/00/02	
Final Action	05/00/02	
Final Action Effective	06/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AN16

**589. AMENDMENT 13 TO THE NORTHEAST MULTISPECIES FISHERY MANAGEMENT PLAN**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This action would amend the FMP to address the Magnuson-Stevens Act requirement to implement a stock rebuilding program for all of the regulated multispecies. Management measures may include a days-at-sea reduction, gear reductions and area management.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/02	
NPRM Comment Period End	09/00/02	
Final Action	10/00/02	
Final Action Effective	11/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AN17

**590. DEEP-SEA RED CRAB FISHERY MANAGEMENT PLAN**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This action would establish a fishery management plan for the red crab fishery to protect the stock.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/02	
NPRM Comment Period End	03/00/02	
Final Action	04/00/02	
Final Action Effective	05/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AN68

**591. REGULATORY AMENDMENT TO PREVENT OR MITIGATE THE TAKE OF SEA TURTLES IN THE WESTERN PACIFIC PELAGIC FISHERIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 660

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This regulatory action would modify the management program for the western Pacific pelagic fisheries to mitigate or prevent the take of sea turtles.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	02/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937

**RIN:** 0648-AN75

**592. AMENDMENT 9 TO THE FISHERY MANAGEMENT PLAN AMENDMENT FOR THE PELAGIC FISHERIES OF THE WESTERN PACIFIC REGION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 660

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This amendment would prevent or mitigate and conserve, manage, and allow full utilization of sharks.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	
NPRM Comment Period End	03/00/02	
Final Action	04/00/02	
Final Action Effective	05/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937

**RIN:** 0648-AN76

**593. GENERIC AMENDMENT ADDRESSING THE ESTABLISHMENT OF THE TORTUGAS MARINE RESERVES UNDER THE FISHERY MANAGEMENT PLANS OF THE GULF OF MEXICO**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 622

## DOC—NOAA

## Proposed Rule Stage

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** The Generic Tortugas Amendment would amend the Gulf of Mexico Fishery Management Council's fishery management plans to establish the portion of the Tortugas North ecological reserve that falls within the Gulf of Mexico EEZ and to establish the Tortugas South Ecological Reserve, which resides entirely within the EEZ and includes Riley's Hump (a fish spawning aggregation site). Fishing for any species, including Atlantic highly migratory species, would be prohibited within these marine reserves. Additionally, anchoring by fishing vessels would be prohibited within the marine reserves. Along with regulations issued by the Florida Keys National Marine Sanctuary (under NOAA's National Ocean Service), the Generic Tortugas Amendment would protect unique and valuable reef resources.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

**RIN:** 0648-AN83

#### 594. REGULATORY AMENDMENT MODIFYING THE GULF OF MEXICO BRD PROTOCOL UNDER THE FISHERY MANAGEMENT PLAN FOR THE SHRIMP FISHERY OF THE GULF OF MEXICO (FMP)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 622

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** In accordance with the FMP's framework procedure for regulatory adjustments, the Gulf Council requested that NMFS develop alternative data collection procedures and statistical

tests to certify bycatch reduction devices (BRDs) for use in the shrimp fishery of the Gulf of Mexico. The regulation would provide additional flexibility in sampling procedures to facilitate BRDS meeting the testing/certifying protocol's requirements while maintaining the scientific and statistical credibility in achieving the FMP's established bycatch reduction criterion for certified BRDs.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

**RIN:** 0648-AN84

#### 595. REGULATORY AMENDMENT MODIFYING THE SOUTH ATLANTIC BRD TESTING AND CERTIFICATION PROTOCOL

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 622

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** In accordance with the framework procedure of the Fishery Management Plan for the Shrimp Fishery of the South Atlantic Region, the South Atlantic Fishery Management Council proposes to modify the data collection procedures and statistical tests used to certify BRDs for use in the Shrimp Fishery. The regulation would provide additional flexibility in the sampling procedures to facilitate meeting the protocol's requirements while maintaining the scientific and statistical credibility in achieving the established bycatch reduction criterion.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

**RIN:** 0648-AN86

#### 596. FISHERY MANAGEMENT PLAN FOR SARGASSUM HABITAT OF THE SOUTH ATLANTIC (FMP)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 622

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Sargassum habitat is defined as essential fish habitat for several managed fish stocks in the South Atlantic region under the provisions of the South Atlantic Fishery Management Council's fishery management plans. To further conserve and manage Sargassum habitat, the Council's proposed new FMP would restrict the commercial harvest of Sargassum to avoid further expansion of the current limited fishery and to reduce the potential for habitat loss.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/02	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

**RIN:** 0648-AN87

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## Proposed Rule Stage

**597. AMENDMENT 3 TO THE FISHERY MANAGEMENT PLAN FOR THE GOLDEN CRAB FISHERY OFF THE SOUTHERN ATLANTIC STATES (FMP)****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 622**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.**Abstract:** Amendment 3 would: (1) extend the use of cable for main lines through December 31, 2002; (2) require that escape panel or doors on traps must measure at least 11 7/8 inches by 11 7/8 inches; (3) remove the 5,000 pound harvest requirement for renewing the biannual permit; (4) allow up to a 20 percent increase in vessel size from the vessel size on the original permit; (5) create a sub-zone within the southern zone for smaller vessels, as agreed to by the affected fishermen; (6) allow two new vessels to be permitted to fish only in the northern zone; (7) specify MSY, OY, and status determination criteria; and (8) modify the FMP framework procedure to allow modifications to the subzone.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301**RIN:** 0648-AO23**598. ADJUSTMENT OF MANAGEMENT PROGRAM: PRECIOUS CORAL FISHERIES IN THE HAWAIIAN ISLANDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.**Abstract:** This FMP amendment would facilitate and enable adjustments to management measures for the precious coral fisheries in the Commonwealth of the Northern Mariana Islands (CNMI). Possible regulatory changes could include inclusion of the EEZ around CNMI, within the management area of the FMP, as well as permit and reporting requirements for harvesters in this area.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	02/00/02	
Final Action	03/00/02	
Final Action Effective	04/00/02	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937**RIN:** 0648-AO47**599. AMENDMENT 11 TO FISHERY MANAGEMENT PLAN FOR SHRIMP FISHERY OF GULF OF MEXICO (FMP)****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 622**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.**Abstract:** Amendment 11 would require vessels using shrimp trawls in the Gulf of Mexico EEZ to obtain Federal permits for the purposes of identifying vessels and reporting and describe permit qualification criteria and permit application, issuance, and transferability requirements.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301**RIN:** 0648-AO51**600. AMENDMENT 14 TO THE SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS FISHERY MANAGEMENT PLAN****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of the NPRM comment period.**Abstract:** Amendment 14 is being developed to modify the quota allocations and monitoring, the permit issuance regulations, and establish trap/pot restrictions for the black sea bass fishery. In addition, this action may include additional management measures for scup and summer flounder.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** State, Federal**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200**RIN:** 0648-AO55**601. REGULATORY AMENDMENT TO ADDRESS INACCURACIES IN CURRENT NORTHEAST FISHERIES REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648

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## Proposed Rule Stage

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This amendment would modify the current regulations for the fisheries of the northeastern United States to address omissions and errors that have resulted from numerous regulatory changes.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/02	
NPRM Comment Period End	03/00/02	
Final Action	04/00/02	
Final Action Effective	05/00/02	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AO57

### 602. AMENDMENTS TO FMPS FOR GULF OF MEXICO REEF FISH AND GULF OF MEXICO AND SOUTH ATLANTIC COASTAL MIGRATORY PELAGIC RESOURCES TO LIMIT ENTRY INTO GULF OF MEXICO RECREATIONAL-FOR-HIRE FISHERIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 622

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of NPRM comment period.

**Abstract:** These amendments to the Fishery Management Plan (FMP) for the Reef Fish Resources of the Gulf of Mexico and to the FMP for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic would impose additional measures limiting entry into the recreational-for-hire (i.e., charter vessel and headboat) fisheries for reef fish and coastal migratory pelagic fish (e.g., king and Spanish mackerel) in the exclusive economic zone of the Gulf of Mexico. NMFS published an advanced notice of proposed rulemaking announcing that

the Council was considering November 18, 1999, as a possible control date for this action (63 FR 64031). The FMP amendments would address the issue of the recreational sectors exceeding their annual allocations.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

**RIN:** 0648-AO62

### 603. FISHERY MANAGEMENT PLAN FOR THE DOLPHIN AND WAHOO FISHERY OF THE ATLANTIC, CARIBBEAN, AND GULF OF MEXICO (FMP)

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 622

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of NPRM comment period.

**Abstract:** This new FMP, as prepared jointly by the South Atlantic, Gulf of Mexico, and Caribbean Fishery Management Councils, is to provide a comprehensive management program for dolphin and wahoo in the Atlantic Ocean, Gulf of Mexico, and Caribbean exclusive economic zone.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/02	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator,

Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

**RIN:** 0648-AO63

### 604. ATLANTIC HIGHLY MIGRATORY SPECIES FISHERIES; ATLANTIC BLUEFIN TUNA INCIDENTAL CATCH

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 971 et seq; 16 USC 1801 et seq

**CFR Citation:** 50 CFR 635

**Legal Deadline:** None

**Abstract:** NMFS is considering rulemaking on modifications to the target catch requirements for the incidental longline fishery for Atlantic bluefin tuna (BFT). NMFS requests comments on possible changes to Atlantic tuna regulations prior to drafting proposed changes to those regulations.

**Timetable:**

Action	Date	FR Cite
ANPRM	11/17/00	65 FR 69492
ANPRM Comment Period End	12/14/00	
Comment Period Extended	01/16/01	
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Bruce C. Morehead, Acting Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2334  
Email: bruce.morehead@noaa.gov

**RIN:** 0648-AO75

### 605. ATLANTIC HIGHLY MIGRATORY SPECIES; EXEMPTED FISHING PERMITS PROCEDURES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 971 et seq; 16 USC 1801 et seq

**CFR Citation:** 50 CFR 635

**Legal Deadline:** None

**Abstract:** NMFS amends procedures for issuing exempted fishing permits for

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fishing activities that are otherwise prohibited, and for scientific research permits.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Bruce C. Morehead, Acting Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2334  
Email: bruce.morehead@noaa.gov

**RIN:** 0648-AO79

**606. VESSEL MONITORING SYSTEM TO THE POLLOCK, PACIFIC COD, AND ATKA MACKEREL GROUND FISH FISHERIES IN THE BSAI AND GOA**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, Final regulation to be published within 30 days of end of NPRM comment period.

**Abstract:** Establish rulemaking to require the installation and use of a vessel monitoring system (VMS) on catcher/processors, motherships, and catcher vessels participating in the directed fisheries for pollock, Pacific cod, or Atka mackerel in the BSAI and GOA. The VMS would provide NMFS with accurate and timely information about the vessels' location, necessary to manage catch limits inside Steller sea lion critical habitat areas and to monitor fishing activities when these areas are closed.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric

Administration, P.O. Box 21668, Juneau, AK 99802  
Phone: 907 586-7228

**RIN:** 0648-AO81

**607. RECREATIONAL MEASURES FOR THE SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS FISHERIES FOR FISHING YEAR 2002**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This action would establish the possession limit, size limit, and other management measures for the recreational fisheries for fishing year 2002

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	
NPRM Comment Period End	02/00/02	
Final Action	03/00/02	
Final Action Effective	04/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AO91

**608. ATLANTIC HIGHLY MIGRATORY SPECIES; SWORDFISH QUOTAS AND FISHING AREAS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 971 et seq; 16 USC 1801 et seq

**CFR Citation:** 50 CFR 635

**Legal Deadline:** None

**Abstract:** This rulemaking would implement several recommendations adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT) in November

2000. These recommendations include a ban on the importation of bigeye tuna from non-members Belize, Honduras, Cambodia, and St. Vincent and the Grenadines, and ICCAT member Equatorial Guinea, the development of statistical document programs for swordfish and bigeye tuna to monitor harvests and assist in the collection of trade data, the establishment of a 400 metric ton conservation reserve for North Atlantic swordfish and the establishment of a 2001 catch limit for South Atlantic swordfish, consistent with catch limits in recent years. This rule would also clarify authorized fishing areas for highly migratory species in the Atlantic Ocean.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Bruce C. Morehead, Acting Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2334  
Email: bruce.morehead@noaa.gov

**RIN:** 0648-AO93

**609. REGULATORY AMENDMENT UNDER THE FISHERY AMENDMENT PLAN FOR GULF OF MEXICO REEF FISH (FMP) TO ESTABLISH A RED SNAPPER STOCK REBUILDING PLAN AND TO SET RED SNAPPER OVERFISHING TARGETS AND THRESHOLDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801

**CFR Citation:** 50 CFR 622

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This regulatory amendment under the FMP's framework procedure would establish a revised red snapper stock rebuilding plan and red snapper overfishing targets and thresholds, all intended to meet requirements of the Magnuson-Stevens Fishery Conservation and Management Act as amended by the Sustainable Fisheries Act of 1996.

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**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

**RIN:** 0648-AP02**610. AMENDMENT 13 TO THE FISHERY MANAGEMENT PLAN FOR THE SNAPPER-GROUPER FISHERY OF THE SOUTH ATLANTIC REGION****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 622**Legal Deadline:** NPRM, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Amendment 13 will revise permit transfers, revise MSY and overfishing definitions, revise snowy grouper and golden tilefish management measures, and include a formal section 7 analysis on the interaction of gear (with an emphasis on black sea bass traps) with endangered and threatened species.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

**RIN:** 0648-AP03**611. SPECIFICATIONS FOR THE SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS FISHERIES FOR FISHING YEAR 2002****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** None

**Abstract:** This action would establish allowable harvest levels and other management measures for fishing year 2002.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AP06**612. SPECIFICATIONS FOR THE SPINY DOGFISH FISHERY FOR FISHING YEAR 2002****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of the NPRM comment period.

**Abstract:** These annual specifications for spiny dogfish would implement a coastwide quota and management measures to achieve a target fishing mortality rate specified in the Spiny Dogfish FMP.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AP07**613. SPECIFICATIONS FOR THE ATLANTIC MACKEREL, SQUID, AND BUTTERFISH FISHERIES FOR FISHING YEAR 2002****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of the NPRM comment period.

**Abstract:** This action would establish initial annual amounts, for fishing year 2002, of optimum yield as well as the amounts for allowable biological catch, domestic annual harvest, domestic annual processing, joint venture processing, and total allowable levels of foreign fishing for these species.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AP08

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**614. SPECIFICATIONS FOR THE ATLANTIC SURF CLAM AND OCEAN QUAHOG FISHERIES FOR FISHING YEAR 2002**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of the NPRM comment period.

**Abstract:** This action would establish allowable harvests of surf clams and ocean quahogs from the exclusive economic zone for fishing year 2002.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930 Phone: 978 281-9200

**RIN:** 0648-AP09

**615. ANNUAL FRAMEWORK ADJUSTMENT FOR THE MONKFISH FISHERY MANAGEMENT PLAN FOR FISHING YEAR 2002**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of the NPRM comment period.

**Abstract:** This action would implement management measures for the monkfish fishery for fishing year 2002.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/02	

Action	Date	FR Cite
NPRM Comment Period End	03/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930 Phone: 978 281-9200

**RIN:** 0648-AP11

**616. FRAMEWORK ADJUSTMENT 2 TO THE FISHERY MANAGEMENT PLAN FOR THE ATLANTIC MACKEREL, SQUID, AND BUTTERFISH FISHERIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of the NPRM comment period.

**Abstract:** Framework Adjustment 2 would implement a 5-year extension of the Illex squid moratorium; a rollover of the mackerel specifications in the event the current annual specifications are not in place (excluding TALFF specifications); a modification to the overfishing definition and in-season adjustment provision for the Loligo squid fishery; and a Loligo squid trip limit exemption in the directed Illex squid fishery during the months of June to September in the event the directed Loligo squid fishery is closed.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930 Phone: 978 281-9200

**RIN:** 0648-AP12

**617. ● AMERICAN LOBSTER FISHERY; REVISIONS TO LOBSTER TRAP LIMITS, CONSERVATION EQUIVALANCY IN NEW HAMPSHIRE WATERS, AND CLARIFICATION OF LOBSTER MANAGEMENT BOUNDARIES PER ADDENDUM 1**

**Priority:** Other Significant

**Legal Authority:** 16 USC 5101 et seq

**CFR Citation:** 50 CFR 697

**Legal Deadline:** None

**Abstract:** NMFS announces that it is considering, and seeking public comment on, revisions to Federal American lobster regulations for Federal permit holders associated with Amendment 3 of the Interstate Fishery Management Plan for American Lobster (ISFMP). Addendum I to Amendment 3 of the ISFMP, approved by the Atlantic States Marine Fisheries Commission (ASMFC) on August 3, 1999, provides for the control of fishing effort as determined by historical participation in the American lobster trap fisheries in offshore waters of the Exclusive Economic Zone (EEZ) and areas of the EEZ closer to shore between New York and North Carolina. The addendum also clarifies lobster management area boundaries in Massachusetts waters. In addition, the ISFMP calls for the implementation of conservation equivalent trap limits in New Hampshire waters.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Agency Contact:** Thomas Meyer, Fisheries Biologist, Office of Intergovernmental/Recreational Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Suite 425, 8484 Georgia Avenue, Silver Spring, MD 20910

Phone: 301 427-2014

**RIN:** 0648-AP15

**618. ● AMERICAN LOBSTER; MODIFY MANAGEMENT MEASURES, HISTORICAL PARTICIPATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 5101 et seq

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**CFR Citation:** 50 CFR 697

**Legal Deadline:** None

**Abstract:** In accordance with the Atlantic Coastal Fisheries Cooperative Management Act (Act), 16 U.S.C. et seq., NMFS announces that it is considering, and seeking public comment on, revisions to Federal American lobster regulations for the Exclusive Economic Zone (EEZ) in response to recommendations from the Atlantic States Marine Fisheries Commission (ASMFC) to NMFS in Addendum II to Amendment 3 of the Interstate Fishery Management Plan for American Lobster (ISFMP). Addendum II, approved by the ASMFC on February 1, 2001, revises the Amendment 3 egg production schedule in each of seven lobster conservation management areas (LCMAs) to end overfishing of American lobster stocks by the end of 2008. The management measures defined in Addendum II to meet the egg production targets include a series of minimum gauge size increases (increases in the minimum allowable harvest size of American lobster) in five of the seven LCMAs, trap gear modifications, and a 4-year trap reduction schedule for LCMA 3.

**Timetable:**

Action	Date	FR Cite
ANPRM	05/24/01	66 FR 28726
ANPRM Comment Period End	06/25/01	
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Thomas Meyer, Fisheries Biologist, Office of Intergovernmental/Recreational Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Suite 425, 8484 Georgia Avenue, Silver Spring, MD 20910  
Phone: 301 427-2014

**RIN:** 0648-AP18

**619. • FISHING CAPACITY REDUCTION PROGRAM FOR THE CRAB SPECIES COVERED BY THE FISHERY MANAGEMENT PLAN FOR THE BERING SEA/ALEUTIAN ISLANDS KING AND TANNER CRABS**

**Priority:** Economically Significant. Major under 5 USC 801.

**Legal Authority:** 16 USC 1861a; 46 USC 1279f; PL 106-554

**CFR Citation:** 50 CFR 600

**Legal Deadline:** Final, Statutory, May 1, 2001, Publish Final Regulations. Other, Statutory, December 31, 2001, Complete Fishing Capacity Reduction Program.

**Abstract:** Establishes a fishing capacity reduction program in the fishery for the crab species covered by the Fishery Management Plan for the Bering Sea/Aleutian Islands King and Tanner Crabs. The crab reduction program makes payments for revoking crab licenses in, and withdrawing fishing vessels from, the crab fishery. Reducing the number of crab licenses and vessels in the crab fishery increases post-reduction harvesting productivity, helps conserve and manage the crab resources, and fosters the potential for rationalizing crab fishery harvesting effort. The proposed regulations add a new section 600.1018 to the fishing capacity reduction framework regulations contained in subpart L to 50 CFR part 600.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Michael L. Grable, Chief, Financial Services Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2390  
Email: michael.grable@noaa.gov

**RIN:** 0648-AP25

**620. • EXTENSION OF IMPLEMENTATION DATE OF THE YEAR 4 DEFAULT MANAGEMENT MEASURES FOR SMALL-MESH MULTISPECIES (WHITING, RED HAKE AND OFFSHORE HAKE)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 648

**Legal Deadline:** None

**Abstract:** This action proposes to extend the implementation date of the year-four default management measures for small-mesh multispecies (whiting, red hake and offshore hake) for one year to May 1, 2003. Under the year-four default measures, which are currently scheduled to become effective on May 1, 2002, vessels would be prohibited from fishing for whiting with mesh less than 3 inches (square or diamond) in almost all New England and Mid-Atlantic fisheries, and a 10,000 lb possession limit would automatically be implemented for whiting and offshore hake, combined.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AP32

**621. • REGULATORY AMENDMENT TO IMPLEMENT PERMIT STACKING IN THE LIMITED ENTRY FIXED GEAR SABLEFISH FISHERY IN 2002 AND BEYOND**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 660

**Legal Deadline:** NPRM, Statutory, Final Rule must be published 30 days after end of comment period on the Proposed Rule.

**Abstract:** This regulatory amendment would implement the following

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Amendment 14 provisions: permit owners will be required to provide detailed ownership information to ensure that no person has ownership interest in or holds more than 3 permits; current permit owners who were not permit owners before November 1, 2000, will be required to be on board the vessel fishing against the sablefish cumulative limits associated with that vessel's permit(s); vessels landing sablefish against their primary season limits will be required to contact enforcement officials before making sablefish landings; vessel owners wishing to freeze sablefish at sea will be required to provide proof of a history of freezing sablefish at sea in the years 1998, 1999, or 2000.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Donna Darm, Acting Regional Administrator, Northwest Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way NE, Building 1, Seattle, WA 48115-0070  
Phone: 206 526-6150

**RIN:** 0648-AP38

**622. • REGULATORY AMENDMENT TO ALLOW EXPERIMENTAL SETNET SABLEFISH LANDINGS TO QUALIFY LIMITED ENTRY SABLEFISH ENDORSEMENT HOLDERS FOR TIER ASSIGNMENT IN THE WEST COAST PRIMARY SABLEFISH FISHERY**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660

**Legal Deadline:** NPRM, Statutory, Final Rule must be published 30 days after end of comment period on Proposed Rule.

**Abstract:** This proposed regulation would alter sablefish tier qualification requirements at 50 CFR 660 to include sablefish landings made in the 1984-1986 setnet sablefish fishery. This is a minor regulation intended to allow sablefish endorsement holders to qualify for sablefish tier assignment based on both fixed gear sablefish

landings and on experimental setnet sablefish landings, and will not change the effect of the fishery on the sablefish resource nor change the overall sablefish harvest level.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** None

**Agency Contact:** Donna Darm, Acting Regional Administrator, Northwest Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way NE, Building 1, Seattle, WA 48115-0070  
Phone: 206 526-6150

**RIN:** 0648-AP39

**623. • AMENDMENT 5 TO THE FISHERY MANAGEMENT PLAN FOR THE SHRIMP FISHERY OF THE SOUTH ATLANTIC REGION**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 622

**Legal Deadline:** NPRM, Statutory, October 2001.

Final, Statutory, April 2002.

**Abstract:** This rule would implement Amendment 5 to the Fishery Management Plan for the Shrimp Fishery of the South Atlantic Region (FMP). This rule proposes to: (1) Establish a license limitation program for the rock shrimp fishery prosecuted south of the South Carolina-Georgia border in the South Atlantic Region that: (a) have held a valid rock shrimp permit prior to December 31, 1999; and (b) can demonstrate landings of at least 15,000 pounds in any one year from 1996 to 1999; (2) require captains operating permitted vessels fishing for rock shrimp in the South Atlantic EEZ to have a vessel operator's permit issued by the National Marine Fisheries Service to participate in the fishery; (3) require the minimum allowable mesh size for a trawl used to fish in the South Atlantic EEZ for rock shrimp be 1 and 7/8 inch stretched mesh; and (4) any vessel fishing for rock shrimp in the South Atlantic Council's EEZ will be required to use an approved vessel monitoring system that would not exceed \$1,200 in cost for equipment

and installation. Annual communication costs would not exceed \$800.

This amendment would be controversial.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Peter J. Eldridge, Fishery Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration

Phone: 727 570-5305

Fax: 727 570-3583

Email: peter.eldridge@noaa.gov

**RIN:** 0648-AP41

**624. • IMPLEMENTATION OF FISHERY MANAGEMENT PLAN FOR HIGHLY MIGRATORY SPECIES FISHERIES OFF THE WEST COAST**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660**Legal Deadline:** None

**Abstract:** These actions would publish proposed and final rules for a Fishery Management Plan for Highly Migratory Species Fisheries off the West Coast (FMP). The FMP is currently under development by the Pacific Fishery Management Council (Council) under the terms of the Magnuson-Stevens Act and other applicable law. The FMP will both establish a process for implementing regulations as deemed necessary in the future and provide a basis for initial regulation of selected fishery sectors (e.g., drift gillnet and longline) to ensure conservation of the fish stocks involved and protection of species of special concern such as sea turtles and seabirds. The FMP will include substantial environmental and economic analyses consistent with the requirements of the National Environmental Policy Act, the Regulatory Flexibility Act, and Executive Order 12296 and other laws and orders. Steps for reviewing and implementing approved elements of the FMP are set forth in the Magnuson-Stevens Act and include provisions for

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publication of proposed and final rules within certain time periods.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/02	
NPRM Comment Period End	06/00/02	
Final Action	07/00/02	
Final Action Effective	08/00/02	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Svein Fougner, Assistant Regional Administrator for Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Southwest Region, 501 W, Ocean Boulevard, Long Beach, CA 90802  
Phone: 562 980-4040

**RIN:** 0648-AP42

### 625. • FRAMEWORK 1 TO THE ATLANTIC HERRING FISHERY MANAGEMENT PLAN

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 648

**Legal Deadline:** None

**Abstract:** This action would implement management measures to allow seasonal allocation of Area 1A total allowable catch levels.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AP44

### 626. • TAKING AND IMPORTING MARINE MAMMALS; TAKING MARINE MAMMALS INCIDENTAL TO ROCKET LAUNCHES AT VANDENBERG AIR FORCE BASE, CA

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 216

**Legal Deadline:** None

**Abstract:** NMFS has received a request from the 30th Space Wing for and proposes to issue a modification to the monitoring requirements of the 5-year programmatic regulations governing the incidental take of marine mammals during rocket launch operations (50 CFR 216.120-128). The requested modification would reduce the current requirement to perform biological monitoring during all space vehicle launches at Vandenberg Air Force Base, CA (VAFB) during any time of the year to space vehicle launches at VAFB during only the Pacific harbor seal (*Phoca vitulina richardsi*) pupping season (March 1 to June 30). This request is based on a scientific research program and the bioacoustic monitoring of space vehicle launches conducted from 1997 through 2001 at VAFB.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Simona Perry Roberts, Fishery Biologist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, 1315 East-West Highway, Room 13727, Silver Spring, MD 20910

Phone: 301 713-2322

Fax: 301 713-0376

Email: simona.roberts@noaa.gov

**RIN:** 0648-AP47

### 627. • ATLANTIC HIGHLY MIGRATORY SPECIES; PELAGIC LONGLINE FISHERY; SEA TURTLE PROTECTION MEASURES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 971 et seq; 16 USC 1801 et seq

**CFR Citation:** 50 CFR 635

**Legal Deadline:** None

**Abstract:** This rule would implement measures that were discussed in the June 14, 2001, Biological Opinion to reduce the bycatch mortality of endangered and threatened sea turtles. These requirements would be adopted by vessels that fish in specified highly migratory species (HMS) fisheries in the Atlantic Ocean. Also, this rule would finalize the interim final rule published on March 30, 2001, the emergency rule that published on July 13, 2001, and clarify the HMS regulations to address certain enforcement issues.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Bruce C. Morehead, Acting Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2334  
Email: bruce.morehead@noaa.gov

**RIN:** 0648-AP49

### 628. • REGULATORY AMENDMENT UNDER THE COASTAL MIGRATORY PELAGICS FISHERY MANAGEMENT PLAN

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 622

**CFR Citation:** 50 CFR 622

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** In accordance with the FMP's framework procedure for regulatory adjustments, this action would establish biomass-based stock status criteria such as maximum-sustainable yield (MSY), optimum yield (OY), and definitions of overfishing and overfished using default control rules as required by the Magnuson-Stevens Fishery Conservation and Management Act.

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**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	
NPRM Comment Period End	02/00/02	
Final Action	03/00/02	
Final Action Effective	04/00/02	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

**RIN:** 0648-AP50

### 629. • AMENDMENT 2 TO THE FISHERY MANAGEMENT PLAN FOR THE QUEEN CONCH RESOURCES OF PUERTO RICO AND THE U.S. VIRGIN ISLANDS

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 622

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Amendment 2 would establish harvest restrictions for queen conch in the exclusive economic zone (EEZ) of the U.S. Caribbean. The queen conch resource is overfished and needs to be rebuilt to a healthy level consistent with requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Possible management measures include reducing bag limits and commercial trip limits in the EEZ, possibly to zero for both measures, and gear restrictions.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/02	
NPRM Comment Period End	08/00/02	
Final Action	10/00/02	
Final Action Effective	11/00/02	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

**RIN:** 0648-AP51

### 630. • ADJUSTMENT OF MANAGEMENT PROGRAM: BOTTOMFISH FISHERIES IN THE WESTERN PACIFIC

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660

**Legal Deadline:** Final, Statutory, January 2002.

**Abstract:** This regulatory action would facilitate management of the limited access bottomfish fisheries of the Northwestern Hawaiian Islands by removing barriers to sustained participation. Possible measures including changes to, or elimination of, the current minimum landing requirements, and adjustments to restrictions on permit and vessel charters and leases.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	
NPRM Comment Period End	03/00/02	
Final Action	04/00/02	
Final Action Effective	05/00/02	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** None

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937

**RIN:** 0648-AP53

### 631. • ATLANTIC SURFCLAM AND OCEAN QUAHOG FISHERIES; AMENDMENT 13

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 40 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of the NPRM comment period.

**Abstract:** Amendment 13 to the Fishery Management Plan for the Atlantic Surfclam and Ocean Quahog Fisheries would describe gear impacts on essential fish habitat, revise the surfclam overfishing definition, establish multiyear quotas, and add/revise other measures.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/02	
NPRM Comment Period End	04/00/02	
Final Action	05/00/02	
Final Action Effective	06/00/02	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AP57

### 632. • ATLANTIC BLUEFISH FISHERY; SPECIFICATIONS FOR FISHING YEAR 2002

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of the NPRM comment period.

**Abstract:** This action would establish the Atlantic bluefish total allowable landings, commercial quota, recreational harvest limit, and management measures for the exclusive economic zone for fishing year 2002

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** Undetermined

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**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AP59

### 633. • ATLANTIC MACKEREL, SQUID, AND BUTTERFISH FISHERIES; AMENDMENT 9

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of the NPRM comment period.

**Abstract:** Amendment 9 to the Fishery Management Plan for the Atlantic Mackerel, Squid and Butterfish Fisheries would establish a controlled access program for mackerel and extend the Illex squid permit moratorium.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/02	
NPRM Comment Period End	07/00/02	
Final Action	08/00/02	
Final Action Effective	09/00/02	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AP60

### 634. • RULEMAKING TO IMPLEMENT A VESSEL MONITORING SYSTEM UNDER THE SOUTH PACIFIC TUNA ACT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Not Yet Determined

**CFR Citation:** 50 CFR 300

**Legal Deadline:** NPRM, Statutory, November 2001.  
Final, Statutory, January 2002.

**Abstract:** This rulemaking will implement an electronic vessel

monitoring system under the South Pacific Tuna Act. The system is satellite-based with individual US purse seine vessels providing automatic location information to the Forum Fisheries Agency located in Honiara, Solomon Islands. This rule will require all U.S. purse seine vessels operating within the South Pacific Tuna Treaty Area shall participate and shall install and operate a transponder of the type and in such a manner as agreed upon by the Parties to the "Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United States of America" (implemented as the South Pacific Tuna Act).

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	
Final Action	06/00/02	
Final Action Effective	06/00/02	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937

**RIN:** 0648-AP61

### 635. SEA TURTLE MONITORING AND CONSERVATION MEASURES FOR NONSHRIMP FISHERIES

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 222; 50 CFR 223; 50 CFR 224

**Legal Deadline:** None

**Abstract:** NMFS proposes to protect sea turtles through the implementation of sea turtle conservation measures on nonshrimp fisheries. Bottom trawlers in the mid-Atlantic take sea turtles when not using turtle excluder devices (TEDs) and may jeopardize the continued existence of endangered sea turtles. NMFS proposes to require TEDs in all bottom trawlers operating from Texas through Delaware. Other non-shrimp fisheries using tow lines, gill nets, or other gear probably take significant numbers of sea turtles. In order to better quantify that level of

take, NMFS proposes to require observers in all fisheries suspected of taking turtles in all U.S. waters.

**Timetable:**

Action	Date	FR Cite
ANPRM	07/10/92	57 FR 30709
ANPRM Comment Period End	08/08/92	
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Therese Conant, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, Silver Spring, MD 20910  
Phone: 301 713-1431

Fax: 301 713-0376

**RIN:** 0648-AE54

### 636. ISSUANCE OF PERMITS FOR MARINE MAMMAL PHOTOGRAPHY

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1372 (c)(6)

**CFR Citation:** 50 CFR 216

**Legal Deadline:** None

**Abstract:** This rule will provide for the issuance of permits to take marine mammals by only level B harassment for the purpose of educational or commercial photography.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/02	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Trevor Spradlin, Marine Mammal Biologist, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910

Phone: 301 713-2289

Email: trevor.spradlin@noaa.gov

**RIN:** 0648-AH31

### 637. PROPOSED GUIDELINES FOR DEFINING SERIOUS INJURY; REQUEST FOR COMMENTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1361

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**CFR Citation:** 50 CFR 229**Legal Deadline:** None

**Abstract:** Under the Marine Mammal Protection Act (MMPA), the National Marine Fisheries Service (NMFS) is responsible for assessing and reducing the level of serious injury and mortality that occurs incidental to commercial fishing operations. NMFS is issuing proposed guidelines for determining what constitutes a serious injury to a marine mammal. If finalized, NMFS will use these guidelines in assessing fisheries beginning in 2001.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Emily E. Hanson, Fishery Biologist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, NMFS (F/PR2), Marine Mammal Division, 1315 East-West Highway, Silver Spring, MD 20910

Phone: 301 713-2322

Fax: 301 713-4060

Email: emily.hanson@noaa.gov

**RIN:** 0648-AL44

### 638. SECTION 4(D) OF ESA PROTECTIVE REGULATIONS FOR JOHNSON'S SEAGRASS, A THREATENED SPECIES

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 to 1543 et seq; 16 USC 1361 et seq**CFR Citation:** 50 CFR 223**Legal Deadline:** None

**Abstract:** NMFS will issue protective regulations for Johnson's seagrass, a threatened species under section 4(d) of the Endangered Species Act (ESA). This will allow NMFS to tailor protective measures to best fit Johnson's seagrass.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** Undetermined

**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** Undetermined

**Agency Contact:** Marta Nammack, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-1401  
Email: marta.nammack@noaa.gov

**RIN:** 0648-AL59

### 639. NORTH ATLANTIC WHALE PROTECTION

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1361 et seq; 16 USC 1531 et seq**CFR Citation:** 50 CFR 216; 50 CFR 222**Legal Deadline:** None

**Abstract:** Investigate the need to adopt regulations to decrease negative action of whale watching.

**Timetable:**

Action	Date	FR Cite
ANPRM	01/04/00	65 FR 270
NPRM	04/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Trevor Spradlin, Marine Mammal Biologist, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910

Phone: 301 713-2289

Email: trevor.spradlin@noaa.gov

**RIN:** 0648-AM85

### 640. SWIMMING OR RECREATIONAL INTERACTION WITH WILD POPULATION OF MARINE MAMMALS

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 216**Legal Deadline:** None

**Abstract:** Announces that NMFS is considering whether to issue regulations that would prohibit the public from swimming with or

otherwise interacting with dolphins and other marine mammals in the wild.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Trevor Spradlin, Marine Mammal Biologist, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910

Phone: 301 713-2289

Email: trevor.spradlin@noaa.gov

**RIN:** 0648-AN43

### 641. SEA TURTLE CONSERVATION REGULATIONS; SHRIMP FISHERY

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 223**Legal Deadline:** None

**Abstract:** NMFS issues this advance notice of proposed rulemaking (ANPRM) to announce that it is considering publishing regulations that would make technical changes to the requirements for turtle excluder devices (TEDs) to increase their effectiveness. In particular, NMFS is considering increasing the size of TED escape openings to allow larger turtles to escape. The options NMFS is currently considering are: Requiring the leatherback opening with a minimum 32-inch grid in all areas (71-inch opening), or requiring a 35-inch by 16-inch opening with a minimum 30-inch grid in all areas. In addition, NMFS is considering other modifications to the TED regulations, including modifying or decertifying hooped hard TEDs and weedless TEDs, changing the requirements for the types of flotation devices allowed, and extending the requirement to have a short flap and grid angle of no greater than 45 degree on bottom opening TEDs (other than TEDs equipped with the leatherback opening) to all areas in the U.S. Gulf of Mexico and the Southeast U.S. Atlantic. NMFS is also considering modifications to the leatherback contingency plan (50 CFR 223.206(d)(2)(iv)) to provide better protection to leatherback turtles.

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**Timetable:**

Action	Date	FR Cite
ANPRM	04/05/00	65 FR 17852
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

Required: Yes

**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Therese Conant, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, Silver Spring, MD 20910  
Phone: 301 713-1431  
Fax: 301 713-0376

RIN: 0648-AN62

#### 642. RULE FOR GEAR MODIFICATIONS TO THE ATLANTIC LARGE WHALE TAKE REDUCTION PLAN

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 216**Legal Deadline:** None

**Abstract:** This rule will provide gear modifications for lobster and gillnet fisheries to the ALWTRP

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/21/00	65 FR 80368
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Patricia Lawson, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2322  
Email: patricia.lawson@noaa.gov

RIN: 0648-AN88

#### 643. DESIGNATED CRITICAL HABITAT: PROPOSED CRITICAL HABITAT FOR NORTHERN CALIFORNIA STEELHEAD

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1533**CFR Citation:** 50 CFR 226**Legal Deadline:** Final, Statutory, June 7, 2001.

**Abstract:** On June 7, 2000, NMFS listed the Northern California steelhead evolutionarily significant unit of steelhead as threatened under the Endangered Species Act. NMFS will now designate critical habitat for these steelhead.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

Required: Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Kellie Carter, Fishery Biologist, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-1401  
Email: kellie.f.carter@noaa.gov

RIN: 0648-AO04

#### 644. CAPTIVE STELLER SEA LIONS

**Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1531-1543; subpart B, 3223.12; 16 USC 1361 et seq

**CFR Citation:** 50 CFR 223**Legal Deadline:** None

**Abstract:** This rule is to provide exception to captive Steller sea lions (those captured before listing) to assist the public display community in commerce involving these animals.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis**

Required: Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Jennifer Lyn Skidmore, Knauss Sea Grant Fellow, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13710, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2289  
Fax: 301 713-0376  
Email: jennifer.skidmore@noaa.gov

RIN: 0648-AO61

#### 645. ● ENDANGERED AND THREATENED SPECIES; TAKE OF FOUR THREATENED EVOLUTIONARILY SIGNIFICANT UNITS OF WEST COAST SALMON

**Priority:** Other Significant**Legal Authority:** 16 USC 1531 to 1543; 16 USC 1361**CFR Citation:** 50 CFR 223

**Legal Deadline:** Final, Judicial, August 31, 2001, Court Order for Final Protective Regulations.

**Abstract:** This rule would apply section 9 prohibitions of the ESA to California, Central Valley and California Coastal Chinook and Northern California Steelhead except in 10 specific circumstances. The would also modify the section 9 prohibitions for Central California Coast soho to not apply to the same 10 specific circumstances.

**Timetable:**

Action	Date	FR Cite
NPRM	08/17/01	66 FR 43150
NPRM Comment Period End	10/01/01	
Final Action	12/00/01	
Final Action Effective	02/00/02	

**Regulatory Flexibility Analysis**

Required: Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Tribal, Federal, Local

**Agency Contact:** Kellie Carter, Fishery Biologist, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-1401  
Email: kellie.f.carter@noaa.gov

RIN: 0648-AP17

#### 646. ● TAKING OF MARINE MAMMALS INCIDENTAL TO COMMERCIAL FISHING OPERATIONS; ATLANTIC LARGE WHALE TAKE REDUCTION PLAN REGULATIONS

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 229**Legal Deadline:** NPRM, Statutory, September 30, 2001.

Final, Statutory, December 30, 2001.

**Abstract:** This rule provides criteria and procedures under the regulations

## DOC—NOAA

## Proposed Rule Stage

implementing the Atlantic Large Whale Take Reduction Plan to temporarily restrict fishing gear within defined areas on an expedited basis to protect North Atlantic right whales. These temporary restrictions may affect lobster and gillnet fisheries to further reduce risk of entanglement of right whales in commercial gear.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment Period End	01/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patricia Lawson, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2322  
Email: patricia.lawson@noaa.gov

**RIN:** 0648-AP48

#### NATIONAL OCEAN SERVICE/OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT

##### 647. REVISION OF OVERFLIGHT REGULATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1431 et seq

**CFR Citation:** 15 CFR 922

**Legal Deadline:** None

**Abstract:** These regulations are being revised to clarify that they are for resource protection purposes.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Elizabeth Moore, Sanctuaries and Resources Division, Department of Commerce, National Oceanic and Atmospheric Administration, N ORM 2, 1305 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-3145

**RIN:** 0648-AI91

##### 648. INTERAGENCY CONSULTATION FOR THE NATIONAL MARINE SANCTUARY PROGRAM

**Priority:** Other Significant

**Legal Authority:** 16 USC 1434(d)

**CFR Citation:** 15 CFR 922

**Legal Deadline:** None

**Abstract:** NOAA is considering issuing regulations to implement the Federal-agency consultation requirements of the National Marine Sanctuaries Act.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Helen Golde, Department of Commerce, National Oceanic and Atmospheric Administration, Room 11536, Marine Sanctuaries Division, 1305 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-3145

**RIN:** 0648-AL06

##### 649. NATURAL RESOURCE DAMAGE ASSESSMENT UNDER THE OIL POLLUTION ACT OF 1990

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 33 USC 2706(e)

**CFR Citation:** 15 CFR 990

**Legal Deadline:** None

**Abstract:** This proposed rulemaking amends the natural resource damage assessment rule under the Oil Pollution Act of 1990, codified at 15 CFR 990, due to court remand (General Electric vs. Commerce, 128 F. 3d 767. DC Cir. 1997).

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Eli Reinharz, Ecologist, Department of Commerce, National Oceanic and Atmospheric Administration, NOAA/DAC, Room 10218, 1305 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-3038  
Fax: 301 713-4387

**RIN:** 0648-AM80

#### Department of Commerce (DOC)

#### National Oceanic and Atmospheric Administration (NOAA)

## Final Rule Stage

#### NATIONAL MARINE FISHERIES SERVICE

##### 650. GUIDELINES FOR THE DESCRIPTION, IDENTIFICATION, CONSERVATION, AND ENHANCEMENT OF ESSENTIAL FISH HABITAT

**Priority:** Other Significant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 600

**Legal Deadline:** Final, Statutory, April 11, 1997, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** Guidelines to assist Fishery Management Councils in the description and identification of essential fish habitat (EFH) in fishery management plans, and in the consideration of actions to conserve and enhance EFH, and procedures for consultation, coordination, and recommendations to protect EFH.

**Timetable:**

Action	Date	FR Cite
ANPRM	11/08/96	61 FR 57843
ANPRM	01/09/97	62 FR 1306
NPRM	04/23/97	62 FR 19723
Interim Final Rule	12/19/97	62 FR 66531
Interim Final Rule Comment Period End	03/19/98	63 FR 8607
Supplemental Comment Period	11/08/99	64 FR 60731

## DOC—NOAA

## Final Rule Stage

Action	Date	FR Cite
Supplemental Comment Period End	12/23/99	
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Rolland Schmitt, Director, Office of Habitat Conservation, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910-3282

Phone: 301 713-2325

Fax: 301 713-1043

Email: rolland.schmitt@noaa.gov

**RIN:** 0648-AJ30

**651. REGULATORY AMENDMENT TO UPDATE REGULATIONS GOVERNING THE OPERATION OF REGIONAL FISHERY MANAGEMENT COUNCILS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq; 5 USC 561

**CFR Citation:** 50 CFR 600

**Legal Deadline:** None

**Abstract:** Regulations governing the operation of the Regional Fishery Management Councils will be revised based on provisions in the Magnuson-Stevens Act. The revisions will clarify recent administrative and policy changes, fishery conservation and management as well as editorial changes for readability, clarity, and uniformity. The intent is to update Council regulations to reflect current policies and procedures.

**Timetable:**

Action	Date	FR Cite
NPRM	05/25/01	66 FR 28876
Final Action	01/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Bruce C. Morehead, Acting Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2334

Email: bruce.morehead@noaa.gov

**RIN:** 0648-AJ82

**652. ADJUSTMENT OF THE MANAGEMENT PROGRAM FOR PRECIOUS CORALS FISHERIES IN THE WESTERN PACIFIC**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 660

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This regulation would modify the management program for the fisheries for precious corals in the western Pacific region. In response to new information on changes that may occur in the fishery, possible changes to the management program include the establishment of or adjustments to fishing seasons, permit requirements, quotas, closures, area limitations, gear, coral size restrictions, and fishery-dependent data reporting requirements, etc.

**Timetable:**

Action	Date	FR Cite
NPRM	09/05/00	65 FR 53646
NPRM Comment Period End	10/05/00	
Final Action	12/00/01	
Final Action Effective	01/00/02	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937

**RIN:** 0648-AK23

**653. PROPOSED HIGHLY MIGRATORY SPECIES PROCESS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq; 16 USC 971 et seq

**CFR Citation:** 50 CFR 635

**Legal Deadline:** None

**Abstract:** NMFS proposes to revise the administrative procedures it follows to

prepare and issue highly migratory species (HMS) management plans (FMPs), FMP amendments and implementing regulations for the Atlantic Ocean, Gulf of Mexico and Caribbean Sea in response to recent amendments to the Magnuson-Stevens Fishery Management Act.

**Timetable:**

Action	Date	FR Cite
NPRM	09/18/97	62 FR 48990
NPRM Comment Period End	10/15/97	
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Bruce C. Morehead, Acting Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2334

Email: bruce.morehead@noaa.gov

**RIN:** 0648-AK40

**654. REGULATORY AMENDMENT TO PROHIBIT FISHING BY VESSELS OVER 50 FEET FROM FISHING FOR PELAGIC MANAGEMENT UNIT SPECIES WITHIN 50 NAUTICAL MILES OF AMERICAN SAMOA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 660

**Legal Deadline:** Final, Statutory, Final Regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This regulatory action would prohibit fishing by vessels over 50 feet from fishing for pelagic management unit species within 50 nautical miles of American Samoa.

**Timetable:**

Action	Date	FR Cite
NPRM	07/31/01	66 FR 39475
NPRM Comment Period End	09/13/01	
Final Action	12/00/01	
Final Action Effective	01/00/02	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area

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## Final Rule Stage

Office, Department of Commerce,  
National Oceanic and Atmospheric  
Administration, 1601 Kapiolani  
Boulevard, Suite 1110, Honolulu, HI  
96814-4700  
Phone: 808 973-2937

RIN: 0648-AL41

### 655. STELLER SEA LION CONSERVATION MEASURES FOR THE BSAI AND GOA POLLOCK FISHERIES

**Priority:** Substantive, Nonsignificant.  
Major status under 5 USC 801 is  
undetermined.

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, Final  
regulations to be published within 30  
days of end of NPRM comment period.

**Abstract:** Implement Steller Sea Lion  
conservation measures, consistent with  
court order, for the Bering Sea/Aleutian  
Island and Gulf of Alaska Pollock  
Fisheries; Total Allowable Catch  
allocation system for outside critical  
habitat and east-western 170,  
overage/underage rollover provisions,  
revise trip limit regulations for western-  
central Gulf of Alaska, and additional  
pollock exclusion zones.

**Timetable:**

Action	Date	FR Cite
Emergency Interim Final Rule (Effective 01/20/2000 to 07/19/2000)	01/25/00	65 FR 3892
Emergency Final Rule Effective Date Extended to 12/31/2000	06/12/00	65 FR 36795
Final Action	12/00/01	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** James L. Balsiger,  
Regional Administrator, Alaska Region,  
NMFS, Department of Commerce,  
National Oceanic and Atmospheric  
Administration, P.O. Box 21668,  
Juneau, AK 99802  
Phone: 907 586-7228

RIN: 0648-AM32

### 656. PROHIBIT USE OF SET NET GEAR TO HARVEST GROUND FISH IN CERTAIN PORTIONS OF THE EXCLUSIVE ECONOMIC ZONE WATERS SEAWARD OF CALIFORNIA

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 660

**Legal Deadline:** Final, Statutory, Final  
regulations to be published within 30  
days of end of NPRM comment period.

**Abstract:** This rule would prohibit the  
use of set net gear to take groundfish  
species in a portion of the exclusive  
economic zone (EEZ) seaward of  
California. This rule has been requested  
by the Pacific Fishery Management  
Council (Council) under procedures in  
the Pacific Groundfish Fishery  
Management Plan (FMP) that allow for  
implementing Federal regulations to  
conform to State regulations for the  
groundfish fishery in selected  
circumstances. The Council has  
determined that the State regulations  
prohibiting the use of set net gear used  
to take groundfish species in certain  
areas are consistent with the FMP and  
requested Federal adoption of  
consistent regulations in the EEZ. The  
conformance with State regulations is  
desired to ensure consistent application  
of conservation and management  
measures and enforcement in the EEZ  
and in State waters to the extent  
practicable.

**Timetable:**

Action	Date	FR Cite
NPRM	05/19/00	65 FR 31871
NPRM Comment Period End	06/19/00	
Comment Period Extended	07/05/00	65 FR 41426
Final Action	12/00/01	
Final Action Effective	01/00/02	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Svein Fougner,  
Assistant Regional Administrator for  
Sustainable Fisheries, Department of  
Commerce, National Oceanic and  
Atmospheric Administration,  
Southwest Region, 501 W, Ocean  
Boulevard, Long Beach, CA 90802  
Phone: 562 980-4040

RIN: 0648-AN03

### 657. RESUBMISSION OF SUSTAINABLE FISHERIES ACT AMENDMENT CRUSTACEANS, BOTTOMFISH, AND PELAGICS REGARDING OVERFISHING DEFINITIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 660

**Legal Deadline:** None

**Abstract:** This action would bring these  
FMPs into compliance with the  
Sustainable Fisheries Act regarding  
previously disapproved overfishing  
definitions.

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/02	
Final Action Effective	05/00/02	

**Regulatory Flexibility Analysis  
Required:** Undetermined

**Government Levels Affected:**  
Undetermined

**Agency Contact:** Dr. Charles Karnella,  
Administrator, Pacific Islands Area  
Office, Department of Commerce,  
National Oceanic and Atmospheric  
Administration, 1601 Kapiolani  
Boulevard, Suite 1110, Honolulu, HI  
96814-4700  
Phone: 808 973-2937

RIN: 0648-AN79

### 658. REVISIONS TO RECORDKEEPING AND REPORTING REQUIREMENTS FOR 2001

**Priority:** Substantive, Nonsignificant.  
Major status under 5 USC 801 is  
undetermined.

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, Final  
regulations to be published within 30  
days of the end of NPRM comment  
period.

**Abstract:** Revise regulations for the  
recordkeeping and reporting  
requirements for the year 2001; to make  
the regulations more user-friendly; to  
make technical edits and clarifications  
to existing requirements,  
standardization of text, removal of  
duplication, and creation of table  
formats to replace complicated  
numbered paragraphs, revisions and  
corrections to the text, figures, and  
tables; and removal of outdated text.

## DOC—NOAA

## Final Rule Stage

Revise logbook and reporting form formats, including revisions to the combined International Pacific Halibut Commission/NMFS groundfish/ Individual Fishing Quota catcher vessel and catcher/processor logbooks by adding a new data field to indicate the type of seabird device used when fishing with hook-and-line gear; addition of new observer fields and an additional logsheet will be incorporated into each logbook for use by the observer, and addition of new management block on all logbooks and forms to describe fishery program plan (e.g., Community Development Quota, and the American Fisheries Act).

**Timetable:**

Action	Date	FR Cite
NPRM	08/08/01	66 FR 41664
NPRM Comment Period End	09/07/01	
Final Action	12/00/01	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** Undetermined

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802  
Phone: 907 586-7228

**RIN:** 0648-AO20

### 659. REGULATORY AMENDMENT TO MODIFY THE MANAGEMENT PROGRAM FOR THE WESTERN PACIFIC PELAGIC FISHERIES TO MITIGATE THE TAKE OF SEABIRDS

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This regulatory action implements the terms and conditions of a biological opinion on the effects of the continued operation of the Hawaii-based longline fishery on the short-tailed albatross, and seabird mitigation measures proposed by the Western Pacific Fishery Management Council. All operators of vessels registered for use under Hawaii pelagic

longline limited access permits will be required to use specific bird mitigation techniques when fishing with pelagic longline gear north of 23 degrees N. latitude; all vessel operators and owners must annually attend a protected species workshop conducted by NMFS; and all hooked or entangled sea birds, including the endangered short-tailed albatross, must be released in a manner that maximizes their post-release survival.

**Timetable:**

Action	Date	FR Cite
NPRM	07/05/00	65 FR 41424
NPRM Comment Period End	08/21/00	
Final Action	12/00/01	
Final Action Effective	01/00/02	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State, Local

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937

**RIN:** 0648-AO35

### 660. 2001 QUOTAS FOR PURSE SEINE FISHERIES IN THE EASTERN PACIFIC

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 995 et seq**CFR Citation:** 50 CFR 300**Legal Deadline:** None

**Abstract:** This action would announce harvest limits and associated fishery management measures to carry out recommendations of the IATTC that have been approved by the U.S. Department of State. The United States is a member of the IATTC, and NMFS (on behalf of the Secretary of Commerce) implements management recommendations pursuant to the Tuna Conventions Act of 1950. Procedures for announcing harvest quotas and associated management measures are set forth at 50 CFR part 300 subpart C.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Svein Fougner, Assistant Regional Administrator for Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Southwest Region, 501 W. Ocean Boulevard, Long Beach, CA 90802  
Phone: 562 980-4040

**RIN:** 0648-AO48

### 661. PACIFIC COAST GROUND FISH FISHERY; ANNOUNCEMENT OF THE 2002 GROUND FISH FISHERY SPECIFICATIONS AND MANAGEMENT MEASURES

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801**CFR Citation:** 50 CFR 660**Legal Deadline:** None

**Abstract:** NMFS announces the 2001 fishery specifications and management measures for groundfish taken in the U.S. exclusive economic zone (EEZ) and State waters of the coasts of Washington, Oregon, and California. The specifications include the levels of the acceptable biological catch (ABC) and optimum yields (OYs). The commercial OYs (the OYs reduced by expected discard and by amounts expected to be taken in tribal, recreational, and compensation fisheries) are allocated between the limited entry and open access fisheries. The management measures for 2002 are designed to keep landings within the OYs for those species for which there are OYs and to achieve the goals and objectives of the Pacific Coast Groundfish Fishery Management Plan (FMP) and associated rebuilding plans for overfished stocks, consistent with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the guidelines based on the National Standards in the Magnuson-Stevens Act published in the Federal Register on May 1, 1998. These management measures are intended to prevent overfishing and to rebuild Pacific Coast groundfish stocks. These measures are also intended to achieve as much harvest of healthier stocks as possible given the conservation requirements of the Magnuson-Stevens Act.

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## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
Final Action	01/00/02	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** Businesses**Government Levels Affected:** Tribal, Federal

**Agency Contact:** Donna Darm, Acting Regional Administrator, Northwest Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, BIN C15700, 7600 Sand Point Way NE, Building 1, Seattle, WA 48115-0070  
Phone: 206 526-6150

RIN: 0648-AO69

**662. STELLER SEA LION PROTECTION MEASURES FOR GROUND FISH FISHERIES OFF ALASKA; REASONABLE AND PRUDENT ALTERNATIVE UNDER NOVEMBER 30 BIOLOGICAL OPINION ON ALASKA GROUND FISH FISHERIES**

**Priority:** Economically Significant. Major under 5 USC 801.

**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 679

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of end of NPRM comment period.

**Abstract:** This rule implements Steller sea lion protection measures and announces final 2001 specifications and associated management measures for groundfish fisheries of the BSAI management area in the Gulf of Alaska.

**Timetable:**

Action	Date	FR Cite
NPRM	01/22/01	66 FR 7276
Correction	03/20/01	66 FR 15656
Amended	03/29/01	66 FR 17083
Interim Final Rule	06/13/01	66 FR 31845
Amended	06/13/01	66 FR 31845
Comment Period Extended	07/17/01	66 FR 37167
Final Action	01/00/02	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

**Agency Contact:** James L. Balsiger, Regional Administrator, Alaska Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 21668, Juneau, AK 99802

Phone: 907 586-7228

RIN: 0648-AO82

**663. HARVESTING RESTRICTIONS FOR THE DOLPHIN AND WAHOO FISHERY IN THE ATLANTIC EXCLUSIVE ECONOMIC ZONE (EEZ)**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 622; 50 CFR 600.725**Legal Deadline:** None

**Abstract:** This emergency interim rule for dolphin fish and wahoo in the Atlantic EEZ would prohibit use of surface and pelagic longlines within any time/area closure in the Atlantic EEZ to the use of that gear for Atlantic highly migratory species as established by the National Marine Fisheries Service.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Joseph Powers, Acting Regional Administrator, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9721 Executive Center Drive N., St. Petersburg, FL 33702-2432  
Phone: 727 570-5301

RIN: 0648-AO83

**664. ANNOUNCEMENT OF THE OPTIMUM YIELD AND HARVEST LIMIT FOR PACIFIC SARDINES**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660**Legal Deadline:** Final, Statutory, January 2002.

The Coastal Pelagics Fisheries regulations require that the annual specifications for Pacific sardines be published in the Federal Register before January 1, the start of the year.

**Abstract:** NMFS announces the annual harvest guidelines for Pacific sardine in the exclusive economic zone off the Pacific coast. The coastal pelagic

species fishery management plan and its implementing regulations require NMFS to establish annual harvest guidelines for Pacific sardine based on a formula in the FMP. The intended effect of this action is to establish allocated harvest levels for coastal pelagic species off the Pacific Coast.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	
Final Action Effective	01/00/02	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

**Agency Contact:** Svein Fougner, Assistant Regional Administrator for Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Southwest Region, 501 W, Ocean Boulevard, Long Beach, CA 90802  
Phone: 562 980-4040

RIN: 0648-AP00

**665. FRAMEWORK 36 TO THE NORTHEAST MULTISPECIES FISHERY MANAGEMENT PLAN**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** None

**Abstract:** This action was originally intended to focus on measures to decrease regulatory discards in the Gulf of Maine (GOM) cod fishery. However, based on the discard information and recreational catch information ascertained from the SARC 33 review of GOM cod in June 2001, management measures will be developed to decrease GOM cod discards and reduce mortality on GOM cod by 50 percent. This action also proposes to allow tuna purse seine vessels access to the current groundfish closed areas and expand the area available for the northern shrimp harvest in the GOM.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	
Final Action Effective	01/00/02	

**Regulatory Flexibility Analysis**

Required: Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast

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Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

RIN: 0648-AP05

### 666. • IMPLEMENTATION OF THE SHARK FINNING PROHIBITION ACT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 600

**Legal Deadline:** NPRM, Statutory, June 2001.

**Abstract:** This proposed rule would implement the Shark Finning Prohibition Act. This act provides that no person under U.S. jurisdiction may engage in shark finning at sea; possess shark fins without corresponding carcasses; or land shark fins without corresponding carcasses.

#### Timetable:

Action	Date	FR Cite
NPRM	06/28/01	66 FR 34401
NPRM Comment Period End	07/30/01	
Final Action	12/00/01	
Final Action Effective	01/00/02	

#### Regulatory Flexibility Analysis

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Svein Fougner, Assistant Regional Administrator for Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Southwest Region, 501 W, Ocean Boulevard, Long Beach, CA 90802  
Phone: 562 980-4040

RIN: 0648-AP21

### 667. • WESTERN PACIFIC PELAGICS FISHERIES; HAWAII-BASED PELAGIC LONGLINE RESTRICTIONS AND SEASONAL AREA CLOSURE, SEA TURTLE AND SEA BIRD MITIGATION MEASURES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 660

**Legal Deadline:** None

**Abstract:** NMFS issues this emergency interim rule that governs a vessel registered for use under a Hawaii

longline limited access permit (Hawaii longline vessel). The rule prohibits the targeting of swordfish north of the equator by Hawaii longline vessels; closes all longline fishing to Hawaii longline vessels during April and May in waters south of the Hawaiian Islands (from 15 N. lat. to the equator, and from 145 W. long. to 180 long.); allows re-registration of vessels to Hawaii longline limited access permits only in October; imposes additional sea turtle handling and resuscitation measures; and requires all Hawaii longline vessel operators to attend an annual protected species workshop. This emergency interim rule implements an Order issued on March 30, 2001, by the United States District Court for the District of Hawaii (Court). This Order superseded the Court's order of August 4, 2000, and this rule supersedes the emergency rules published on August 25, 2000; November 3, 2000; February 22, 2001; and March 19, 2001. Other parts of this rule implement the terms and conditions contained in a November 28, 2000, Biological Opinion (BO) issued by the U.S. Fish and Wildlife Service on the effects of the Hawaii-based longline fishery (Hawaii longline fishery) on the endangered short-tailed albatross. Specifically, this rule requires Hawaii longline vessels fishing above the main Hawaiian Islands (north of 23 N. lat.) to use completely thawed and blue-dyed bait; to use a longline setting machine; to deploy branch lines that are weighted; to strategically discard offal and spent bait; and to employ seabird handling and resuscitation techniques in the event a short-tailed albatross is incidentally taken. The BO also requires all Hawaii longline vessel operators to attend an annual protected species workshop.

#### Timetable:

Action	Date	FR Cite
Interim Final Rule	06/12/01	66 FR 31561
Interim Final Rule Comment Period End	07/27/01	
Rule Effective Until	12/10/01	

#### Regulatory Flexibility Analysis

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Therese Conant, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, Silver Spring, MD 20910

Phone: 301 713-1431

Fax: 301 713-0376

RIN: 0648-AP24

### 668. • STATUS REVIEW OF GULF OF MAINE/BAY OF FUNDY POPULATION OF HARBOR PORPOISE UNDER THE ESA

**Priority:** Other Significant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 424; 50 CFR 223; 50 CFR 224

**Legal Deadline:** NPRM, Judicial, July 31, 2001, Must publish the proposed status review by July 31 and allow for a 30-day public comment period. Final, Judicial, September 30, 2001, Must complete the final status review by September 30.

**Abstract:** The National Marine Fisheries Service (NMFS) conducted a status review of the Gulf of Maine/Bay of Fundy (GOM/BOF) stock of harbor porpoise (*Phocoena phocoena*). Based on analysis of the best scientific and commercial data available, as required by the Endangered Species Act (ESA), NMFS has determined that listing is not warranted at this time and intends to remove this stock from the ESA candidate species list. This notice requests comments on the status review and the determination to remove the GOM/BOF stock of harbor porpoise from the ESA candidate species list.

#### Timetable:

Action	Date	FR Cite
NPRM	08/02/01	66 FR 40176
NPRM Comment Period End	09/04/01	
Final Action	12/00/01	

#### Regulatory Flexibility Analysis

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Emily E. Hanson, Fishery Biologist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, NMFS (F/PR2), Marine Mammal Division, 1315 East-West Highway, Silver Spring, MD 20910

Phone: 301 713-2322

Fax: 301 713-4060

Email: emily.hanson@noaa.gov

RIN: 0648-AP33

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**669. • ELIGIBILITY CRITERIA AND DEFINITIONS FOR WESTERN PACIFIC COMMUNITY DEVELOPMENT PROGRAMS AND WESTERN PACIFIC DEMONSTRATION PROJECTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1855 i2A**CFR Citation:** None**Legal Deadline:** None

**Abstract:** NMFS is seeking comments on definitions for terms used in eligibility criteria that communities of western Pacific indigenous peoples must satisfy in order to participate in Western Pacific Community Development Programs and to receive grants for proposals they submit pursuant to the Western Pacific Demonstration Projects Grants Program. Such grants awarded to successful applicant communities are designed to foster traditional, indigenous fishing practices in the western Pacific region. In this proposed rule NMFS also approves the eligibility criteria themselves that were submitted to NMFS by the Western Pacific Fishery Management Council. Finally, in this proposed rule NMFS announces the Western Pacific Demonstration Projects Grants Program and provides a brief description of the goals and structure of the grants program. NMFS will provide further details of the grants program in the final rule.

**Timetable:**

Action	Date	FR Cite
NPRM	07/27/01	66 FR 39131
NPRM Comment Period End	08/27/01	
Final Action	01/00/02	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Robert Ziobro, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Hgwy., Silver Spring, MD 20910  
Phone: 301 713-2239

**RIN:** 0648-AP36**670. • ANNUAL SPECIFICATIONS FOR THE ATLANTIC HERRING FISHERY FOR FISHING YEAR 2002****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** None

**Abstract:** This action would implement the 2001 specifications for the Atlantic herring fishing.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	
Final Action Effective	01/00/02	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:**

Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AP37**671. • ANNOUNCEMENT OF THE OPTIMUM YIELD AND HARVEST LIMIT FOR PACIFIC MACKEREL****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660**Legal Deadline:** NPRM, Statutory, July 2002.

The Coastal Pelagics Fisheries regulations require that the annual specifications for Pacific mackerel be published in the Federal Register before July 1, the start of the season.

**Abstract:** NMFS announces the annual harvest guideline for Pacific mackerel in the exclusive economic zone off the Pacific coast. The Coastal Pelagic Species Fishery Management Plan (FMP) and its implementing regulations require NMFS to set an annual harvest guideline for Pacific mackerel based on a formula in the FMP. The intended effect of this action is to establish allowable harvest levels for Pacific mackerel off the Pacific coast and to minimize the impact on other coastal pelagic fisheries.

**Timetable:**

Action	Date	FR Cite
Final Action	07/00/02	
Final Action Effective	07/00/02	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Svein Fougner, Assistant Regional Administrator for Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, Southwest Region, 501 W, Ocean Boulevard, Long Beach, CA 90802  
Phone: 562 980-4040

**RIN:** 0648-AP43**672. • ANNUAL ADJUSTMENT MEASURES FOR THE NORTHEAST MULTISPECIES FISHERY FOR FISHING YEAR 2002**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** None

**Abstract:** This action would implement management measures for the Northeast multispecies fishery for fishing year 2002.

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/02	
Final Action Effective	05/00/02	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:**

Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AP45**673. • FRAMEWORK ADJUSTMENT FOR THE NORTHEAST MULTISPECIES (WHITING) FISHERY**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** None

**Abstract:** This action would implement management measures for the Northeast multispecies fishery (whiting fishery).

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**Timetable:**

Action	Date	FR Cite
Final Action	04/00/02	
Final Action Effective	05/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

RIN: 0648-AP46

**674. • 2002-2003 MANAGEMENT MEASURES FOR COMMERCIAL, RECREATIONAL, AND TREATY INDIAN SALMON FISHERIES OFF THE COASTS OF WASHINGTON, OREGON, AND CALIFORNIA**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660**Legal Deadline:** Final, Statutory, May 2002.

**Abstract:** The annual management measures for the 2002-2003 fishing year specify allowable ocean harvest levels (including quotas), allocations, management boundaries and zones, minimum size limits, gear definitions, seasons, selective fisheries, and in-season notice procedures.

**Timetable:**

Action	Date	FR Cite
Final Action	05/00/02	
Final Action Effective	05/00/02	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Donna Darm, Acting Regional Administrator, Northwest Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way NE, Building 1, Seattle, WA 48115-0070  
Phone: 206 526-6150

RIN: 0648-AP52

**675. • RESUBMISSION OF SUSTAINABLE FISHERIES ACT AMENDMENT BOTTOMFISH, CRUSTACEAN, AND PELAGICS REGARDING BYCATCH PROVISIONS**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660**Legal Deadline:** None

**Abstract:** This action would bring these FMPS into compliance with the Sustainable Fisheries Act regarding previously disapproved bycatch provisions.

**Timetable:**

Action	Date	FR Cite
Final Action	03/00/02	
Final Action Effective	03/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937

RIN: 0648-AP54

**676. • RESUBMISSION OF SUSTAINABLE FISHERIES ACT AMENDMENT BOTTOMFISH, CRUSTACEANS, AND PELAGICS REGARDING FISHING COMMUNITIES**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660**Legal Deadline:** None

**Abstract:** This action would bring these FMPS into compliance with the Sustainable Fisheries Act regarding previously disapproved categorization of the State of Hawaii as a fishing community.

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/02	
Final Action Effective	05/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** None

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area

Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700

Phone: 808 973-2937

RIN: 0648-AP55

**677. • SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS FISHERIES; FRAMEWORK 3**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of the NPRM comment period.

**Abstract:** Framework 3 to the Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries would revise the overfishing definition for summer flounder.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/01	
Final Action Effective	01/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

RIN: 0648-AP56

**678. INTERAGENCY POLICY ON THE PRESCRIPTION OF FISHWAYS UNDER SECTION 18 OF THE FEDERAL POWER ACT**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 742; 16 USC 661 et seq; 16 USC 791a et seq; 16 USC et 1531 et seq; 16 USC 811 et seq; ...**CFR Citation:** 18 CFR 385.713**Legal Deadline:** None

**Abstract:** This Notice of Proposed Rulemaking invites public comment on proposed internal policy for the U.S. Fish and Wildlife Service and National Marine Fisheries Service (the Services) regarding the prescription of fishways

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pursuant to section 18 of the Federal Power Act for non-Federal hydropower projects licensed by the Federal Energy Regulatory Commission (FERC). The proposed policy is intended to set forth the definition of fishways in accordance with the 1992 National Energy Policy Act and the procedures for the prescription of fishways. The policy does not introduce new procedures but standardizes current practices and existing procedures for providing fishway prescriptions.

**Timetable:**

Action	Date	FR Cite
Notice	12/22/00	65 FR 80898
Notice Comment Period End	02/20/01	
Final Action	12/00/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal

**Agency Contact:** Kathryn Conant, Habitat Specialist, NMFS, Office of Habitat Conservation, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910

Phone: 301 713-2325

Fax: 301 713-1043

Email: kathryn.conant@noaa.gov

**RIN:** 0648-AO70

### 679. POLICY FOR REVIEW OF MANDATORY CONDITIONS DEVELOPED BY THE DEPARTMENTS OF THE INTERIOR AND COMMERCE IN THE CONTEXT OF HYDROPOWER LICENSING

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 791a et seq; 16 USC 811; 16 USC 797(e); 16 USC 8251(b)**CFR Citation:** 18 CFR 385.713**Legal Deadline:** None

**Abstract:** The Department of the Interior and the Department of Commerce (Departments) have formalized a process for public review of and comment on mandatory conditions and prescriptions the Departments develop for inclusion in hydropower licenses issued by the Federal Energy Regulatory Commission pursuant to part I of the Federal Power Act. This policy provides an opportunity for public comment on the Departments' mandatory conditions and

prescriptions for both the traditional licensing process and the alternative licensing process.

**Timetable:**

Action	Date	FR Cite
Notice	12/13/00	65 FR 77889
Notice Comment Period End	01/03/01	
Final Action	01/00/02	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal

**Agency Contact:** Kathryn Conant, Habitat Specialist, NMFS, Office of Habitat Conservation, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910

Phone: 301 713-2325

Fax: 301 713-1043

Email: kathryn.conant@noaa.gov

**RIN:** 0648-AO84

### 680. ESTABLISH GUIDELINES FOR NONLETHALLY DETERRING MARINE MAMMALS FROM ENDANGERING PERSONAL SAFETY OR DAMAGING PUBLIC OR PRIVATE PROPERTY

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq The Marine Mammal Protection Act**CFR Citation:** 50 CFR 216

**Legal Deadline:** Final, Statutory, January 1, 1995, Final regulations to be published within 30 days of the end of the NPRM comment period.

**Abstract:** On April 30, 1994, the President signed Pub. L. 103-238, the Marine Mammal Protection Act Amendments of 1994. One part of this law implemented a new section 101(a)(4) to authorize the nonlethal harassment takings by citizens of the United States to deter marine mammals from: (1) Damaging commercial fishing gear or catch; (2) damaging private property; (3) endangering public safety; or (4) damaging public property. The amendments require a list of guidelines for use in safely deterring marine mammals and provide for prohibiting certain deterrent measures that may have a significant adverse impact on marine mammals.

**Timetable:**

Action	Date	FR Cite
NPRM	05/05/95	60 FR 22345

Action	Date	FR Cite
NPRM Comment Period End	07/05/95	
Interim Final Rule	04/00/02	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Kenneth R. Hollingshead, Fishery Biologist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, 1315 East-West Highway, Silver Spring, MD 20912  
Phone: 301 713-2055  
Email: ken.hollingshead@noaa.gov

**RIN:** 0648-AH19

### 681. GENERAL AUTHORIZATION FOR SCIENTIFIC RESEARCH INVOLVING LEVEL B HARASSMENT

**Priority:** Substantive, Nonsignificant**Unfunded Mandates:** This action may affect State, local or tribal governments and the private sector.**Legal Authority:** 16 USC 1151 et seq Fur Seal Act; 16 USC 1631 et seq Marine Mammal Protection Act**CFR Citation:** 50 CFR 216**Legal Deadline:** Final, Statutory, August 30, 1994.

**Abstract:** This final rule is required by the 1994 amendments to the Marine Mammal Protection Act. These regulations establish a general authorization for bona fide scientific research on non-endangered and non-threatened marine mammals that may result in harassment with only the potential to disturb. Inclusion under the general authorization is achieved by letter of intent to the National Marine Fisheries Service and a letter of confirmation from the Service.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/03/94	59 FR 50372
Interim Final Rule Comment Period End	11/17/94	
Final Action	06/00/02	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** Trevor Spradlin, Marine Mammal Biologist, Office of

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Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
 Phone: 301 713-2289  
 Email: trevor.spradlin@noaa.gov  
**RIN:** 0648-AH20

**682. PROVIDE REGULATIONS FOR PERMITS FOR CAPTURE, TRANSPORT, IMPORT AND EXPORT OF PROTECTED SPECIES FOR PUBLIC DISPLAY, AND FOR MAINTAINING A CAPTIVE MARINE MAMMAL INVENTORY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1372 (c)

**CFR Citation:** 50 CFR 216

**Legal Deadline:** None

**Abstract:** This rule will revise and simplify criteria and procedures specific to permits for taking, transporting, importing, and exporting protected species for public display and provide convenient formats for reporting marine mammal captive holdings and transports as required by amendments made in 1994 to the Marine Mammal Protection Act.

**Timetable:**

Action	Date	FR Cite
NPRM	07/03/01	66 FR 35209
NPRM Comment Period Extended	08/22/01	66 FR 44109
NPRM Comment Period End	09/04/01	
Final Action	03/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Gene Nitta, Marine Resource Manager, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
 Phone: 301 713-2289

**RIN:** 0648-AH26

**683. IMPLEMENTATION OF 1997 MMPA AMENDMENTS AFFECTING YELLOWFIN TUNA PURSE SEINE FISHING IN THE EASTERN TROPICAL PACIFIC**

**Priority:** Economically Significant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 216.24

**Legal Deadline:** None

**Abstract:** This rule would implement the 1997 amendments to the Marine Mammal Protection Act (MMPA) regarding regulation of the U.S. yellowfin tuna fishery in the eastern tropical Pacific Ocean, and the regulation of yellowfin tuna into the United States from other nations.

**Timetable:**

Action	Date	FR Cite
NPRM	06/14/99	64 FR 31806
Interim Final Rule	01/03/00	65 FR 30
Final Action	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal

**Additional Information:** Legislation amending the MMPA regarding the yellowfin tuna fishery will require implementation of regulations 3 months after the effective date of the legislation.

**Agency Contact:** Nicole LeBoeuf, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, 1315 East-West Highway, Silver Spring, MD 20910  
 Phone: 301 713-2322

**RIN:** 0648-AI85

**684. PACIFIC OFFSHORE CETACEAN TAKE REDUCTION PLAN**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 229

**Legal Deadline:** None

**Abstract:** This interim final rule would allow vessel operators participating in the California/Oregon drift gillnet fishery for thresher shark and swordfish to use longer lines to attach pingers to the nets.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Patricia Lawson, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910

Phone: 301 713-2322

Email: patricia.lawson@noaa.gov

**RIN:** 0648-AL70

**685. DRAFT POLICY FOR EVALUATION OF CONSERVATION EFFORTS IN MAKING LISTING DECISIONS**

**Priority:** Info./Admin./Other

**Legal Authority:** 16 USC 1531

**CFR Citation:** 50 CFR 424

**Legal Deadline:** None

**Abstract:** A policy to evaluate conservation efforts in making listing decisions under the Endangered Species Act. Policy identifies considerations to be used in determining whether conservation plans and agreements, management plans or other efforts provide sufficient protections to preclude or remove the need to list a species under the ESA.

**Timetable:**

Action	Date	FR Cite
NPRM	06/13/00	65 FR 37102
Final Action	12/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Margaret C. Lorenz, ESA Policy Coordinator, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910

Phone: 301 713-1401

Email: margaret.lorenz@noaa.gov

**RIN:** 0648-AL91

**686. RULEMAKING FOR THE INCIDENTAL TAKING OF MARINE MAMMALS DURING WORLDWIDE DEPLOYMENT OF THE U.S. NAVY'S LOW FREQUENCY ACTIVE SONAR**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 216.101

**Legal Deadline:** None

**Abstract:** NMFS has received an application from the U.S. Navy for authorization to take marine mammals incidental to the worldwide

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deployment of its new low frequency active sonar system. The U.S. Navy anticipates deployment of up to 4 shipboard systems within the next 5 years. This authorization can be granted under the Marine Mammal Protection Act provided the taking of marine mammals is incidental, is having no more than a negligible impact on small numbers of marine mammals and is not having an unmitigatable impact on Arctic subsistence needs. If an authorization is granted monitoring and reporting takings will be required.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/22/99	64 FR 57026
NPRM	03/19/01	66 FR 15375
NPRM Comment Period End	05/31/01	
Final Action	12/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal

**Agency Contact:** Kenneth R. Hollingshead, Fishery Biologist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, 1315 East-West Highway, Silver Spring, MD 20912  
Phone: 301 713-2055  
Email: ken.hollingshead@noaa.gov

**RIN:** 0648-AM62**687. SEA TURTLE CONSERVATION REGULATIONS; SUMMER FLOUNDER FISHERY**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 223; 50 CFR 222**Legal Deadline:** None

**Abstract:** The National Marine Fisheries Service intends to amend the Turtle Excluder Device (TED) requirements for summer flounder trawlers at 50 CFR 223.206(d)(2)(iii). The rule change would require the use of a TED extension with a hard TED. The extension could not be more than 3.5-inch stretched mesh. The extension could extend not more than 24 inches and not less than 36 inches in front

of and behind the TED. New information came to light over the winter and during TED testing in June 1999 that TED installation in larger mesh results in many turtle captures and deaths. The fishery will begin at the beginning of October, and many preventable sea turtle deaths would occur if the rule is not in place prior. Bringing the rule into effect during the course of the fishery would also be disruptive to the fishermen.

The rule is not significant and the cost to the fishermen for compliance will be minimal: less than \$20 for materials and about 2 hours to reinstall the TED (many fishermen already reinstall their TEDs on an annual basis).

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/15/99	64 FR 55860
Final Action	12/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Federal

**Agency Contact:** Therese Conant, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, Silver Spring, MD 20910  
Phone: 301 713-1431  
Fax: 301 713-0376

**RIN:** 0648-AM89**688. SEA TURTLE CONSERVATION REGULATIONS; FISHERIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq; 16 USC 742a et seq; 31 USC 9701**CFR Citation:** 50 CFR 223**Legal Deadline:** None

**Abstract:** NMFS proposes to amend the sea turtle handling and resuscitation regulations. Recent scientific and technical information indicate that the current procedures need to be updated. This measure is necessary to safely handle sea turtles that are incidentally captured during scientific research or in fishing operations.

**Timetable:**

Action	Date	FR Cite
NPRM	06/18/01	66 FR 32787
Final Action	12/00/01	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** None

**Agency Contact:** Therese Conant, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, Silver Spring, MD 20910  
Phone: 301 713-1431  
Fax: 301 713-0376

**RIN:** 0648-AN64**689. TAKING OF THE COOK INLET, ALASKA, STOCK OF BELUGA WHALES BY ALASKA NATIVES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1371**CFR Citation:** 50 CFR 216**Legal Deadline:** None

**Abstract:** NMFS is regulating subsistence harvest of Cook Inlet Beluga to ensure that the harvest is sustainable and does not substantially delay the recovery of this marine mammal stock. Specific harvest levels and distribution of the harvest will be based upon cooperative agreements with Alaska native organizations.

**Timetable:**

Action	Date	FR Cite
NPRM	10/04/00	65 FR 59164
NPRM Comment Period End	11/27/00	
Final Action	12/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Organizations, Governmental Jurisdictions**Government Levels Affected:** Tribal, Federal

**Agency Contact:** Thomas C. Eagle, Fishery Biologist, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13725, Office of Protected Resources, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2055  
Fax: 301 713-4060  
Email: tom.eagle@noaa.gov

**RIN:** 0648-AO16

## Department of Commerce (DOC)

## Long-Term Actions

## National Oceanic and Atmospheric Administration (NOAA)

## NATIONAL MARINE FISHERIES SERVICE

## 690. GENERAL PROVISIONS FOR DOMESTIC FISHERIES—STANDARD DEFINITIONS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 600

## Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Richard H. Schaefer  
Phone: 301 427-2014

RIN: 0648-AG46

## 691. REGULATORY AMENDMENT TO ALLOCATE PACIFIC HALIBUT TO THE HALIBUT SUBSISTENCE FISHERY

Priority: Substantive, Nonsignificant.  
Major status under 5 USC 801 is undetermined.

CFR Citation: 50 CFR 300

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James L. Balsiger  
Phone: 907 586-7228

RIN: 0648-AK16

## 692. FISHING CAPACITY REDUCTION PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 600

## Timetable:

Action	Date	FR Cite
NPRM	02/11/99	64 FR 6869
Interim Final Rule	05/18/00	65 FR 31430
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Michael L. Grable  
Phone: 301 713-2390  
Email: michael.grable@noaa.gov

RIN: 0648-AK76

## 693. HALIBUT BYCATCH ACCOUNTING FOR THE YELLOWFIN SOLE

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 679

## Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: James L. Balsiger  
Phone: 907 586-7228

RIN: 0648-AM76

## 694. AMENDMENT 1 TO THE ATLANTIC HERRING FISHERY MANAGEMENT PLAN

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 648

## Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Patricia Kurkul  
Phone: 978 281-9200

RIN: 0648-AN19

## 695. AMENDMENT 14 TO THE NORTHEAST MULTISPECIES FISHERY MANAGEMENT PLAN

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 648

## Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Patricia Kurkul  
Phone: 978 281-9200

RIN: 0648-AN20

## 696. REGULATORY AMENDMENT TO CLARIFY THE ALASKA GROUND FISH INDIVIDUAL FISHING QUOTA PROGRAM APPEALS REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 679

## Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: James L. Balsiger  
Phone: 907 586-7228

RIN: 0648-AN21

## 697. AMENDMENT 63 TO THE FMP FOR THE GROUND FISH FISHERY OF THE BERING SEA AND ALEUTIAN ISLANDS MANAGEMENT AREA AND AMENDMENT 63 TO THE FMP FOR THE GROUND FISH OF THE GULF OF ALASKA

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 679

## Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: James L. Balsiger  
Phone: 907 586-7228

RIN: 0648-AN24

## 698. AMENDMENTS TO ALASKA FMPS FOR GROUND FISH, CRAB, AND SCALLOP TO REDUCE HALIBUT MORTALITY

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 679

## Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: James L. Balsiger  
Phone: 907 586-7228

RIN: 0648-AN26

## DOC—NOAA

## Long-Term Actions

**699. AMENDMENTS 61/61 FOR BSAI AND GOA GROUND FISH; AMENDMENT 13 FOR COMMERCIAL KING AND TANNER CRAB; AND AMENDMENT 8 FOR ALASKA SCALLOP FISHERY**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 50 CFR 679

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** James L. Balsiger  
Phone: 907 586-7228

**RIN:** 0648-AN55

**700. DISTRIBUTE U.S. ALLOCATIONS FROM THE NORTHWEST ATLANTIC FISHERIES ORGANIZATION**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 300

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Patrick Edward Moran  
Phone: 301 713-2276  
Fax: 301 713-2313  
Email: pat.moran@noaa.gov

**RIN:** 0648-AN60

**701. FISHERY MANAGEMENT PLAN FOR NORTHEAST SKATE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 648

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul

Phone: 978 281-9200

**RIN:** 0648-AO10

**702. AMERICAN FISHERIES ACT REGULATIONS**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 50 CFR 679

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/22/01	66 FR 7327
Extension of Emergency Interim Rule	07/10/01	66 FR 35911
Interim Final Rule Comment Period End	08/09/01	

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** James L. Balsiger  
Phone: 907 586-7228

**RIN:** 0648-AO14

**703. MULTISPECIES COMMUNITY DEVELOPMENT QUOTA PROGRAM BYCATCH ACCOUNTING**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 50 CFR 679

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** Undetermined

**Agency Contact:** James L. Balsiger  
Phone: 907 586-7228

**RIN:** 0648-AO26

**704. CONTINUE CLOSURE OF TWO MID-ATLANTIC AREAS TO SCALLOP FISHING**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 648

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/09/01	66 FR 9678
Interim Final Rule Effective	03/02/01	

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patricia Kurkul  
Phone: 978 281-9200

**RIN:** 0648-AO71

**705. IMPLEMENT MANAGEMENT MEASURES FOR THE PACIFIC COD FISHERIES IN THE GULF OF ALASKA, THE BERING SEA, AND THE ALEUTIAN ISLANDS**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 50 CFR 679

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** James L. Balsiger  
Phone: 907 586-7228

**RIN:** 0648-AO73

**706. ATLANTIC HIGHLY MIGRATORY SPECIES; PELAGIC LONGLINE FISHERY; GEAR REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 635

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/30/01	66 FR 17370
Interim Final Rule Comment Period End	04/30/01	

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Bruce C. Morehead  
Phone: 301 713-2334

Email: bruce.morehead@noaa.gov

**RIN:** 0648-AO76

**707. OBSERVER PROGRAM ELECTRONIC REPORTING REQUIREMENTS**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 50 CFR 300

## DOC—NOAA

## Long-Term Actions

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** James L. Balsiger  
Phone: 907 586-7228

**RIN:** 0648—AO90

**708. AMENDMENT 65 TO BSAI GROUND FISH, AMENDMENT 65 TO GOA GROUND FISH, AMENDMENT 12 FOR COMMERCIAL KING AND TANNER CRAB OF BSAI, AND AMENDMENT 7 FOR SCALLOP FISHERY OFF ALASKA**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 50 CFR 679

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** James L. Balsiger  
Phone: 907 586-7228

**RIN:** 0648—AO98

**709. ESTABLISH MEASURES TO ADDRESS THE IMMINENT RAPID INCREASE IN LANDINGS AND TO HALT OVERFISHING IN THE ATLANTIC RED CRAB FISHERY**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 648

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/08/01	66 FR 23182
Interim Final Rule Effective	05/18/01	

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Patricia Kurkul  
Phone: 978 281-9200

**RIN:** 0648—AP10

**710. • SEA TURTLE CONSERVATION REGULATIONS; FISHERY ACTIVITIES (TEDS)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1361 et seq; 16 USC 1531 TO 1543

**CFR Citation:** 50 CFR 223

**Legal Deadline:** None

**Abstract:** NMFS issues an interim final rule to add the double cover flap turtle excluder device to the list of approved.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/14/01	66 FR 24287
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Therese Conant, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, Silver Spring, MD 20910  
Phone: 301 713-1431  
Fax: 301 713-0376

**RIN:** 0648—AP16

**711. • EXTENSION ATLANTIC HIGHLY MIGRATORY SPECIES (HMS); PERMIT CATEGORY DEADLINE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 971 et seq; 16 USC 1801 et seq

**CFR Citation:** 50 CFR 635

**Legal Deadline:** None

**Abstract:** This interim final rule extends through May 31, 2001, the deadline to change Atlantic tunas permit categories for fishing year 2001. Additional time is needed due to technical difficulties with the automated permitting system. Allowing vessel owners to choose the most appropriate category will further the domestic management objectives for the Atlantic tuna fisheries.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	05/25/01	
Interim Final Rule	05/31/01	66 FR 29510
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Bruce C. Morehead, Acting Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric

Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2334

Email: bruce.morehead@noaa.gov

**RIN:** 0648—AP29

**712. • SPINY DOGFISH FISHERY; AMENDMENT 1**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 648

**Legal Deadline:** Final, Statutory, Final regulations to be published within 30 days of the end of the NPRM comment period.

**Abstract:** Amendment 1 to the Spiny Dogfish Fishery Management Plan would revise the rebuilding plan and management measures for spiny dogfish.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	
NPRM Comment Period End	02/00/03	
Final Action	03/00/03	
Final Action Effective	04/00/03	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648—AP58

**713. AMENDMENT OF MARINE MAMMAL REGULATIONS TO AUTHORIZE INCIDENTAL TAKINGS OF MARINE MAMMALS BY HARASSMENT AS AUTHORIZED BY PUBLIC LAW 103-238**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 216

**Timetable:**

Action	Date	FR Cite
NPRM	05/31/95	60 FR 28379
NPRM Comment Period End	10/16/95	60 FR 35891
Interim Final Rule	04/10/96	61 FR 15884
Final Action	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** Yes

## DOC—NOAA

## Long-Term Actions

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Kenneth R. Hollingshead  
Phone: 301 713-2055  
Email: ken.hollingshead@noaa.gov

**RIN:** 0648-AG80

#### 714. AMEND REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 216

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Gene Nitta  
Phone: 301 713-2289

**RIN:** 0648-AH83

#### 715. ENDANGERED AND THREATENED SPECIES: TAKE OF THREATENED SOUTHERN OREGON/NORTHERN CALIFORNIA COAST EVOLUTIONARILY SIGNIFICANT UNIT (ESU) COHO SALMON

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 223

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/18/97	62 FR 38479
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Kellie Carter  
Phone: 301 713-1401  
Email: kellie.f.carter@noaa.gov

**RIN:** 0648-AJ91

#### 716. DESIGNATE CRITICAL HABITAT; DESIGNATION OF MARINE AREAS AS CRITICAL HABITAT FOR PACIFIC SALMON

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 50 CFR 226

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Kellie Carter  
Phone: 301 713-1401  
Email: kellie.f.carter@noaa.gov

**RIN:** 0648-AN89

#### 717. ENDANGERED AND THREATENED SPECIES: PERMIT EXEMPTIONS

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 50 CFR 222

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Terri Jordan  
Phone: 301 713-1401  
Fax: 301 713-0376  
Email: terri.jordan@noaa.gov

**RIN:** 0648-AO37

#### 718. ENDANGERED AND THREATENED SPECIES: PERMITS: SUSPENSION CRITERIA AND PROCEDURES AND REVOCATION CRITERIA AND PROCEDURES

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 50 CFR 222

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Terri Jordan  
Phone: 301 713-1401  
Fax: 301 713-0376  
Email: terri.jordan@noaa.gov

**RIN:** 0648-AO59

#### NATIONAL OCEAN SERVICE/OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT

#### 719. FLORIDA KEYS NATIONAL MARINE SANCTUARY; TORTUGAS ECOLOGICAL RESERVE

**Priority:** Other Significant

**CFR Citation:** 15 CFR 922 et seq

**Timetable:**

Action	Date	FR Cite
NPRM	05/18/00	65 FR 31633
Draft EIS	05/19/00	65 FR 31898
Final Rule	03/23/01	66 FR 16120
Final Rule	06/22/01	66 FR 33462
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Agency Contact:** Billy Causey  
Phone: 305 743-2437

**RIN:** 0648-AO18

#### 720. INSTALLING AND MAINTAINING COMMERCIAL SUBMARINE CABLES IN NATIONAL MARINE SANCTUARIES

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 15 CFR 922

**Timetable:**

Action	Date	FR Cite
ANPRM	08/23/00	65 FR 51264
ANPRM Comment	10/23/00	
Period End		
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Helen Golde  
Phone: 301 713-3145

**RIN:** 0648-AO36

#### 721. • REVISIONS TO ANCHORING PROHIBITIONS IN FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1434 et seq; 16 USC 1431 et seq

**CFR Citation:** 15 CFR 922

**Legal Deadline:** None

DOC—NOAA

Long-Term Actions

**Abstract:** This proposed rule will amend the regulations of the Flower Garden Banks National Marine Sanctuary (FGBNMS or Sanctuary) governing anchoring of vessels within the boundaries. This change will conform domestic regulations with anchoring prohibitions adopted by the International Maritime Organization (IMO). This rule will prohibit all anchoring in the Sanctuary, except for vessels under 100 feet (30.48 meters) using sanctuary mooring buoys. This will prevent further injuries to corals in the sanctuary from anchoring impacts.

**Timetable:**

Action	Date	FR Cite
NPRM	05/15/01	66 FR 26822
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** G. P. Schmahl, Manager, Department of Commerce, National Oceanic and Atmospheric Administration, Suite 104, Flower Garden Banks National Marine Sanctuary, 216 W. 26th Street, Bryan, TX 77803  
Phone: 979 779-2705

**RIN:** 0648-AP22

**OFFICE OF THE ADMINISTRATOR**

**722. REGIONAL MARINE RESEARCH PROGRAM**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** Not Yet Determined

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Don Scavia  
Phone: 301 713-3060

**RIN:** 0648-AF20

Department of Commerce (DOC)

Completed Actions

National Oceanic and Atmospheric Administration (NOAA)

**723. CONSOLIDATE THE RULES FOR SPINY LOBSTER FISHERY OF THE GULF OF MEXICO AND SOUTH ATLANTIC AND STONE CRAB FISHERY OF THE GULF OF MEXICO WITH 50 CFR 622**

**Priority:** Info./Admin./Other

**CFR Citation:** 50 CFR 622; 50 CFR 640; 50 CFR 654

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/09/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Joseph Powers  
Phone: 727 570-5301

**RIN:** 0648-AJ28

**724. IMPLEMENTATION OF DATA COLLECTION AND REPORTING REQUIREMENTS TO THE FISHERY MANAGEMENT PLAN FOR THE AMERICAN LOBSTER FISHERY**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 649

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/30/01	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Patricia Kurkul  
Phone: 978 281-9200

**RIN:** 0648-AJ75

**725. AMENDMENT TO PORTIONS OF INDIVIDUAL FISHING QUOTA PROGRAM REGULATIONS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 679

**Completed:**

Reason	Date	FR Cite
Final Action	05/21/01	66 FR 27908

**Regulatory Flexibility Analysis Required:** Yes

**Government Levels Affected:** None

**Agency Contact:** James L. Balsiger  
Phone: 907 586-7228

**RIN:** 0648-AK50

**726. AMENDMENT 14 TO THE PACIFIC COAST GROUND FISH FISHERY MANAGEMENT PLAN**

**Timetable:**

Action	Date	FR Cite
Duplicate of RIN 0648- AO97	08/10/01	

**RIN:** 0648-AL50

**727. AMENDMENT 14 TO THE PACIFIC COAST SALMON PLAN**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 660

**Completed:**

Reason	Date	FR Cite
Final Action	05/20/01	66 FR 29238
Final Action Effective	06/29/01	

**Regulatory Flexibility Analysis Required:** Yes

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** Donna Darm  
Phone: 206 526-6150

**RIN:** 0648-AL51

**728. REGULATORY AMENDMENT TO IMPLEMENT A LIMITED ACCESS PROGRAM THAT REQUIRES SPECIES ENDORSEMENTS TO PARTICIPATE IN FISHERIES TARGETING CERTAIN GROUND FISH SPECIES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 660

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/25/01	

**Regulatory Flexibility Analysis Required:** Yes

**Government Levels Affected:** Federal

**Agency Contact:** Donna Darm

## DOC—NOAA

## Completed Actions

Phone: 206 526-6150

RIN: 0648-AL65

**729. RULE TO PROHIBIT FISHING AND ANCHORING OF FISHING VESSELS IN THE EEZ SEAWARD OF NAVASSA ISLAND**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 622

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/09/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Joseph Powers  
Phone: 727 570-5301

RIN: 0648-AL93

**730. AMENDMENTS TO ALASKA GROUND FISH AND CRAB FMPS TO REVISE THE LICENSE LIMITATION PROGRAM**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 679

**Completed:**

Reason	Date	FR Cite
Final Action	09/24/01	66 FR 48813

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: None

Agency Contact: James L. Balsiger  
Phone: 907 586-7228

RIN: 0648-AL95

**731. ADJUSTMENT OF MANAGEMENT PROGRAM; CRUSTACEAN FISHERIES OF THE HAWAIIAN ISLANDS; TEMPORARY CLOSURE OF THE NORTHWESTERN HAWAIIAN ISLANDS LOBSTER FISHERY**Priority: Substantive, Nonsignificant.  
Major status under 5 USC 801 is undetermined.

CFR Citation: 50 CFR 660

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/30/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Charles Karnella

Phone: 808 973-2937

RIN: 0648-AM26

**732. BSAI FMP AMENDMENT 66 TO THE FMP FOR THE GROUND FISH FISHERY OF THE BERING SEA AND ALEUTIAN ISLANDS AREA**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 679

**Completed:**

Reason	Date	FR Cite
Final Action	03/07/01	66 FR 13672
Final Action Effective	04/06/01	

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: None

Agency Contact: James L. Balsiger  
Phone: 907 586-7228

RIN: 0648-AM72

**733. IMPLEMENTATION OF WESTERN PACIFIC COMMUNITY DEVELOPMENT PROGRAM****Timetable:**

Action	Date	FR Cite
Duplicate of RIN 0648-AP36	04/01/01	

AP36

RIN: 0648-AM96

**734. RECORDKEEPING AND REPORTING REQUIREMENT REVISIONS TO THE ALASKA GROUND FISH FISHERIES ALASKA COMMERCIAL OPERATOR'S ANNUAL REPORT (ACOAR)**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 679

**Completed:**

Reason	Date	FR Cite
Final Action	08/20/01	66 FR 43524

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James L. Balsiger  
Phone: 907 586-7228

RIN: 0648-AN01

**735. REGULATORY AMENDMENT TO REDEFINE VESSEL LENGTH OVERALL**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 679

**Completed:**

Reason	Date	FR Cite
NPRM	05/25/01	66 FR 28883
Final Action	09/04/01	66 FR 47416
Final Action Effective	10/03/01	

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: None

Agency Contact: James L. Balsiger  
Phone: 907 586-7228

RIN: 0648-AN23

**736. REGULATORY AMENDMENT TO IMPLEMENT AN AT-SEA OBSERVER PROGRAM ON LIMITED ENTRY AND OPEN ACCESS CATCHER VESSELS IN THE PACIFIC COAST GROUND FISH FISHERY**

Priority: Other Significant

CFR Citation: 50 CFR 660

**Completed:**

Reason	Date	FR Cite
Final Action	04/24/01	66 FR 20609
Final Action Effective	05/24/01	

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: Federal

Agency Contact: Donna Darm  
Phone: 206 526-6150

RIN: 0648-AN27

**737. ATLANTIC HIGHLY MIGRATORY SPECIES; SPOTTER AIRCRAFT**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 635

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/09/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Bruce C. Morehead  
Phone: 301 713-2334  
Email: bruce.morehead@noaa.gov

RIN: 0648-AN54

**738. ATLANTIC HIGHLY MIGRATORY SPECIES; GULF OF MEXICO CLOSED AREA**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 635

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## Completed Actions

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/09/01	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Bruce C. Morehead  
Phone: 301 713-2334  
Email: bruce.morehead@noaa.gov**RIN:** 0648-AN63**739. ANNUAL SPECIFICATIONS FOR FISHING YEAR 2001 FOR ATLANTIC HERRING****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 648**Completed:**

Reason	Date	FR Cite
Final Action	05/25/01	66 FR 28846
Final Action Effective	05/25/01	

**Regulatory Flexibility Analysis Required:** Yes**Government Levels Affected:** None**Agency Contact:** Patricia Kurkul  
Phone: 978 281-9200**RIN:** 0648-AN65**740. SPECIFICATIONS FOR THE ATLANTIC BLUEFISH FISHERY FOR FISHING YEAR 2001****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 648**Completed:**

Reason	Date	FR Cite
Final Action	05/09/01	66 FR 23625
Final Action Effective	05/09/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Patricia Kurkul  
Phone: 978 281-9200**RIN:** 0648-AN66**741. SPECIFICATIONS FOR THE ATLANTIC MACKEREL, SQUID, AND BUTTERFISH FISHERIES FOR FISHING YEAR 2001****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 648**Completed:**

Reason	Date	FR Cite
Final Action	03/02/01	66 FR 12024
Final Action Effective	03/02/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Patricia Kurkul  
Phone: 978 281-9200**RIN:** 0648-AN69**742. RECREATIONAL MEASURES FOR THE SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS FISHERIES FOR FISHING YEAR 2001****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 648**Completed:**

Reason	Date	FR Cite
NPRM	05/25/01	66 FR 28879
Final Action	07/30/01	66 FR 39288
Final Action Effective	07/30/01	

**Regulatory Flexibility Analysis Required:** Yes**Government Levels Affected:** State, Federal**Agency Contact:** Patricia Kurkul  
Phone: 978 281-9200**RIN:** 0648-AN70**743. SPECIFICATIONS FOR THE SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS FISHERIES FOR THE FISHING YEAR 2001****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 648**Completed:**

Reason	Date	FR Cite
Final Action	03/23/01	66 FR 16151

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Patricia Kurkul  
Phone: 978 281-9200**RIN:** 0648-AN71**744. ATLANTIC HIGHLY MIGRATORY SPECIES; ATLANTIC TUNAS REPORTING AND ALLOCATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 635**Completed:**

Reason	Date	FR Cite
Final Action	08/15/01	66 FR 42801

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Bruce C. Morehead  
Phone: 301 713-2334  
Email: bruce.morehead@noaa.gov**RIN:** 0648-AN97**745. ATLANTIC COAST HORSESHOE CRAB EEZ REGULATIONS****Priority:** Other Significant**CFR Citation:** 50 CFR 697**Completed:**

Reason	Date	FR Cite
Final Action	02/05/01	66 FR 8906

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State, Federal**Agency Contact:** Richard H. Schaefer  
Phone: 301 427-2014**RIN:** 0648-AO02**746. ANNUAL FRAMEWORK ADJUSTMENT (FRAMEWORK 14) FOR THE ATLANTIC SEA SCALLOP FISHERY MANAGEMENT PLAN FOR FISHING YEAR 2001****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 648**Completed:**

Reason	Date	FR Cite
Final Action Effective	05/01/01	
Final Action	05/11/01	66 FR 24052

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Patricia Kurkul  
Phone: 978 281-9200**RIN:** 0648-AO07**747. AMENDMENT 13 TO THE PACIFIC COAST GROUND FISH FISHERY MANAGEMENT PLAN — BYCATCH REDUCTION/REPORTING, FRAMEWORK CHANGES TO ANNUAL MANAGEMENT MEASURES PROCESS****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 660

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**Completed:**

Reason	Date	FR Cite
Final Action	06/01/01	66 FR 29729
Final Action Effective	07/02/01	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Donna Darm

Phone: 206 526-6150

RIN: 0648-AO41

**748. REGULATING BYCATCH IN THE PURSE SEINE FISHERY AND ESTABLISHING A VESSEL REGISTER IN THE EASTERN PACIFIC OCEAN****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 300**Completed:**

Reason	Date	FR Cite
Final Action	09/27/01	66 FR 49317
Final Action Effective	10/26/01	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Svein Fougner

Phone: 562 980-4040

RIN: 0648-AO42

**749. 2001-2002 MANAGEMENT MEASURES FOR COMMERCIAL, RECREATIONAL, AND TREATY INDIAN SALMON FISHERIES OFF THE COASTS OF WASHINGTON, OREGON, AND CALIFORNIA****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 660**Completed:**

Reason	Date	FR Cite
Final Action Effective	05/02/01	
Final Action	05/08/01	66 FR 23185

**Regulatory Flexibility Analysis**

Required: Yes

**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** Donna Darm

Phone: 206 526-6150

RIN: 0648-AO49

**750. SPECIFICATIONS FOR FISHING YEAR 2001 FOR THE SPINY DOGFISH FISHERY****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 648**Completed:**

Reason	Date	FR Cite
Final Action Effective	05/01/01	
Final Action	05/04/01	66 FR 22473

**Regulatory Flexibility Analysis**

Required: Yes

**Government Levels Affected:** State, Federal**Agency Contact:** Patricia Kurkul

Phone: 978 281-9200

RIN: 0648-AO53

**751. OMNIBUS FRAMEWORK TO FMPS FOR SUMMER FLOUNDER, SCUP, BLACK SEA BASS, ATLANTIC MACKEREL, LOLIGO SQUID, ILLEX SQUID, BUTTERFISH, AND ATLANTIC BLUEFISH FISHERIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 648**Completed:**

Reason	Date	FR Cite
Final Action	08/10/01	66 FR 42156
Final Action Effective	08/10/01	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Patricia Kurkul

Phone: 978 281-9200

RIN: 0648-AO54

**752. MODIFY AMERICAN LOBSTER REGULATIONS UNDER ATLANTIC COASTAL FISHERIES COOPERATIVE MANAGEMENT ACT****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 697**Completed:**

Reason	Date	FR Cite
Final Action	03/13/01	66 FR 14500

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** State**Agency Contact:** Patricia Kurkul

Phone: 978 281-9200

RIN: 0648-AO58

**753. AMENDMENT 9 TO THE COASTAL PELAGIC SPECIES FISHERY MANAGEMENT PLAN****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 660**Completed:**

Reason	Date	FR Cite
Final Action	08/27/01	66 FR 44986
Final Action Effective	09/26/01	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Svein Fougner

Phone: 562 980-4040

RIN: 0648-AO64

**754. ATLANTIC HIGHLY MIGRATORY SPECIES; REDUCING POSSIBILITY OF SERIOUS INJURY AND MORTALITY OF RIGHT WHALES BY OPERATION OF THE SOUTHEAST ATLANTIC SHARK GILLNET FISHERY****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 50 CFR 635**Completed:**

Reason	Date	FR Cite
Withdrawn	08/09/01	

**Regulatory Flexibility Analysis**

Required: Undetermined

**Government Levels Affected:** Undetermined**Agency Contact:** Bruce C. Morehead

Phone: 301 713-2334

Email: bruce.morehead@noaa.gov

RIN: 0648-AO65

**755. ATLANTIC HIGHLY MIGRATORY SPECIES; LARGE AND SMALL COASTAL SHARKS; COMMERCIAL QUOTA ADJUSTMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 635**Completed:**

Reason	Date	FR Cite
Interim Final Rule	03/06/01	66 FR 13441

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Bruce C. Morehead

Phone: 301 713-2334

Email: bruce.morehead@noaa.gov

RIN: 0648-AO85

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**756. REVISION TO THE RESTRICTION ON FREQUENCY OF LIMITED ENTRY PERMIT TRANSFERS AND OTHER PERMIT UPDATES IN THE PACIFIC COAST GROUND FISH FISHERY**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 660

**Completed:**

Reason	Date	FR Cite
NPRM	05/30/01	66 FR 29276
Final Action Effective	08/01/01	
Final Action	08/06/01	66 FR 40918

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Donna Darm

Phone: 206 526-6150

RIN: 0648-AO87

**757. NOTICE OF DETERMINATION OF NONCOMPLIANCE; DECLARATION OF A MORATORIUM ON FISHING FOR AMERICAN LOBSTER IN RHODE ISLAND STATE WATERS**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 697

**Completed:**

Reason	Date	FR Cite
Cancellation of Moratorium	04/20/01	66 FR 20202

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: State

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: Thomas Meyer

Phone: 301 427-2014

RIN: 0648-AO88

**758. MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT; AMENDMENT OF FOREIGN FISHING REGULATIONS**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 600

**Completed:**

Reason	Date	FR Cite
Final Action	05/22/01	66 FR 28131

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Dean Swanson

Phone: 301 713-2276

Email: dean.swanson@noaa.gov

RIN: 0648-AO89

**759. FRAMEWORK ADJUSTMENT 2 TO THE FISHERY MANAGEMENT PLAN FOR THE SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS FISHERIES**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 648

**Completed:**

Reason	Date	FR Cite
Final Action	07/11/01	66 FR 36208
Final Action Effective	07/29/01	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Patricia Kurkul

Phone: 978 281-9200

RIN: 0648-AO92

**760. ATLANTIC HIGHLY MIGRATORY SPECIES; TRADE MEASURES AND MONITORING**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 635

**Completed:**

Reason	Date	FR Cite
Merged With RIN	05/07/01	
		0648-AO93

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Bruce C. Morehead

Phone: 301 713-2334

Email: bruce.morehead@noaa.gov

RIN: 0648-AO94

**761. ATLANTIC HIGHLY MIGRATORY SPECIES; 2001 BLUEFIN TUNA QUOTA SPECIFICATIONS AND EFFORT CONTROLS**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 635

**Completed:**

Reason	Date	FR Cite
NPRM	04/02/01	66 FR 17520
Final Action	06/18/01	66 FR 37921

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Bruce C. Morehead

Phone: 301 713-2334

Email: bruce.morehead@noaa.gov

RIN: 0648-AO96

**762. ESTABLISH A CONTROL DATE FOR PERMIT OWNERSHIP; SABLEFISH FISHERY; AMENDMENT 14 TO PACIFIC COAST GROUND FISH FMP**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 660

**Completed:**

Reason	Date	FR Cite
Final Rule	04/03/01	66 FR 17681
NPRM	06/08/01	66 FR 30869
Final Action	08/07/01	66 FR 41152
Final Action Effective	08/07/01	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Donna Darm

Phone: 206 526-6150

RIN: 0648-AO97

**763. ANNOUNCEMENT OF THE OPTIMUM YIELD AND HARVEST LIMIT FOR PACIFIC MACKEREL**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 660

**Completed:**

Reason	Date	FR Cite
Final Action	07/20/01	66 FR 38571
Final Action Effective	07/20/01	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Svein Fougner

Phone: 562 980-4040

RIN: 0648-AP01

**764. REGULATORY AMENDMENT UNDER THE FISHERY MANAGEMENT PLAN FOR THE SNAPPER-GROUPER FISHERY OF THE SOUTH ATLANTIC REGION (FMP) REGARDING USE OF POWERHEADS**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 622

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/09/01	

**Regulatory Flexibility Analysis**

Required: Undetermined

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**Government Levels Affected:** None

**Agency Contact:** Joseph Powers  
Phone: 727 570-5301

**RIN:** 0648-AP04

**765. ATLANTIC HIGHLY MIGRATORY SPECIES; PELAGIC LONGLINE MANAGEMENT**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 635

**Completed:**

Reason	Date	FR Cite
Withdrawn	05/07/01	66 FR 22994

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Bruce C. Morehead  
Phone: 301 713-2334  
Email: bruce.morehead@noaa.gov

**RIN:** 0648-AP13

**766. ● SEA TURTLE CONSERVATION REGULATIONS; FISHERIES ACTIVITIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 223

**Legal Deadline:** None

**Abstract:** NMFS is prohibiting, for a 30-day period, any vessel that has a commercial fishing permit from fishing with gillnets larger than 5 inches in Florida.

**Timetable:**

Action	Date	FR Cite
Final Action	03/15/01	66 FR 15045

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Therese Conant, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, Silver Spring, MD 20910  
Phone: 301 713-1431  
Fax: 301 713-0376

**RIN:** 0648-AP14

**767. ● ESTABLISHMENT OF CONTROL DATE FOR PELAGIC OFFSHORE HANDLINE FISHERY AROUND THE HAWAIIAN ISLANDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1801 et seq

**CFR Citation:** 50 CFR 660

**Legal Deadline:** None

**Abstract:** At its meeting on February 14, 2001 the Western Pacific Fishery Management Council (Council) voted to establish a new control date for the Hawaii offshore pelagic handline fishery around the Cross Seamount, NOAA weather buoys, and "Bigeye Buoy" located in the U.S. exclusive economic zone around Hawaii. The control date enables the Council to inform fishermen that it is considering future action to limit the number of participants or effort and, during this period, discourage speculative entry into the fishery. Fishermen are also advised that anyone entering the fishery after the control date may not be assured of future access, regardless of their level of participation before or after the control date, if a limited access program for the fishery is developed by the council and approved by the National Marine Fisheries Service.

**Timetable:**

Action	Date	FR Cite
Final Action	05/18/01	66 FR 27613

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Charles Karnella, Administrator, Pacific Islands Area Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700  
Phone: 808 973-2937

**RIN:** 0648-AP19

**768. ● ATLANTIC HIGHLY MIGRATORY SPECIES (HMS); NOAA INFORMATION COLLECTION REQUIREMENTS; REGULATORY ADJUSTMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 971 et seq.; 16 USC 1801 et seq.

**CFR Citation:** 50 CFR 635

**Legal Deadline:** None

**Abstract:** NMFS announces approval by the Office of Management and Budget (OMB) of a collection-of-information requirement contained in the final consolidated regulations governing the Atlantic HMS fisheries. Accordingly, NMFS amends the regulations and makes effective the requirement that vessels taking paying customers to fish for Atlantic tunas, swordfish, sharks, and billfish obtain an Atlantic HMS Charter/Headboat permit. This final rule, technical amendment, also updates the table in 15 CFR 902.1(b) to add this OMB approval, to remove expired control numbers, and to correct control numbers to the appropriate CFR part or section.

**Timetable:**

Action	Date	FR Cite
Final Action	06/07/01	66 FR 30651

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Bruce C. Morehead, Acting Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2334  
Email: bruce.morehead@noaa.gov

**RIN:** 0648-AP23

**769. ● REGULATORY FRAMEWORK TO ALLOW INCIDENTAL HALIBUT RETENTION IN THE WEST COAST PRIMARY SABLEFISH FISHERY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 773 to 773k

**CFR Citation:** 50 CFR 300

**Legal Deadline:** None

**Abstract:** Allocation of Pacific halibut in west coast waters is governed by the Pacific Fishery Management Council's (Council) Pacific Halibut Catch Sharing Plan (Plan). According to the Plan, when the west coast total allowable catch (TAC) is above 900,00 pounds, a portion of the TAC will be available as incidental catch in the limited entry, primary sablefish longline fishery north of Point Chehalis, Washington. At its annual meeting in January 22-25, the International Pacific Halibut Commission set a 2001 Pacific halibut TAC for waters off Washington, Oregon,

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and California of 1,140,000 pounds. This is the first year since the adoption of the Plan that the TAC has been above 900,000 pounds. This proposed regulation would provide a framework in the halibut regulations at 50 CFR 300 to allow the Council and NMFS, in years when the west coast halibut TAC is above 900,000 pounds, to set annual halibut retention limits for vessels that catch halibut incidentally during the primary sablefish fishery. This is a non-controversial regulation, intended to provide sablefish longline vessels with access to the halibut quota set aside for their fisheries and will not change the effect of the fishery on the halibut resource nor change the overall halibut harvest level.

**Timetable:**

Action	Date	FR Cite
NPRM	06/14/01	66 FR 32310
NPRM Comment Period End	07/16/01	
Final Action	08/10/01	66 FR 42154

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Donna Darm, Acting Regional Administrator, Northwest Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way NE, Building 1, Seattle, WA 48115-0070  
Phone: 206 526-6150

**RIN:** 0648-AP26**770. • FISHERIES OF THE NORTHEASTERN UNITED STATES; BLACK SEA BASS FISHERY; NOTICE OF CONTROL DATE****Priority:** Info./Admin./Other**Legal Authority:** 16 USC 1801**CFR Citation:** 50 CFR 648**Legal Deadline:** None

**Abstract:** NMFS is considering proposed rulemaking to control future access of the black sea bass (*Centropristis striata*) fishery under the Magnuson-Stevens Fishery Conservation and Management Act. This announcement is intended, in part, to discourage speculative increases in effort or capacity while The Mid-Atlantic Fishery Management Council and NMFS are considering whether and how to control capacity and latent effort in this fishery. The

date of publication of this notification shall be known as the "control date" and may be used for establishing eligibility criteria for determining levels of future access to the black sea bass fishery subject to Federal authority.

**Timetable:**

Action	Date	FR Cite
Final Action	06/05/01	66 FR 30149
Comment Period End	07/05/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** George H. Darcy, Assistant Regional Administrator for Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 1930-2298

Phone: 978 281-9331

Fax: 978 281-9135

Email: george.darcy@noaa.gov

**RIN:** 0648-AP28**771. • DEEP SEA RED CRAB FISHERY****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** None

**Abstract:** This interim rule would revise the multiplier used to determine the equivalent possession limit for butchered deep sea red crab. NMFS issued an emergency interim rule for the red crab fishery on May 8, 2001, effective through November 14, 2001. The rule implemented among other things a possession limit of 65,000 pounds of whole red crab (or its equivalent in butchered or processed product); and an incidental catch possession limit of 100 pounds of whole red crab (or its equivalent). The rule stated that butchered red crab are equivalent to whole red crab based on a estimated yield of 58 percent of that limit. NMFS received information to indicate that the multiplier of 1.72 is based on a more thorough butchering method than is typically employed by those who currently at sea. Based on information provided by industry and corroborated through a recent red crab sample analyzed by NMFS, the recovery rate for red crabs butchered consistent with the method used by industry is about 64 percent. The revised multiplier would be applied to the current possession limit.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	07/18/01	
Interim Final Rule	07/23/01	66 FR 38165

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Additional Information:** This rule was inadvertently published under the RIN 0648-AP10. That RIN number was assigned to the emergency interim red crab rule.

**Agency Contact:** Patricia Kurkul, Regional Administrator, Northeast Region, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, One Blackburn Drive, Gloucester, MA 01930  
Phone: 978 281-9200

**RIN:** 0648-AP30**772. • ATLANTIC HIGHLY MIGRATORY SPECIES; PELAGIC LONGLINE FISHERY; SEA TURTLE PROTECTION MEASURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 971 et seq; 16 USC 1801 et seq**CFR Citation:** 50 CFR 635**Legal Deadline:** None

**Abstract:** This emergency rule will implement the reasonable and prudent alternatives recommended by the Biological Opinion that is expected to be released in early June 2001. Based on the draft Biological Opinion which was released for public comment on April 11, 2001, NMFS expects to implement area closures and gear modifications.

**Timetable:**

Action	Date	FR Cite
Final Action	07/13/01	66 FR 36711

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Bruce C. Morehead, Acting Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2334

Email: bruce.morehead@noaa.gov

**RIN:** 0648-AP31

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**773. • IMPORTS OF ILLEGALLY HARVESTED PATAGONIAN OR ANTARCTIC TOOTHFISH SEIZED BY FOREIGN LAW ENFORCEMENT AUTHORITIES AND PLACED INTO INTERNATIONAL COMMERCE****Priority:** Economically Significant**Legal Authority:** 16 USC 2431 et seq**CFR Citation:** 50 CFR 300**Legal Deadline:** None

**Abstract:** NMFS issues this interpretive rule regarding legal requirements applicable to receivers, dealers, importers, and exporters of, *Dissostichus eleginoides* (Patagonian toothfish) and *Dissostichus mawsoni* (Antarctic toothfish) harvested in all waters, including those under the jurisdiction of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR). The Antarctic fisheries are managed under the authority of the Antarctic Marine Living Resources Convention Act of 1984 (AMLRCA) codified at 16 U.S.C. 2431 et seq. NMFS implements CCAMLR conservation measures by regulations at 50 CFR part 300, subpart G. Section 306 of the AMLRCA prohibits the import of illegally harvested toothfish. NMFS interprets this prohibition to extend over products illegally harvested, seized by foreign law enforcement authorities, and then offered on the market by the country which seized the toothfish. Import is prohibited even if such products are accompanied by a *Dissostichus* Catch Document issued by the country which seized the toothfish.

**Timetable:**

Action	Date	FR Cite
Final Action	09/07/01	66 FR 46740

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Mark R. Wildman, Foreign Affairs Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-2276  
Fax: 301 713-2313  
Email: mark.wildman@noaa.gov

**RIN:** 0648-AP35**774. ENDANGERED AND THREATENED SPECIES: LISTING STATUS FOR WHITE ABALONE****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 223; 50 CFR 224**Completed:**

Reason	Date	FR Cite
Final Action	05/29/01	66 FR 29046

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State, Federal

**Agency Contact:** Terri Jordan  
Phone: 301 713-1401  
Fax: 301 713-0376  
Email: terri.jordan@noaa.gov

**RIN:** 0648-AM90**775. REGULATIONS GOVERNING THE APPROACH TO HUMPBACK WHALES IN ALASKA****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 224.103**Completed:**

Reason	Date	FR Cite
Final Action	05/31/01	66 FR 29502

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal

**Agency Contact:** Trevor Spradlin  
Phone: 301 713-2289  
Email: trevor.spradlin@noaa.gov

**RIN:** 0648-AN29**776. TAKING OF MARINE MAMMALS INCIDENTAL TO SHOCK TESTING THE USS WINSTON CHURCHILL OFF THE U.S. ATLANTIC COAST****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 216.151**Completed:**

Reason	Date	FR Cite
Final Action	05/04/01	66 FR 22450

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal

**Agency Contact:** Kenneth R. Hollingshead  
Phone: 301 713-2055  
Email: ken.hollingshead@noaa.gov

**RIN:** 0648-AN59**777. LIST OF FISHERIES FOR 2001****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 229**Completed:**

Reason	Date	FR Cite
Final Action	08/15/01	66 FR 42780

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Emily E. Hanson  
Phone: 301 713-2322  
Fax: 301 713-4060  
Email: emily.hanson@noaa.gov

**RIN:** 0648-AN92**778. TAKING AND IMPORTING MARINE MAMMALS; TAKING MARINE MAMMALS INCIDENTAL TO OPERATION OF A LOW FREQUENCY SOUND SOURCE BY THE NORTH PACIFIC ACOUSTIC LABORATORY****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 216.70**Completed:**

Reason	Date	FR Cite
Final Action	08/17/01	66 FR 43442

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal

**Agency Contact:** Kenneth R. Hollingshead  
Phone: 301 713-2055  
Email: ken.hollingshead@noaa.gov

**RIN:** 0648-AO24**779. MARINE MAMMALS; SUBSISTENCE TAKING OF NORTHERN FUR SEALS; HARVEST ESTIMATES****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 216.21**Completed:**

Reason	Date	FR Cite
Final Action	06/21/01	66 FR 33209

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Tribal, Federal

**Agency Contact:** Kellie Carter  
Phone: 301 713-1401  
Email: kellie.f.carter@noaa.gov

Thomas C. Eagle

## DOC—NOAA

## Completed Actions

Phone: 301 713-2055  
 Fax: 301 713-4060  
 Email: tom.eagle@noaa.gov  
**RIN:** 0648-AO40

**780. ENDANGERED AND THREATENED SPECIES; THREATENED STATUS FOR ONE EVOLUTIONARILY SIGNIFICANT UNIT OF STEELHEAD IN CALIFORNIA AND OREGON**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 50 CFR 223

**Completed:**

Reason	Date	FR Cite
Final Action	04/04/01	66 FR 17845
Final Action Effective	04/04/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State

**Agency Contact:** Kellie Carter  
 Phone: 301 713-1401

**RIN:** 0648-AO86

**781. ● SEA TURTLE CONSERVATION REGULATION; FISHERIES ACTIVITIES**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 16 USC 1361 et seq; 16 USC 1531 to 1543  
**CFR Citation:** 50 CFR 223

**Legal Deadline:** Final, Statutory, April 19, 2001, Temporary rule.

**Abstract:** NMFS is establishing conditions for the closure of the large-mesh gillnet fishery for monkfish in the mid-Atlantic to prevent unauthorized takings of sea turtles listed as threatened or endangered under the Endangered Species Act (ESA). Specifically, NMFS intends to place fishery observers aboard 100 percent of the vessels fishing for monkfish out of North Carolina in the months of April and May 2001 and out of Virginia ports in the months of May and June 2001, to monitor for sea turtle interactions. Documented sea turtle takes beyond the levels specified in the incidental take statement of the December 21, 1998, biological opinion for the monkfish fishery are not authorized. If the levels specified in the incidental take statement are met, NMFS will immediately file a notification with the Office of Federal Register. On and after the effective date of such notification for a 30-day period in all offshore

Atlantic waters position of the northernmost documented sea turtle take. The closure will include all vessels using large mesh gillnets targeting monkfish. If necessary, the closure will be extended for additional 30-day periods through the publication of additional notifications.

**Timetable:**

Action	Date	FR Cite
Final Action	05/25/01	66 FR 28842

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Therese Conant, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, Silver Spring, MD 20910  
 Phone: 301 713-1431  
 Fax: 301 713-0376

**RIN:** 0648-AP20

**782. ● TAKING OF MARINE MAMMALS INCIDENTAL TO COMMERCIAL FISHING OPERATIONS; TEMPORARY AREA AND GEAR RESTRICTIONS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 16 USC 1631  
**CFR Citation:** 50 CFR 229  
**Legal Deadline:** None

**Abstract:** The Assistant Administrator for Fisheries (AA), NOAA, announces temporary restrictions consistent with the requirements of the Atlantic Large Whale Take Reduction Plan's implementing regulations. The AA implements gear restrictions for an area totaling 460 square nautical miles (sq. nm) for 15 days to provide immediate protection to an aggregation of northern right whales. The AA also requests that fishermen adhere to voluntary measures for a 600 sq. nm precautionary area, which surrounds the restricted area.

**Timetable:**

Action	Date	FR Cite
Final Action	05/16/01	66 FR 27042

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patricia Lawson, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric

Administration, 1315 East-West Highway, Silver Spring, MD 20910  
 Phone: 301 713-2322  
 Email: patricia.lawson@noaa.gov

**RIN:** 0648-AP27

**783. ● SEA TURTLE CONSERVATION REGULATIONS; FISHERY ACTIVITIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1361 et seq; 16 USC 1531 to 1543

**CFR Citation:** 50 CFR 223

**Legal Deadline:** Final, Statutory, June 18, 2001, Emergency Rule.

**Abstract:** NMFS is requiring all pound net leaders measuring 8 inches or greater stretched mesh and pound net leaders with stringers to be tied up in the Virginia waters of the mainstem Chesapeake Bay and tributaries for a period of 30 days. The leaders shall be tied up in such a manner so that the mesh and stringers are rolled up and tied off, and are not fishing in the water. The closed area includes all Chesapeake Bay waters between the Maryland and Virginia state line (approximately 38 deg. N. latitude) and the COLREGS line at the mouth of the Bay, including the tidal waters of the James River, York River, and Rappahannock River. NMFS is taking this action because of the large number of sea turtle strandings in the Chesapeake Bay and unauthorized takes in the pound net fishery. If necessary, the closure may be extended for additional 30-day periods through the publication of additional notifications.

Section 11(f) of the ESA authorizes the Secretary of Commerce to promulgate regulations to enforce the requirements of the Act. Section 4(d) allows the Secretary of Commerce to promulgate protective regulations for threatened sea turtles. Regulations at 50 CFR 223.206(d)(4) specify procedures that the Assistant Administrator for Fisheries may use to impose additional restrictions to conserve listed sea turtles and prevent unauthorized takings.

**Timetable:**

Action	Date	FR Cite
Final Action	06/22/01	66 FR 33489

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

## DOC—NOAA

## Completed Actions

**Agency Contact:** Barbara Schroeder, National Sea Turtle Coordinator, Office of Protected Resources, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910  
Phone: 301 713-1401

**RIN:** 0648-AP34

#### 784. ● SEA TURTLE CONSERVATION REGULATIONS; FISHERY ACTIVITIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 223

**Legal Deadline:** None

**Abstract:** NMFS intends to close waters off California to fishing using drift gillnets operating north of Point Sur extending west to 123 degrees 35 minutes W from August 15 to November 15 and, during forecasted El Nino years, south of Point Conception extending west to 120 degrees W from August 15 to August 31 and again from January 1 to January 31. This action is necessary to protect endangered and threatened sea turtles.

#### Timetable:

Action	Date	FR Cite
Final Action	08/24/01	66 FR 44549

#### Regulatory Flexibility Analysis

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Peter J. Eldridge, Fishery Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration  
Phone: 727 570-5305  
Fax: 727 570-3583  
Email: peter.eldridge@noaa.gov

Therese Conant, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, Silver Spring, MD 20910

Phone: 301 713-1431

Fax: 301 713-0376

**RIN:** 0648-AP40

#### 785. OPERATIONS OF MOTORIZED PERSONAL WATERCRAFT IN THE GULF OF THE FARALLONES NATIONAL MARINE SANCTUARY

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 15 CFR 922

#### Completed:

Reason	Date	FR Cite
Final Action	09/10/01	66 FR 46942

#### Regulatory Flexibility Analysis

**Required:** No

**Government Levels Affected:** State

**Agency Contact:** Daniel J. Basta  
Phone: 301 713-3000

**RIN:** 0648-AK01

#### 786. COASTAL ZONE MANAGEMENT ACT CONSISTENCY REGULATIONS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 15 CFR 930 et seq

#### Completed:

Reason	Date	FR Cite
Final Action	12/08/00	65 FR 77123
Final Action Effective	12/08/00	

#### Regulatory Flexibility Analysis

**Required:** No

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Molly Holt  
Phone: 301 713-2967

**RIN:** 0648-AM88

### Department of Commerce (DOC)

#### National Telecommunications and Information Administration (NTIA)

### Long-Term Actions

#### 787. IMPROVEMENT OF TECHNICAL MANAGEMENT OF INTERNET NAMES AND ADDRESSES

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 15 CFR XXIII

#### Timetable:

Action	Date	FR Cite
NPRM	02/20/98	63 FR 8826
NPRM Comment Period End	03/23/98	
Notice - Policy Statement	06/10/98	63 FR 31741
Notice - Request for Public Comment	08/04/98	63 FR 41547
Notice - Extension of Comment Period to 10/05/98	08/27/98	63 FR 45800
Notice - Public Meeting	02/10/99	64 FR 6633
Request for Comments	08/22/00	65 FR 50964

#### Timetable:

Action	Date	FR Cite
Comment Period End	10/06/00	
Next Action Undetermined		

#### Regulatory Flexibility Analysis

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Karen Rose  
Phone: 202 482-3167  
Email: krose@ntia.doc.gov

**RIN:** 0660-AA11

#### 788. MANDATORY REIMBURSEMENT RULES FOR RELOCATION OF FEDERAL SPECTRUM

**Priority:** Other Significant

**CFR Citation:** 47 CFR 301

#### Timetable:

Action	Date	FR Cite
NPRM	01/18/01	66 FR 4771
Next Action Undetermined		

#### Regulatory Flexibility Analysis

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Milton Brown  
Phone: 202 482-1816  
Fax: 202 501-8013  
Email: mbrown@ntia.doc.gov

**RIN:** 0660-AA14

**Department of Commerce (DOC)**  
**Patent and Trademark Office (PTO)**

**Proposed Rule Stage**

**789. REQUIREMENTS FOR REGISTRATION TO PRACTICE BEFORE THE PTO IN PATENT CASES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 35 USC 2(b)(2)(D); 35 USC 32

**CFR Citation:** 37 CFR 1.21; 37 CFR 10.7; 37 CFR 10.11

**Legal Deadline:** None

**Abstract:** This rulemaking involves the restructuring of the administration and format of the Registration Examination for Patent Practitioners and the establishment of a continuing education requirement and annual fee for registered practitioners.

**Timetable:**

Action	Date	FR Cite
ANPRM	09/30/96	61 FR 51072
ANPRM Comment Period End	12/06/96	
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Harry I. Moatz, Director of Enrollment and Discipline, Department of Commerce, Patent and Trademark Office, Commissioner of Patents and Trademarks, Washington, DC 20231  
 Phone: 703 306-4097

**RIN:** 0651-AA93

**790. TECHNICAL AND NONTECHNICAL REQUIREMENTS FOR REGISTRATION TO PRACTICE BEFORE THE PTO IN PATENT CASES, DISCIPLINARY RULES, AND INVESTIGATIONS AND DISCIPLINARY PROCEEDINGS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 35 USC 2(b)(2)(D); 35 USC 32

**CFR Citation:** 37 CFR 10

**Legal Deadline:** None

**Abstract:** This rulemaking amends the rules of practice before the PTO to include the technical and nontechnical requirements for registration to practice before the PTO in patent cases, as well as new Disciplinary Rules, and new rules regarding Investigations and Disciplinary Proceedings.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Harry I. Moatz, Director of Enrollment and Discipline, Department of Commerce, Patent and Trademark Office, Commissioner of Patents and Trademarks, Washington, DC 20231

Phone: 703 306-4097

**RIN:** 0651-AA95

**791. PATENT AND TRADEMARK OFFICE ACQUISITION REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 106-113

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The Patent and Trademark Office is developing a new procurement process consistent with authority conveyed in the Performance Based Organization Legislation, PL 106-113. The Patent and Trademark Office will publish a notice to inform industry and businesses of the availability of new acquisition regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Michael Anastasio, Director, Office of Procurement, Department of Commerce, Patent and Trademark Office, Crystal Park 1, Suite 810, 2011 Crystal Park Drive, Washington, DC 20231

Phone: 703 305-8014

Fax: 703 305-5484

Email: michael.anastasio@uspto.gov

**RIN:** 0651-AB11

**792. PRELIMINARY DRAFT CONVENTION ON JURISDICTION AND FOREIGN JUDGMENTS AND CIVIL AND COMMERCIAL MATTERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 35 USC 2

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** The United States Patent and Trademark Office (USPTO) is seeking the views of the public concerning common jurisdictional rules for international civil and commercial cases and enforcement of judgments.

**Timetable:**

Action	Date	FR Cite
Request for Comments	10/17/00	65 FR 61306
Comment Period End	01/12/01	
Request for Comments	08/20/01	66 FR 43676
Public Hearing	09/11/01	
Comment Period End	10/19/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jennifer Lucas, Department of Commerce, Patent and Trademark Office, Office of Legislative and International Affairs, Washington, DC 20231

Phone: 703 305-9300

Fax: 703 305-8885

Email: jennifer.lucas@uspto.gov

**RIN:** 0651-AB25

**793. RULES OF PRACTICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES IN APPEALS UNDER 35 U.S.C. 134**

**Priority:** Info./Admin./Other

**Legal Authority:** 35 USC 2(B)(2); 35 USC 6; 35 USC 134

**CFR Citation:** 37 CFR 1.14; 37 CFR 1.191 to 1.198

**Legal Deadline:** None

**Abstract:** The United States Patent and Trademark Office proposes to amend its rules of patent appellate practice to simplify proceedings and to reflect changes in recent legislation.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jeffrey V. Nase, Administrative Patent Judge, Department of Commerce, Patent and

## DOC—PTO

## Proposed Rule Stage

Trademark Office, Commissioner of Patents and Trademarks, Washington, DC 20231

Phone: 703 305-9797

Fax: 703 308-7953

Email: jeffrey.nase@uspto.gov

RIN: 0651-AB27

#### 794. • ELIMINATION OF THE PRACTICE OF INCLUDING COPIES OF U.S. PATENT DOCUMENTS WITH OFFICE ACTIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 35 USC 2(b)(2)

**CFR Citation:** 37 CFR 1

**Legal Deadline:** None

**Abstract:** The United States Patent and Trademark Office (Office) currently includes a copy of every document cited in an Office action with the Office action. Since the Office provides the public with access to copies of all U.S. patents and U.S. application publications through the Office's Internet Web site ([www.uspto.gov](http://www.uspto.gov)), the Office considers including copies of U.S. patents and U.S. application publications with Office actions to be unnecessary. Thus, the Office is considering eliminating the practice of including copies of U.S. patents and U.S. patent application publications with Office actions. The Office would continue to include copies of foreign patent other publications and other documents (non-patent literature).

#### Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

#### Regulatory Flexibility Analysis

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Robert W. Bahr, Senior Patent Attorney, Department of Commerce, Patent and Trademark Office, Box DAC, Assistant Commissioner for Patents, Washington, DC 20231

Phone: 703 305-8850

Fax: 703 305-6916

RIN: 0651-AB40

#### 795. • REQUIREMENTS FOR CLAIMING THE BENEFIT OF PRIOR-FILED APPLICATIONS UNDER EIGHTEEN-MONTH PUBLICATION OF PATENT APPLICATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 35 USC 2(b)(2)

**CFR Citation:** 37 CFR 1

**Legal Deadline:** None

**Abstract:** In implementing the provisions of the American Inventors Protection Act of 1999 related to the eighteen-month publication of patent applications, the United States Patent and Trademark Office (Office) revised the rules of practice related to requirements for claiming the benefit of

a prior-filed application. The Office is revising the time period for claiming the benefit of a prior-filed application in an application filed under the Patent Cooperation Treaty (PCT), revising the time period for filing an English language translation of a non-English language provisional application, and making other technical corrections to the rules of practice related to eighteen-month publication. The Office is also making permanent a temporary rule that amends the rules of practice to include the current statutory provisions that define when national stage commencement occurs in an application filed under the PCT.

#### Timetable:

Action	Date	FR Cite
NPRM	09/05/01	66 FR 46409
NPRM Comment Period End	10/05/01	

#### Regulatory Flexibility Analysis

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Robert W. Bahr, Senior Patent Attorney, Department of Commerce, Patent and Trademark Office, Box DAC, Assistant Commissioner for Patents, Washington, DC 20231

Phone: 703 305-8850

Fax: 703 305-6916

RIN: 0651-AB41

### Department of Commerce (DOC) Patent and Trademark Office (PTO)

## Final Rule Stage

#### 796. • ELIMINATION OF CONTINUED PROSECUTION APPLICATION PRACTICE AS TO UTILITY AND PLANT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 35 USC 2(b)(2)

**CFR Citation:** 37 CFR 1

**Legal Deadline:** None

**Abstract:** The American Inventors Protection Act of 1999 (AIPA) enacted provisions for the continued examination of a utility or plant application at the request of the applicant (request for continued examination or RCE practice). Therefore, there no longer appears to be a need for continued prosecution application (CPA) practice as to utility

and plant applications. Thus, the Office is eliminating CPA practice as to utility and plant applications. An applicant for a utility or plant patent may also continue to effectively obtain further examination of the application by filing a continuing application under section 1.53(b). Since RCE practice does not apply to design applications, CPA practice will remain in place for design applications.

#### Timetable:

Action	Date	FR Cite
NPRM	07/09/01	66 FR 35763
NPRM Comment Period End	09/07/01	
Final Action	01/00/02	

#### Regulatory Flexibility Analysis

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Robert W. Bahr, Senior Patent Attorney, Department of Commerce, Patent and Trademark Office, Box DAC, Assistant Commissioner for Patents, Washington, DC 20231

Phone: 703 305-8850

Fax: 703 305-6916

RIN: 0651-AB37

DOC—PTO

Final Rule Stage

**797. • TRADEMARK CLASSIFICATION; CHANGES TO COMPORT WITH OBLIGATIONS TO NICE AGREEMENT CONCERNING INTL CLASSIFICATION OF GOODS AND SERVICES FOR PURPOSES OF REGISTRATION OF MARKS OF JUNE 15, 1957, AS REVISED****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 1112; 15 USC 1113; 35 USC 2**CFR Citation:** 37 CFR 6.1**Legal Deadline:** None**Abstract:** The United States Patent and Trademark Office (Office) issues a final

rule to incorporate classification changes adopted by the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks. These changes will become effective January 1, 2002, and will be listed in the International Classification of Goods and Services for the Purposes of the Registration of Marks (8th ed., 2001), which is published by the World Intellectual Property Organization (WIPO).

**Timetable:**

Action	Date	FR Cite
Final Action	01/00/02	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jessie Marshall, Staff Attorney, Department of Commerce, Patent and Trademark Office, 2900 Crystal Drive, Arlington, VA 22202-3513

Phone: 703 308-8900

Fax: 703 872-9395

Email: jessie.marshall@uspto.gov

**RIN:** 0651-AB42**Department of Commerce (DOC)  
Patent and Trademark Office (PTO)**

Long-Term Actions

**798. COMPLAINTS REGARDING INVENTION PROMOTERS****Priority:** Substantive, Nonsignificant**CFR Citation:** 37 CFR 4**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/20/00	65 FR 3127
Interim Final Rule Effective	01/28/00	

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Joseph Gerard Piccolo  
Phone: 703 305-9035

Fax: 703 305-9373

Email: joseph.piccolo@uspto.gov

**RIN:** 0651-AB12**800. STUDY OF ALTERNATIVE FEE STRUCTURES****Priority:** Info./Admin./Other**CFR Citation:** None**Timetable:**

Action	Date	FR Cite
Notice	10/02/00	65 FR 58746
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Barrett J. Riordan  
Phone: 703 305-8475

Fax: 703 305-8138

Email: barry.riordan@uspto.gov

**RIN:** 0651-AB24

Email: robert.clarke@uspto.gov

**RIN:** 0651-AB26**802. PROTECTION OF AUDIOVISUAL PERFORMANCES TO BE CONSIDERED BY THE WIPO DIPLOMATIC CONFERENCE****Priority:** Info./Admin./Other**CFR Citation:** None**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Linda S. Lourie  
Phone: 703 305-9300

Fax: 703 305-8885

Email: linda.lourie@uspto.gov

**RIN:** 0651-AB28**799. CORRESPONDENCE FILED IN THE PATENT AND TRADEMARK OFFICE****Priority:** Info./Admin./Other**CFR Citation:** 37 CFR 1.1**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michael Briskin  
Phone: 703 308-2000

Fax: 703 305-5907

Email: michael.briskin@uspto.gov

**RIN:** 0651-AB17**801. NOTIFICATION OF REQUIRED AND OPTIONAL SEARCH CRITERIA FOR COMPUTER-IMPLEMENTED BUSINESS METHOD PATENT APPLICATIONS IN CLASS 705 AND REQUEST FOR COMMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 37 CFR 1**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Robert A. Clarke  
Phone: 703 305-9285

Fax: 703 305-6916

**803. STANDARD FOR DECLARING A PATENT INTERFERENCE****Priority:** Substantive, Nonsignificant**CFR Citation:** None**Timetable:**

Action	Date	FR Cite
Notice	12/20/00	65 FR 79809
Notice Extending Comment Period	02/01/01	66 FR 8571
Comment Period End	02/28/01	
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Richard Torczon

## DOC—PTO

## Long-Term Actions

Phone: 703 308-9797  
 Fax: 703 305-0942  
 Email: interference.rules@uspto.gov  
**RIN:** 0651-AB29

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**804. ESTABLISHMENT OF DATABASE CONTAINING OFFICIAL INSIGNIA OF FEDERALLY RECOGNIZED NATIVE AMERICAN TRIBES**

**Priority:** Info./Admin./Other

**CFR Citation:** None

**Timetable:**

Action	Date	FR Cite
Notice and Request for Comments	01/09/01	66 FR 1649
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Ari Leifman

Phone: 703 308-8900

Fax: 703 872-9285

**RIN:** 0651-AB30

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**805. ELECTRONIC SUBMISSION OF APPLICATION FOR TRADEMARK REGISTRATION AND OTHER DOCUMENTS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 37 CFR 1.4; 37 CFR 1.10; 37 CFR 2.21; 37 CFR 2.56; 37 CFR 2.76; 37 CFR 2.88 to 2.89; 37 CFR 2.161; 37 CFR 2.166 to 2.168; ...

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Mary E. Hannon

Phone: 703 308-8900

Fax: 703 872-9280

Email: mary.hannon@uspto.gov

**RIN:** 0651-AB31

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**806. CHANGES IN RULES OF PRACTICE FOR PATENT INTERFERENCES AND RELATED PROCEEDINGS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 37 CFR 1; 37 CFR 41;

...

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Richard Torczon

Phone: 703 308-9797

Fax: 703 305-0942

Email: interference.rules@uspto.gov

**RIN:** 0651-AB32

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**807. CHANGES TO THE TIME PERIOD FOR MAKING ANY NECESSARY DEPOSITS OF BIOLOGICAL MATERIALS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 37 CFR 1

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Robert W. Bahr

Phone: 703 305-9285

Fax: 703 305-6916

**RIN:** 0651-AB33

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**808. DEVELOPMENT OF PLAN TO REMOVE PATENT AND TRADEMARK CLASSIFIED PAPER FILES FROM PUBLIC SEARCH FACILITIES**

**Priority:** Info./Admin./Other

**CFR Citation:** None

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Martha Crockett Sneed

Phone: 703 308-5558

Fax: 703 306-2662

Email: martha.sneed@uspto.gov

**RIN:** 0651-AB34

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**809. REVISION OF PATENT CORPORATION TREATY APPLICATION PROCEDURE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 37 CFR 1

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Charles Pearson

Phone: 703 308-6515

Fax: 703 305-3230

**RIN:** 0651-AB35

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**810. • CHANGES TO REPRESENTATION OF OTHERS BEFORE THE U.S. PATENT AND TRADEMARK OFFICE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 500(a)

**CFR Citation:** 37 CFR 1; 37 CFR 2; 37 CFR 10; 37 CFR 11

**Legal Deadline:** None

**Abstract:** The United States Patent and Trademark Office (Office or USPTO) proposes to update the procedures regarding enrollment and discipline. The Office also proposes to replace the current USPTO Code of Professional Responsibility, which is based on the Model Code of Professional Responsibility of the American Bar Association, with USPTO Rules of Professional Conduct, which are largely based on the Model Rules of Professional Conduct of the American Bar Association.

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Harry I. Moatz, Director of Enrollment and Discipline, Department of Commerce, Patent and Trademark Office, Commissioner of Patents and Trademarks, Washington, DC 20231

Phone: 703 306-4097

**RIN:** 0651-AB38

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**811. • REVISION OF THE TIME LIMIT FOR NATIONAL STAGE COMMENCEMENT IN THE UNITED STATES FOR PATENT COOPERATION TREATY APPLICATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 35 USC 2(b)(2)

**CFR Citation:** 37 CFR 1

**Legal Deadline:** None

**Abstract:** The United States Patent and Trademark Office (Office) is revising the rules of practice to implement certain provisions of the Intellectual Property and High Technology Technical Amendments Act of 2001. The changes in this notice primarily

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involve revising the rules of practice to have a single time limit for national stage commencement in the United States for applications filed under the Patent Cooperation Treaty (PCT), regardless of whether the applicant filed a demand for an international preliminary examination.

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Robert W. Bahr, Senior Patent Attorney, Department of Commerce, Patent and Trademark Office, Box DAC, Assistant Commissioner for Patents, Washington, DC 20231

Phone: 703 305-8850

Fax: 703 305-6916

**RIN:** 0651-AB44

**812. ● MADRID PROTOCOL IMPLEMENTATION ACT RULES CHANGE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 15 USC 1123; 35 USC 2

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The purpose of the rules change is to amend 37 CFR part 2 to add new rules and change existing rules to implement the Madrid Protocol Implementaion Act, which would amend the Trademark Act of 1946, 15 U.S.C. 1051 et seq., to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain

international conventions, and for other purposes. The Madrid Protocol Implementation Act (S. 407; H.R. 741) is now pending in both the House and Senate. Because the legislation has not yet passed either the House or Senate and is subject to amendment, we have not yet determined the specific rules that will be amended.

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Mary Hannon, Staff Attorney, Department of Commerce, Patent and Trademark Office, 2900 Crystal Drive, Arlington, VA 22202-3513

Phone: 703 308-8900

Fax: 703 872-9280

Email: mary.hannon@uspto.gov

**RIN:** 0651-AB45

**813. ● PATENT AND TRADEMARK OFFICE ACQUISITION REGULATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 35 USC 51 et seq, Patent and Trademark Office Efficiency Act

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** As a result of the passage of the Patent and Trademark Office Efficiency Act in 1999 (PTOEA), the U.S. Patent and Trademark Office was established as an agency within the Department of Commerce. In carrying out its functions, the USPTO is subject to the policy direction of the Secretary of Commerce, but otherwise allowed to

exercise independent control of its procurements. The PTOEA specifically exempts the USPTO from the Federal Property and Administrative Services Act of 1949 (FPAS), 40 U.S.C. sec. 471 et seq. The USPTO proposes to implement acquisition regulations which reflect this specific statutory exemption from FPAS through the Patent and Trademark Office Acquisition Regulations (PTAR). In developing the PTAR, an analysis of the Federal Acquisition Regulation (FAR) was conducted to determine which parts, subparts, and clauses specifically implemented FPAS. Only those parts of the FAR which are implemented by FPAS are therefore affected. The PTAR are written with the goal of streamlining acquisition procedures and, allowing maximum innovation, flexibility, and discretion to acquisition personnel where possible.

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Michael Anastasio, Director, Office of Procurement, Department of Commerce, Patent and Trademark Office, Crystal Park 1, Suite 810, 2011 Crystal Park Drive, Washington, DC 20231

Phone: 703 305-8014

Fax: 703 305-5484

Email: michael.anastasio@uspto.gov

**RIN:** 0651-AB46

**Department of Commerce (DOC)  
Patent and Trademark Office (PTO)**

**Completed Actions**

**814. REVISION OF PATENT AND TRADEMARK FEES FOR FISCAL YEAR 2003**

**Priority:** Routine and Frequent

**CFR Citation:** 37 CFR 1.16 to 1.21; 37 CFR 1.26; 37 CFR 1.445; 37 CFR 1.482; 37 CFR 1.492; 37 CFR 2.6

**Completed:**

Reason	Date	FR Cite
NPRM	05/09/01	66 FR 23642

Reason	Date	FR Cite
Final Action	07/31/01	66 FR 39447
Final Action Effective	10/01/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Matthew Lee  
Phone: 703 305-8051

**RIN:** 0651-AB01

**815. LEGAL PROCESSES**

**Priority:** Info./Admin./Other

**CFR Citation:** 37 CFR 1; 37 CFR 104

**Completed:**

Reason	Date	FR Cite
Final Action	09/12/01	66 FR 47387

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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## Completed Actions

**Agency Contact:** Bernard J. Knight  
Phone: 703 308-2000  
Fax: 703 305-5907  
**RIN:** 0651-AB22

**816. • INTERNATIONAL EFFORT TO HARMONIZE SUBSTANTIVE REQUIREMENTS OF PATENT LAWS**

**Priority:** Info./Admin./Other

**Legal Authority:** 35 USC 101; 35 USC 102(e); 35 USC 103; 35 USC 112

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** The United States Patent and Trademark Office (USPTO) is seeking comments to obtain the views of the public on the international effort to harmonize substantive requirements of patent laws, and the subsequent changes to United States law and practice. Comments may be offered on any aspect of this effort.

**Timetable:**

Action	Date	FR Cite
Final Action	04/30/01	66 FR 15409

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jon P. Santamauro, Director, Department of Commerce, Patent and Trademark Office, Box 4, Washington, DC 20231  
Phone: 703 305-9300  
Fax: 703 305-8885

**RIN:** 0651-AB36

**817. • NOTICE OF ELECTRONIC PRODUCTS AVAILABLE FROM THE INFORMATION PRODUCTS DIVISION, CHIEF INFORMATION OFFICER, U.S. PATENT AND TRADEMARK OFFICE**

**Priority:** Info./Admin./Other

**Legal Authority:** 35 USC 41(a); 35 USC 41(g); 15 USC 1113

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** The USPTO publishes a list of the electronic patent and trademark information products currently

available from the Information Products Division, Office of the Chief Information Officer, U.S. Patent and Trademark Office. The products are made available in order to disseminate information on patents and trademarks to the public.

**Timetable:**

Action	Date	FR Cite
Final Action	08/24/01	66 FR 44601

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michael Briskin, Associate Counsel for General Law, Department of Commerce, Patent and Trademark Office, Information Products Division, Crystal Park 3, Suite 441, Washington, DC 20231  
Phone: 703 308-2000  
Fax: 703 305-5907  
Email: michael.briskin@uspto.gov

**RIN:** 0651-AB39

**Department of Commerce (DOC)  
Technology Administration (TA)**

**Final Rule Stage**

**818. RIGHTS TO INVENTIONS MADE BY NONPROFIT ORGANIZATIONS AND SMALL BUSINESS FIRMS UNDER GOVERNMENT GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS**

**Priority:** Other Significant

**Legal Authority:** 35 USC 206

**CFR Citation:** 37 CFR 401

**Legal Deadline:** None

**Abstract:** This rule issued to authorize the electronic reporting of inventions

and the filing of provisional patent applications.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/14/95	60 FR 41811
Interim Final Rule Comment Period End	09/13/95	
NPRM	09/11/00	65 FR 54826
Final Action	06/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Jon Paugh, Director, Technology Competitiveness, Department of Commerce, Technology Administration, 14th & Pennsylvania Ave., N.W., Washington, DC 20230  
Phone: 202 482-2100  
Fax: 202 219-8667  
Email: jonpaugh@ta.doc.gov

**RIN:** 0692-AA14

**Department of Commerce (DOC)  
Technology Administration (TA)**

**Long-Term Actions**

**819. ACQUISITION AND PROTECTION OF FOREIGN RIGHTS IN INVENTIONS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 37 CFR 101; 37 CFR 501

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/07/96	61 FR 40997

Action	Date	FR Cite
Interim Final Rule Effective	08/07/96	
Final Action	10/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** John H. Raubitschek  
Phone: 202 482-8010

Fax: 202 273-0607  
Email: jraubits@doc.gov

**RIN:** 0692-AA15

DOC—TA

Long-Term Actions

**820. AMENDMENT TO RIGHTS TO INVENTIONS MADE BY NONPROFIT ORGANIZATIONS AND SMALL BUSINESS FIRMS UNDER GOVERNMENT GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS**

**Priority:** Routine and Frequent

**CFR Citation:** 37 CFR 401

**Timetable:**

Action	Date	FR Cite
NPRM	09/11/00	65 FR 54826
Final Rule	10/00/02	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** John H. Raubitschek

Phone: 202 482-8010

Fax: 202 273-0607

Email: jraubits@doc.gov

**RIN:** 0692-AA18

**Department of Commerce (DOC)**

**Technology Administration (TA)**

Completed Actions

**821. LICENSING OF GOVERNMENT-OWNED INVENTIONS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 37 CFR 404.7

**Completed:**

Reason	Date	FR Cite
Final Rule	06/29/01	66 FR 34545
Final Rule Effective	06/29/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** John H. Raubitschek

Phone: 202 482-8010

Fax: 202 273-0607

Email: jraubits@doc.gov

**RIN:** 0692-AA17

[FR Doc. 01-26030 Filed 11-30-01; 8:45 am]

**BILLING CODE 3510-BW-S**