



Federal Register

**Monday,
December 9, 2002**

Part IV

**Department of
Commerce**

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

Fall 2002 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 the spring and fall 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 spring 2002 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 fall 2002 regulatory agenda includes regulatory activities that are expected to be conducted during the period October 1, 2002, through September 30, 2003.

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 August 9, 2002, the Office of Management and Budget issued guidelines and procedures for the preparation and publication of the Fall 2002 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 Industry and Security, 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 fall 2002 regulatory agenda follows.

Theodore W. Kassinger,
General Counsel.

Office of the Secretary—Final Rule Stage

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

DOC

Office of the Secretary—Final Rule Stage (Continued)

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

Bureau of Economic Analysis—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
485	Annual Survey of Selected Services Transactions With Unaffiliated Foreign Persons	0691-AA43
486	Benchmark Survey of Foreign Direct Investment in the United States—2002	0691-AA44
487	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
488	Annual Survey of Foreign Direct Investment in the United States	0691-AA48

Bureau of Economic Analysis—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
489	Economic Development Administration Regulations	0691-AA47

Bureau of Economic Analysis—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
0691-AA46	Initial Report on Foreign Person's Direct or Indirect Acquisition, Establishment, or Purchase of Operating Assets, or U.S. Business Enterprise, Including Real Estate	09/06/2002	Withdrawn

Bureau of the Census—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
490	Mandatory Automated Export System (AES) Filing for All Items on the Commerce Control List (CCL) and the United States Munitions List (USML)	0607-AA34
491	Bureau of the Census Geographically Updated Population Certification Program	0607-AA37

Bureau of the Census—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
492	Special Services and Studies by the Bureau of the Census; Amendments to Age Search Procedures	0607-AA24
493	Reporting Value on Shipper's Export Declaration for Inland Freight and Insurance Charges	0607-AA29
494	Reporting the Value of Repairs and Replacement Parts on the Shipper's Export Declaration	0607-AA30
495	Notation of the Shipper's Export Declaration Filing Exemption Statement on Manifest Documents	0607-AA31
496	Cutoff Dates for Recognition of Boundary Changes for Census 2000 and for the Intercensal Period	0607-AA35
497	Bureau of the Census Certification Process	0607-AA36

DOC

General Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
498	Governmentwide Debarment and Suspension (Nonprocurement)	0605-AA16

General Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
499	Public Information, Freedom of Information and Privacy	0605-AA14

General Administration—Completed Actions

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

International Trade Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
501	Proposed Changes in the Insular Possessions Watch, Watch Movement and Jewelry Program	0625-AA57
502	Short Supply of Fabric and Yarn	0625-AA59

International Trade Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
503	Procedures for Conducting Five-Year (Sunset) Reviews of Antidumping and Countervailing Duty Orders	0625-AA51
504	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
505	Export Trade Certificates of Review (15 CFR 325)	0625-AA52
506	Establishment of Steel Import Licensing and Surge-Monitoring Program	0625-AA60

Bureau of Industry and Security—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
507	Mandatory Electronic Filing of License Applications, Classification Requests, and License Exceptions Notifications via BIS's Simplified Network Application Process (SNAP)	0694-AC20
508	Protective Equipment Export License Jurisdiction	0694-AC64

DOC

Bureau of Industry and Security—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
509	Chemical Weapons Convention Regulations	0694-AB06
510	Revisions to the Export Administration Regulations; Additions to the Entity List	0694-AB60
511	Exports and Reexports of Explosive Detection Systems; Expansion of Foreign Policy Controls	0694-AB87
512	Exports and Reexports to Sudan	0694-AC05
513	Revisions to the Export Administration Regulations Related to the Missile Technology Control Regime (MTCR)	0694-AC22
514	Revisions and Clarifications to the Export Administration Regulations (EAR)	0694-AC24
515	License Exception AVS: Cuba, Libya, Serbia	0694-AC33
516	Chemical Weapons Convention: Revisions to the Export Administration Regulations	0694-AC35
517	Exports to Afghanistan (the Taliban) and Liberia: Imposition of Foreign Policy Controls	0694-AC45
518	Elimination of "National Security" as a Reason for Control for Certain Items on the Commerce Control List	0694-AC54
519	Imposition and Expansion of Controls on Designated Persons	0694-AC60
520	Implementation of the 2002 Wassenaar Arrangement List of Dual-Use Items: Revisions to Categories 2, 3, 4, 5, 6, 7 and 9 of the Commerce Control List, General Software Note, and Reporting Requirements	0694-AC65
521	Revision of Export Controls for General Purpose Microprocessors	0694-AC66
522	License Application Denial Policy, "Red Flag" Indicators of Possible Inappropriate End-Use, End-User or Destination	0694-AC68

Bureau of Industry and Security—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
523	Transfer of Dual-Use Items From U.S. Munitions List to the Commerce Control List	0694-AA52
524	Administration of State Log Exports Ban	0694-AB25
525	Change the Commerce Control List To Revise Controls on Communication Intercepting Devices (Export Commerce Control Number ECCN 5A980)	0694-AB41
526	Clarification of License Exception GFT (Humanitarian Donations)	0694-AB49
527	Exports of Technology and Software; Release of Technology or Source Code to Foreign Nationals in the United States	0694-AB59
528	India and Pakistan Sanctions	0694-AB73
529	Expansion of License Exception CIV Eligibility for "Microprocessors" Controlled by ECCN 3A001	0694-AB90
530	Export of Technology and Software Through Electronic Transmissions, Downloads, and Programming Onto Hardware	0694-AB97
531	Export Administration Regulations: Support Documentation	0694-AC04
532	Antiterrorism Controls on Iraq	0694-AC06
533	Expansion of License Exception GOV; Exports and Reexports to International Organizations	0694-AC15
534	De Minimis Expansion of Eligibility: U.S. Origin Software Incorporated Into Foreign-Made Retail Commodities	0694-AC17
535	Revision to the Export Administration Regulations: Replacement Licenses	0694-AC23
536	Short Supply Controls: Crude Oil Exports	0694-AC25
537	Offsets in Military Exports	0694-AC27
538	Entity List: Additions and Revisions	0694-AC28
539	Crime Control Items: Revisions to the Commerce Control List	0694-AC31
540	Revisions to Encryption Items	0694-AC32
541	Clarifications to Part 753: Special Comprehensive License Requirements	0694-AC34
542	Addition and Revision of Missile Projects in the Export Administration Regulations	0694-AC46
543	Revision, Suspension, or Prohibition of Use of "No License Required" Provisions	0694-AC47
544	Removal of Licensing Exemption for Exports and Reexports of Missile Technology-Controlled Items Destined to Canada	0694-AC48
545	Exports to the Federal Republic of Yugoslavia: Lifting of Sanctions	0694-AC57
546	Computer Technology and Software Eligible for Export or Reexport Under License Exception TSR	0694-AC63

Bureau of Industry and Security—Completed Actions

Sequence Number	Title	Regulation Identification Number
547	Revisions to the Export Administration Regulations; Country Group E:1; License Exception TMP	0694-AB76

DOC

Bureau of Industry and Security—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
548	Revisions to the North Korean Embargo Policy	0694-AC10
549	Exports of Agricultural Commodities, Medicines and Medical Devices	0694-AC37
550	Implementation of the Wassenaar Arrangement List of Dual-Use Items Revisions: Computers; and Revisions to License Exception CTP	0694-AC42
551	Licensing Jurisdiction for "Space Qualified" Items	0694-AC49
552	Missile Technology Production Equipment and Facilities	0694-AC51
553	Revisions and Clarifications to the Export Administration Regulations—Nuclear Nonproliferation Controls: Nuclear Suppliers Group	0694-AC52
554	Corrections and Clarifications to the Export Administration Regulations: Czech Republic, Hungary, and Poland	0694-AC53
555	Revisions to the Export Administration Regulations as a Result of the September 2001 Missile Technology Control Regime (MTCR) Plenary Meeting	0694-AC55
556	Revisions to License Exception CTP: Implementation of Presidential Announcement of January 2, 2002	0694-AC56
557	Revision to Export Administration Regulations: Denied Persons List	0694-AC58
558	License Exception CIV Eligibility for Certain "Microprocessors" Controlled by ECCN 3A001	0694-AC59
559	Implementation of the Wassenaar Arrangement List of Dual-Use Items and Other Revisions to Encryption Items	0694-AC61
560	Revisions and Clarifications to the Export Administration Regulations—Chemical and Biological Weapons Controls: Australia Group; Chemical Weapons Convention	0694-AC62

Bureau of Industry and Security—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
0694-AC67	Clarification of Applicability of Entity List Restrictions to Certain Russian Entities	09/22/2002	Withdrawn

National Institute of Standards & Technology—Completed Actions

Sequence Number	Title	Regulation Identification Number
561	Establishment of Information Technology Security Validation Programs Fees	0693-AB51

National Oceanic and Atmospheric Administration—Prerule Stage

Sequence Number	Title	Regulation Identification Number
562	Fleet Capacity Control for U.S. Tuna Purse Seine Fisheries in the Eastern Pacific Ocean	0648-AQ21
563	Fleet Capacity Control for U.S. Troll Albacore Tuna Fishing in Canadian Waters	0648-AQ22

National Oceanic and Atmospheric Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
564	Amendment 4 to the Fishery Management Plan for the Reef Fish Fishery of Puerto Rico and the U.S. Virgin Islands	0648-AG87
565	Establish Central Registry for Limited Access System Permits	0648-AJ77
566	Regulatory Amendment To Require Mandatory Observer Coverage in the At-Sea Processing Sector of the Whiting Fishery	0648-AK26
567	Adjustment of Management Program: Bottomfish Fisheries in the Hawaiian Islands	0648-AK82
568	Revise Exempted Fishing Regulations To Specify Compensatory Fishing Under Exempted Fishing	0648-AK84
569	Amendment 11 to the Fishery Management Plan for the Crustacean Fisheries of the Western Pacific Region	0648-AL67
570	Regulatory Amendment to Reinstate 6000 Pound Trip Limit of Halibut in Area Northeast of the Bering Sea	0648-AL97

DOC

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

Sequence Number	Title	Regulation Identification Number
571	Enhanced Measures To Mitigate Seabird Bycatch in the Alaska Longline Fisheries	0648-AM30
572	Amendment 7 to the Fishery Management Plan for the Bottomfish Fisheries of the Western Pacific Region	0648-AM98
573	Amendment 18 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico	0648-AN09
574	Amendment 13 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan	0648-AN12
575	Amendment 10 to the Atlantic Sea Scallop Fishery Management Plan	0648-AN16
576	Amendment 13 to the Northeast Multispecies Fishery Management Plan	0648-AN17
577	Amendment 9 to the Fishery Management Plan Amendment for the Pelagic Fisheries of the Western Pacific Region	0648-AN76
578	Resubmission of Sustainable Fisheries Act Amendment Crustaceans, Bottomfish, and Pelagics Regarding Overfishing Definitions	0648-AN79
579	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
580	Fishery Management Plan (FMP) for Sargassum Habitat of the South Atlantic	0648-AN87
581	Fishery Management Plan for Northeast Skate	0648-AO10
582	Amendment 5 to the Fishery Management Plan for Precious Coral Fisheries in the Western Pacific Region	0648-AO47
583	Fishery Management Plan for the Dolphin and Wahoo Fishery of the Atlantic, Caribbean, and Gulf of Mexico (FMP)	0648-AO63
584	Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna Incidental Catch	0648-AO75
585	Atlantic Highly Migratory Species; Exempted Fishing Permits Procedures	0648-AO79
586	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
587	Amendment 13 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region	0648-AP03
588	Revision of American Lobster Regulations for the EEZ	0648-AP18
589	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
590	Regulatory Amendment to Implement Permit Stacking in the Limited-Entry Fixed-Gear Sablefish Fishery in 2002 and Beyond	0648-AP38
591	Implementation of Fishery Management Plan for Highly Migratory Species Fisheries Off the West Coast	0648-AP42
592	Regulatory Amendment Under the Coastal Migratory Pelagics Fishery Management Plan	0648-AP50
593	Amendment 2 to the Fishery Management Plan for the Queen Conch Resources of Puerto Rico and the U.S. Virgin Islands	0648-AP51
594	Adjustment of Management Program: Bottomfish Fisheries in the Western Pacific	0648-AP53
595	Resubmission of Sustainable Fisheries Act Amendment Bottomfish, Crustacean, and Pelagics Regarding Bycatch Provisions	0648-AP54
596	Resubmission of Sustainable Fisheries Act Amendment Bottomfish, Crustaceans, and Pelagics, and Precious Corals Regarding Fishing Communities	0648-AP55
597	Atlantic Surf Clam and Ocean Quahog Fisheries; Amendment 13	0648-AP57
598	Atlantic Mackerel, Squid, and Butterfish Fisheries; Amendment 9	0648-AP60
599	Implement a Vessel Monitoring System Under the South Pacific Tuna Act	0648-AP61
600	Revise Community Development Quota Program Administration and Allocation Regulations	0648-AP67
601	Full Retention of Demersal Shelf Rockfish in Gulf of Alaska Area 650	0648-AP73
602	Antarctic Marine Living Resources Vessel Monitoring System and Catch Documentation Scheme	0648-AP74
603	Amendment 10 to the Coastal Pelagic Species Fishery Management Plan	0648-AP87
604	IFQ Recordkeeping and Reporting Requirements for Catcher Vessels	0648-AP92
605	Amendment to Fishery Management Plan for Reef Fish Resources of Gulf of Mexico To Set 10-Year Rebuilding Plan for Red Grouper	0648-AP95
606	2003 Observer Program Requirements	0648-AQ05
607	Regulatory Amendment to Section 679 Permits or Permit-Related Issues	0648-AQ07
608	2003 Initial Specifications for Atlantic Mackerel, Squid, and Butterfish	0648-AQ15
609	Pacific Coast Groundfish Fishery; Announcement of the 2003 Groundfish Fishery Specifications and Management Measures	0648-AQ18
610	Regulatory Amendment To Adjust Permit Renewal Requirements and Transferability Restrictions in NWHIs Hoomalu Zone and Mau Limited Access Programs	0648-AQ20
611	Secretarial Amendment 2 to Reef Fish Fishery Management Plan To Set Greater Amberjack Sustainable Fisheries Act Targets and Thresholds and To Set Rebuilding Plan	0648-AQ24
612	Amendment 2 to Monkfish Fishery Management Plan	0648-AQ25
613	Annual Specifications for the Atlantic Bluefish Fishery for Fishing Year 2003	0648-AQ26
614	Amendment 1 to the Atlantic Herring Fishery Management Plan (FMP) and Amendment 2 to the Atlantic Salmon FMP	0648-AQ27

DOC

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

Sequence Number	Title	Regulation Identification Number
615	Framework 15 to the Atlantic Sea Scallop Fishery Management Plan	0648-AQ28
616	Framework 2 to the Monkfish Fishery Management Plan	0648-AQ29
617	Annual Specifications for Fishing Year 2003 for the Summer Flounder, Scup, and Black Sea Bass Fishery	0648-AQ30
618	Annual Specifications for the Surf Clam and Ocean Quahog Fisheries for Fishing Year 2003	0648-AQ31
619	Recreational Measures for the Summer Flounder, Scup, and Black Sea Bass Fishery for Fishing Year 2003	0648-AQ32
620	Specifications for the Atlantic Herring Fishery for Fishery Year 2003	0648-AQ33
621	Specifications for the 2003-2004 Fishing Year for the Spiny Dogfish Fishery	0648-AQ34
622	Framework 37 to the Northeast Multispecies Fishery Management Plan	0648-AQ35
623	Atlantic Highly Migratory Species (HMS); Bigeye Tuna and Swordfish Trade Statistical Document Programs	0648-AQ37
624	Atlantic Highly Migratory Species (HMS); 2003 Bluefin Tuna Quota Specifications and Effort Controls	0648-AQ38
625	Atlantic Highly Migratory Species (HMS); Small Coastal Shark Commercial and Recreational Management Measures	0648-AQ39
626	Atlantic Highly Migratory Species (HMS); Large Coastal Shark Commercial and Recreational Management Measures	0648-AQ40
627	Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations	0648-AQ42
628	EFH Amendments to the Bottomfish, Crustaceans, and Precious Corals FMPs	0648-AQ43
629	Increase in Allowable Percentage of Pollock Roe	0648-AQ44
630	Opening Waters to Pacific Cod Pot Fishing Off Cape Barnabas and Caton Island in the Gulf of Alaska	0648-AQ45
631	Seasonal Adjustment of Closure Areas to Pollock and Pacific Cod Trawl Fishing in Waters Off Cape Sarichef in the Bering Sea Subarea	0648-AQ46
632	Amend Regulations Governing the Taking and Importing of Marine Mammals	0648-AH83
633	Preventing Harassment From Human Activities Directed at Marine Mammals in the Wild	0648-AN43
634	Endangered and Threatened Species: Permit Exemptions	0648-AO37
635	Captive Steller Sea Lions	0648-AO61
636	Taking Marine Mammals Incidental to Rocket Launches From the Kodiak Launch Complex, Kodiak Island, Alaska	0648-AP62
637	Designating the Eastern North Pacific Southern Resident Stock of Killer Whales as Depleted	0648-AQ00
638	Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations	0648-AQ04
639	Revision of Overflight Regulations	0648-AI91
640	Gray's Reef National Marine Sanctuary	0648-AQ41

National Oceanic and Atmospheric Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
641	Regulatory Amendment To Allocate Pacific Halibut to the Charter Boat Fleet	0648-AK17
642	Proposed Highly Migratory Species Process	0648-AK40
643	Comprehensive Amendment Addressing Sustainable Fisheries Act Requirements Regarding Overfishing, Bycatch, Fishing Communities and Provisions for Fishery Management Plans for the Caribbean	0648-AL86
644	Regulatory Amendment To Change the Regulations Implementing the North Pacific Observer Program	0648-AM44
645	Framework Regulatory Amendment for the Atlantic Highly Migratory Species (HMS); Fishing Vessel Permits; Charter Boat Operations	0648-AM91
646	Implementation of Western Pacific Coral Reef Ecosystem Fishery Management Plan (FMP)	0648-AM97
647	Atlantic Highly Migratory Species Fisheries; Monitoring of the Atlantic Billfish and Swordfish Recreational Fisheries	0648-AN06
648	Amendment 7 to the Fishery Management Plan for the Stone Crab Fishery of the Gulf of Mexico	0648-AN10
649	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
650	Deep-Sea Red Crab Fishery Management Plan	0648-AN68
651	Atlantic Highly Migratory Species; Swordfish Quotas and Fishing Areas	0648-AO93
652	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
653	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
654	Amendment 5 to the Fishery Management Plan for the Shrimp Fishery of the South Atlantic Region	0648-AP41
655	Announcement of the Optimum Yield and Harvest Limit for Pacific Mackerel	0648-AP43

DOC

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

Sequence Number	Title	Regulation Identification Number
656	Amendment to Regulations for Observer At-Sea Electronic Communication Equipment Requirements for Vessels and Shoreside Processors in the North Pacific Groundfish Fisheries	0648-AP66
657	Amendment 69 to the BSAI FMP — AFA Coop Leasing	0648-AP71
658	Protect Northeast Multispecies Groundfish Stocks	0648-AP78
659	Amendment 60 to the Fishery Management Plan for the Groundfish Fishery of the Gulf of Alaska	0648-AP79
660	Pacific Tuna Fisheries	0648-AP86
661	Announcement of the Optimum Yield and Harvest Limit for Pacific Sardine	0648-AP88
662	Atlantic Highly Migratory Species (HMS); Regulatory Adjustments; NOAA Information Collection Requirements	0648-AP89
663	Atlantic Highly Migratory Species (HMS); 2002 Bluefin Tuna Quota Specifications and Effort Controls	0648-AP90
664	Extension of an Emergency Interim Rule To Implement 2002 Steller Sea Lion Protection Measures and Harvest Specifications for the Bering Sea/Aleutian Islands Area and the Gulf of Alaska	0648-AQ02
665	Fisheries of the Exclusive Economic Zone Off Alaska — Regulatory Amendment To Implement Steller Sea Lion Protect Measures	0648-AQ08
666	Subsistence Fishery for Pacific Halibut in Waters Off Alaska	0648-AQ09
667	Implementation of New Depth-Based Management Measures in the Pacific Coast Groundfish Fishery	0648-AQ14
668	Capital Construction Fund Procedures	0648-AQ16
669	2003-2004 Management Measures for Commercial, Recreational, and Treaty Indian Salmon Fisheries Off the Coasts of Washington, Oregon, and California	0648-AQ17
670	Emergency Rule — Groundfish Fishery Management Measures for January Through February 2003	0648-AQ19
671	Emergency Action to Expedite Reallocation of Sardine in the West Coast Coastal Pelagic Species Fishery	0648-AQ47
672	Interagency Policy on the Prescription of Fishways Under Section 18 of the Federal Power Act	0648-AO70
673	Policy for Review of Mandatory Conditions Developed by the Departments of the Interior and Commerce in the Context of Hydropower Licensing	0648-AO84
674	Atlantic Large Whale 2002 Seasonal Area Management (SAM) Program	0648-AP68
675	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
676	Pacific Offshore Cetacean Take Reduction Plan	0648-AL70
677	Draft Policy for Evaluation of Conservation Efforts in Making Listing Decisions	0648-AL91
678	Sea Turtle Conservation Regulations; Shrimp Fishery	0648-AN62
679	Designated Critical Habitat: Proposed Critical Habitat for Northern California Steelhead	0648-AO04
680	Taking of the Cook Inlet, Alaska, Stock of Beluga Whales by Alaska Natives	0648-AO16
681	Restrictions on Pound Net Leaders To Enhance Turtle Protection in Virginia; Threatened and Endangered Sea Turtle Conservation	0648-AP81
682	Sea Turtle Conservation Regulations; Fishery Activities	0648-AP91
683	Listing Endangered and Threatened Wildlife and Designating Critical Habitat; 90-Day Finding	0648-AP94
684	Designation of Critical Habitat for Gulf Sturgeon	0648-AQ03
685	Taking of Threatened or Endangered Species Incidental to Commercial Fishing Operations	0648-AQ13
686	Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations	0648-AQ23
687	Natural Resource Damage Assessments Under the Oil Pollution Act of 1990	0648-AM80

National Oceanic and Atmospheric Administration—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
688	Fishery Management Plan for Calico Scallop Fishery in the South Atlantic Region (FMP)	0648-AL78
689	Amendment 10 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (FMP)	0648-AM23
690	Amendment 7 to the Fishery Management Plan for the Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic FMP	0648-AN08
691	Sea Turtle Conservation Regulations; Fishery Activities (TEDs)	0648-AP16
692	Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Control Date for Atlantic Mackerel	0648-AQ11
693	Endangered and Threatened Species: Take of Threatened Southern Oregon/Northern California Coast Evolutionarily Significant Unit (ESU) Coho Salmon	0648-AJ91
694	North Atlantic Whale Protection	0648-AM85
695	Interagency Consultation for the National Marine Sanctuary Program	0648-AL06
696	Installing and Maintaining Commercial Submarine Cables in National Marine Sanctuaries	0648-AO36

DOC

National Oceanic and Atmospheric Administration—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
697	Procedural Changes to the Federal Consistency Process	0648-AP98
698	Regional Marine Research Program	0648-AF20

National Oceanic and Atmospheric Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
699	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
700	Adjustment of the Management Program for Precious Corals Fisheries in the Western Pacific	0648-AK23
701	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
702	Fishing Capacity Reduction Program	0648-AK76
703	Crab Community Development Quota Reserves	0648-AL92
704	Amendment 67 to the FMP for the Groundfish Fishery of the Bering Sea and the Aleutian Islands Area	0648-AM40
705	Regulatory Amendment To Prevent or Mitigate the Take of Sea Turtles in the Western Pacific Pelagic Fisheries	0648-AN75
706	Generic Amendment Addressing the Establishment of the Tortugas Marine Reserves Under the Fishery Management Plans of the Gulf of Mexico	0648-AN83
707	Amendment 3 to the Fishery Management Plan for the Golden Crab Fishery Off the Southern Atlantic States (FMP)	0648-AO23
708	Regulatory Amendment to Modify the Management Program for the Western Pacific Pelagic Fisheries to Mitigate the Take of Seabirds	0648-AO35
709	Amendment 11 to Fishery Management Plan for Shrimp Fishery of Gulf of Mexico (FMP)	0648-AO51
710	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
711	Recreational Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries for Fishing Year 2002	0648-AO91
712	Specifications for the Spiny Dogfish Fishery for Fishing Year 2002	0648-AP07
713	Framework 1 to the Monkfish Fishery Management Plan for Fishing Year 2002; Disapproval of Framework	0648-AP11
714	Framework Adjustment 2 to the Fishery Management Plan for the Atlantic Mackerel, Squid, and Butterfish Fisheries	0648-AP12
715	Atlantic Highly Migratory Species; Pelagic Longline Fishery; Sea Turtle Protection Measures	0648-AP49
716	2002-2003 Management Measures for Commercial, Recreational, and Treaty Indian Salmon Fisheries Off the Coasts of Washington, Oregon, and California	0648-AP52
717	Atlantic Bluefish Fishery; Specifications for Fishing Year 2002	0648-AP59
718	Pacific Halibut Fisheries Catch Sharing Plan	0648-AP80
719	Imposing Additional Restrictions in the Hawaii-Based Longline Fishery	0648-AP84
720	Implement 2002 Pacific Whiting Specifications	0648-AP85
721	Control Date for Longline Vessels Fishing for Pelagic Species in the EEZ Around American Samoa	0648-AQ01
722	Change of Title for the Salmon FMP	0648-AQ10
723	Notice of Control Date for Hagfish Fishery	0648-AQ12
724	Regulatory Amendment To Correct the Definition of "Eligible Applicant" for a Crab Species License	0648-AQ36
725	Sea Turtle Conservation Regulations; Fishery Activities	0648-AP63
726	Endangered Species; Transferring Permits	0648-AP64
727	Rulemaking for the Incidental Taking of Marine Mammals During Worldwide Deployment of the U.S. Navy's Low Frequency Active Sonar	0648-AM62
728	Sea Turtle Conservation Regulations; Summer Flounder Fishery	0648-AM89
729	Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Oil and Gas Structure Removal Activities in the Gulf of Mexico	0648-AP83
730	Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations	0648-AP93
731	Sea Turtle Conservation Regulations; Restrictions Applicable to Shrimp Trawl Activities; Leatherback Conservation Zone	0648-AP96
732	Atlantic Large Whale Take Reduction; Temporary Area and Gear Restrictions	0648-AP97
733	Sea Turtle Conservation Regulations; Restrictions Applicable to Shrimp Trawl Activities; Leatherback Conservation Zone	0648-AP99

DOC

National Oceanic and Atmospheric Administration—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
734	Sea Turtle Conservation Regulations; Restrictions Applicable to Shrimp Trawl Activities; Leatherback Conservation Zone	0648-AQ06

National Oceanic and Atmospheric Administration—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
0648-AM07	Fishery Management Plan Amendment To Revise Community Development Quota Regulations	07/25/2002	Withdrawn
0648-AM94	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	08/28/2002	Withdrawn
0648-AN03	Prohibit Use of Set Net Gear To Harvest Groundfish in Certain Portions of the Exclusive Economic Zone Waters Seaward of California	06/25/2002	Withdrawn
0648-AN19	Amendment 1 to the Atlantic Herring Fishery Management Plan	08/12/2002	Withdrawn
0648-AN20	Amendment 14 to the Northeast Multispecies Fishery Management Plan	08/12/2002	Withdrawn
0648-AO55	Amendment 14 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan	08/12/2002	Withdrawn
0648-AP45	Secretarial Amendment to Implement Annual Adjustment Measures for the Northeast Multispecies Fishery for Fishing Year 2002	08/14/2002	Withdrawn
0648-AP56	Summer Flounder, Scup, and Black Sea Bass Fisheries; Framework 3	08/12/2002	Withdrawn
0648-AP58	Spiny Dogfish Fishery; Amendment 1	08/12/2002	Withdrawn
0648-AP82	Suspension of the Texas Closure in Accordance With the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (FMP)	05/09/2002	Withdrawn

National Telecommunications and Information Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
735	Mandatory Reimbursement Rules for Relocation of Federal Spectrum	0660-AA14

Patent and Trademark Office—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
736	Rules of Practice Before the Board of Patent Appeals and Interferences in Appeals Under 35 U.S.C. 134	0651-AB27
737	Changes in Rules of Practice for Patent Interferences and Related Proceedings	0651-AB32
738	Changes To Improve the Patent and Application Process	0651-AB50
739	Revision of the Fees for Request for Continued Examination and the URAA Transitional Examination Practices	0651-AB53
740	Changes in Trademark Rules of Practice in Inter Partes Proceedings Before the Trademark Trial and Appeal Board	0651-AB56

Patent and Trademark Office—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
741	Complaints Regarding Invention Promoters	0651-AB12
742	Elimination of Continued Prosecution Application Practice as to Utility and Plant	0651-AB37
743	Revision of Patent and Trademark Fees for Fiscal Year 2003	0651-AB51

DOC

Patent and Trademark Office—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
744	Changes To Implement Patent-Related Provisions of United States Patent and Trademark Reauthorization Act, Fiscal Year 2003	0651-AB54

Patent and Trademark Office—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
745	Correspondence Filed in the Patent and Trademark Office	0651-AB17
746	Madrid Protocol Implementation Act Rules Change	0651-AB45
747	Processing Fee for Use of Paper Forms for Submission of Applications for Registration and Other Documents	0651-AB52
748	Changes to Representation of Others Before the United States Patent and Trademark Office	0651-AB55

Patent and Trademark Office—Completed Actions

Sequence Number	Title	Regulation Identification Number
749	Rulemaking Related to Electronic Filing of Trademark Documents	0651-AB31

Patent and Trademark Office—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
0651-AB34	Development of Plan To Remove Patent and Trademark Classified Paper Files From Public Search Facilities	04/09/2002	Withdrawn
0651-AB38	Changes to Representation of Others Before the U.S. Patent and Trademark Office	08/30/2002	Merged With RIN 0651-AB55
0651-AB46	Patent and Trademark Office Acquisition Regulation	08/30/2002	Withdrawn
0651-AB47	Surcharge for the Use of Non-Electric, Paper Forms for Submission of Applications for Registration and Other Documents	05/17/2002	Withdrawn
0651-AB48	Amendment of Rule Regarding Filing of Trademark Correspondence via Express Mail	08/30/2002	Withdrawn
0651-AB49	Revision of Patent and Trademark Fees for Fiscal Year 2003	06/28/2002	Withdrawn

Technology Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
750	Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts, and Cooperative Agreements	0692-AA14
751	Acquisition and Protection of Foreign Rights in Inventions	0692-AA15
752	Amendment to Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts, and Cooperative Agreements	0692-AA18

Department of Commerce (DOC)
Office of the Secretary (OS)

Final Rule Stage

483. 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	12/00/02	
Final Action Effective	01/00/03	

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

484. 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	11/00/02	

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)
Bureau of Economic Analysis (BEA)

Proposed Rule Stage

485. 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	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

486. 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, 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.

DOC—BEA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	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-AA44

487. 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
NPRM	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-AA45

488. • ANNUAL SURVEY OF FOREIGN DIRECT INVESTMENT IN THE UNITED STATES

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 CFR 806.15 to raise the threshold for reporting on the BE-15, Annual Survey of Foreign Direct Investment in the United States, and 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	06/00/03	
NPRM Comment Period End	08/00/03	
Final Action	09/00/03	
Final Action Effective	10/00/03	

Regulatory Flexibility Analysis**Required:** 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-AA48

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

Long-Term Actions

489. • ECONOMIC DEVELOPMENT ADMINISTRATION REGULATIONS

Priority: Other Significant**Legal Authority:** 42 USC 3121 et seq; 19 USC 3**CFR Citation:** 13 CFR ch III**Legal Deadline:** None**Abstract:** The Economic Development Administration (EDA) will review the existing regulations implementing the requirements of the Economic

Development Administration Reform Act of 1998 and part 3 of the Trade Act of 1974 as amended to determine the appropriateness and effectiveness of those regulations and whether they conflict with any recent case law. EDA is also subject to reauthorization and will review its regulations to identify any changes necessary to comply with the reauthorizing legislation.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Local, Tribal

Agency Contact: Claudia Nadig, Chief Counsel, Department of Commerce, Bureau of Economic Analysis, HCHB 7005, 1401 Constitution Avenue, NW., Washington, DC 20230
Phone: 202 482-4687
Fax: 202 482-5671
Email: cnadig@eda.gov

RIN: 0691-AA47

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

Proposed Rule Stage

490. 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
NPRM	03/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Ruth Mangaroo, Regulations, Outreach, & Education Branch, Foreign Trade Division, Department of Commerce, Bureau of the Census, Room 3125, FB-3, Washington, DC 20233
 Phone: 301 457-2238
 Fax: 301 457-3765

RIN: 0607-AA34

491. • BUREAU OF THE CENSUS GEOGRAPHICALLY UPDATED POPULATION CERTIFICATION PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 15 CFR 50

Legal Deadline: None

Abstract: The Bureau of the Census will reinstate the process for requesting certification of population and housing counts for governmental units that change boundaries or that newly

incorporate or organize. To create a consistent process to meet the anticipated demand for certifying these counts, the Bureau of the Census proposes amending title 15 CFR part 50, by adding a new section that provides the procedures for this certification process.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Rodger V. Johnson, Department of Commerce, Bureau of the Census, Population Division Room 2324 FB-3, Population Distribution Branch, Washington, DC 20233
 Phone: 301 763-2419
 Fax: 301 457-2481

RIN: 0607-AA37

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

Final Rule Stage

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

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 1256; 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	09/17/01	66 FR 48013
NPRM Comment Period End	10/17/01	
Final Action	12/00/02	

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

493. 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 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

DOC—CENSUS

Final Rule Stage

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	05/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Ruth Mangaroo, Regulations, Outreach, & Education Branch, Foreign Trade Division, Department of Commerce, Bureau of the Census, Room 3125, FB-3, Washington, DC 20233
Phone: 301 457-2238
Fax: 301 457-3765

RIN: 0607-AA29

494. 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	05/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Ruth Mangaroo, Regulations, Outreach, & Education Branch, Foreign Trade Division, Department of Commerce, Bureau of the Census, Room 3125, FB-3, Washington, DC 20233
Phone: 301 457-2238

Fax: 301 457-3765

RIN: 0607-AA30

495. 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 making notations on 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 refer to 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	05/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Ruth Mangaroo, Regulations, Outreach, & Education Branch, Foreign Trade Division, Department of Commerce, Bureau of the Census, Room 3125, FB-3, Washington, DC 20233
Phone: 301 457-2238
Fax: 301 457-3765

RIN: 0607-AA31

496. CUTOFF DATES FOR RECOGNITION OF BOUNDARY CHANGES FOR CENSUS 2000 AND FOR THE INTERCENSAL PERIOD

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 553(b)(3)(A); 5 USC 604(a); 44 USC 35

CFR Citation: 15 CFR 70

Legal Deadline: None

Abstract: The Bureau of the Census (Census Bureau) is establishing cutoff

dates for recognition of boundary changes to geographic entities for which the Census Bureau reports data in various surveys, estimates, censuses, programs, compilations, and publications throughout the period between decennial censuses (years 2001 through 2009).

Timetable:

Action	Date	FR Cite
NPRM	01/25/02	67 FR 3631
NPRM Comment Period End	02/25/02	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

Agency Contact: Robert W. Marx, Chief, Geography Division, Department of Commerce, Bureau of the Census, Stop 7400, 4700 Silver Hill Road, Washington, DC 20233-7400
Phone: 301 457-2131
Email: rmarx@geo.census.gov

RIN: 0607-AA35

497. • BUREAU OF THE CENSUS CERTIFICATION PROCESS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 192; 15 USC 189a; 13 USC 8

CFR Citation: 15 CFR 50.50(a); 15 CFR 50.50(b); 15 CFR 50.50(c)

Legal Deadline: None

Abstract: Part 50.50(a): Upon request, the Census Bureau certifies certain statistical materials (such as the population and housing unit counts of government entities, published tabulations, maps, and other documents). The Census Bureau charges customers a preset fee for this service according to the kind of certification requested (either an impressed document or an attestation) and the level of difficulty involved in compiling it (easy, moderate, or difficult, determined according to the resources expended) as well as the set cost of the data product to be certified. Certification prices range from \$70 to \$240.

Part 50.50(b): There are two forms of certification available: Impressed Documents and Attestations. (1) Impressed Documents. An impressed document is one that is certified by

DOC—CENSUS

Final Rule Stage

impressing the Census Bureau seal on the document itself. (2) Attestations. Attestation is a more formal process of certification. It consists of a signed statement by a Census Bureau official that the document is authentic and produced or published by the agency, followed by a signed statement of another Census Bureau official witnessing the authority of the first.

Part 50.50(c): Requests for certification should be submitted on Form BC-

1868(EF), Request for Official Certification, to the Census Bureau by fax, (301) 457-4714 or by e-mail, webmaster@census.gov. No certification request will be processed without payment of the required fee.

Timetable:

Action	Date	FR Cite
NPRM	06/04/02	67 FR 38445
NPRM Comment Period	07/05/02	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Les Solomon, Chief, Customer Services Center, Department of Commerce, Bureau of the Census, FB-3, Room 1579, Washington, DC 20233

Phone: 301 763-5377

Fax: 301 457-4714

RIN: 0607-AA36

Department of Commerce (DOC)

Final Rule Stage

General Administration (ADMIN)

498. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; PL 103-355, sec 2455; 31 USC 6101; EO 12549; EO 12689

CFR Citation: 15 CFR 26

Legal Deadline: None

Abstract: Periodically, OMB amends the Governmentwide common rule for suspension and debarment of contractors and assistance participants who threaten the integrity of Federal programs because of criminal misconduct or poor performance. Agencies must issue changes to their

individual codified versions to conform to the common rule. Recently, the Interagency Suspension and Debarment Coordinating Committee prepared recommendations for comprehensive changes to the common rule to conform to changes made in the Federal Acquisition Regulation (FAR) as a result of the Federal Acquisition Streamlining Act. In addition, several other proposals to improve or change the rule are included.

Timetable:

Action	Date	FR Cite
NPRM	01/23/02	67 FR 3266
NPRM Comment Period End	03/23/02	
Final Action	03/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Robert Kugelman, Director, Office of Executive Budgeting and Assistance Management, Department of Commerce, HCHB Room 6022, 14th & Constitution Avenue, NW., Washington, DC 20230

Phone: 202 482-4115

Fax: 202 482-3270

RIN: 0605-AA16

Department of Commerce (DOC)

Long-Term Actions

General Administration (ADMIN)

499. 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: Federal

Agency Contact: Andy McCready

Phone: 202 482-8044

RIN: 0605-AA14

Department of Commerce (DOC)
General Administration (ADMIN)
Completed Actions
**500. UNIFORM ADMINISTRATIVE
 REQUIREMENT FOR GRANTS AND
 AGREEMENTS WITH INSTITUTIONS
 OF HIGHER EDUCATION, HOSPITALS,
 AND OTHER NONPROFITS AND
 COMMERCIAL ORGANIZATIONS**
Priority: Substantive, Nonsignificant

CFR Citation: 15 CFR 14
Completed:

Reason	Date	FR Cite
Final Rule	10/01/01	66 FR 49827

**Regulatory Flexibility Analysis
 Required:** No

Government Levels Affected: None

Agency Contact: Elizabeth L. Dorfman
 Phone: 202 482-4115

RIN: 0605-AA09

Department of Commerce (DOC)
International Trade Administration (ITA)
Proposed Rule Stage
**501. PROPOSED CHANGES IN THE
 INSULAR POSSESSIONS WATCH,
 WATCH MOVEMENT AND JEWELRY
 PROGRAM**
Priority: Substantive, Nonsignificant

Legal Authority: PL 97-446, sec 110;
 PL 103-465, sec 602; PL 94-241, sec
 601; PL 106-36, sec 2401

CFR Citation: 15 CFR 303

Legal Deadline: None

Abstract: The proposed rule would amend ITA regulations by defining the term "permanent resident" in order to clarify which wages qualify as creditable and which do not for purposes of calculating the duty-refund for watches and jewelry.
Timetable:

Action	Date	FR Cite
NPRM	05/23/01	66 FR 28404
Final Rule	07/02/01	66 FR 34810
NPRM	11/00/02	
NPRM Comment Period End	12/00/02	

**Regulatory Flexibility Analysis
 Required:** No

Government Levels Affected: None

Agency Contact: Faye Robinson,
 Acting Director, Department of
 Commerce, International Trade
 Administration, FCB Suite 4100W,
 Statutory Import Staff Programs,
 Washington, DC 20230
 Phone: 202 482-3526

RIN: 0625-AA57

**502. • SHORT SUPPLY OF FABRIC
 AND YARN**
Priority: Substantive, Nonsignificant

Legal Authority: PL 106-200, sec
 112(b)(5)(B); PL 106-200, sec 211; EO
 13191

CFR Citation: 15 CFR 345

Legal Deadline: None

Abstract: The proposed rule implements certain provisions of the Trade and Development Act of 2000 (the Act). Title I of the Act (the African Growth and Opportunity Act or AGOA) and Title II of the Act (the United States—Caribbean Basin Trade Partnership Act or CBTPA) provide for quota and duty-free treatment for qualifying apparel products from designated beneficiary countries. AGOA and CBTPA authorize quota and duty-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more designated beneficiary countries from yarn or fabric that is not formed in the United States or a beneficiary country, provided it has been determined that such yarn or fabric cannot be supplied by the domestic industry in commercial quantities in a timely manner. The President has delegated to the Committee for the Implementation of Textile Agreements (the Committee), which is chaired by Commerce, the authority to determine whether yarn or fabric cannot be supplied by the domestic industry in commercial

quantities in a timely manner under the AGOA and the CBTPA, and has authorized the Committee to extend quota and duty-free treatment to apparel of such yarn or fabric. The proposed rule provides the procedure for interested parties to submit a request alleging that a yarn or fabric cannot be supplied by the domestic industry in commercial quantities in a timely manner, the procedure for public comments, and relevant factors that will be considered in the Committee's determination. The proposed rule also outlines the factors to be considered by the Committee in extending quota- and duty-free treatment.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis
 Required:** Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Janet Heinzen,
 International Trade Specialist,
 Department of Commerce, International
 Trade Administration, 3106, Office of
 Textiles and Apparel, Washington, DC
 20230
 Phone: 202 482-4006

RIN: 0625-AA59

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

Final Rule Stage

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

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 1671 et seq; 19 USC 1673 et seq; 19 USC 1303

CFR Citation: 19 CFR 351

Legal Deadline: None

Abstract: On May 19, 1997 (62 FR 27296), the Department of Commerce (the Department) published final rules on, inter alia, procedures for conducting antidumping and countervailing duty proceedings to conform the Department's existing regulations to the Uruguay Round Agreements Act (URAA). Although these regulations contain provisions on the conduct of sunset reviews, the Department is planning to amend the regulations to provide more guidance on the procedures for conducting sunset reviews. Specifically, the Department proposes to amend the procedural regulations for participation in, and conduct of, sunset reviews to add two definitions to provide shorthand expressions for 120-day and 240-day sunset reviews; provide deadlines for certain submissions; clarify the information to be provided by parties participating in a sunset review; clarify when the Department will conduct a 120-day or a 240-day sunset review; and provide time limits for actions to be taken by the Department.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/20/98	63 FR 13516
Interim Final Rule Effective	03/20/98	
Final Action	04/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Stacy Ettinger, Attorney, Department of Commerce, International Trade Administration, Room 3828, 14th & Pennsylvania Ave., N.W., Washington, DC 20230
 Phone: 202 482-4618

RIN: 0625-AA51

504. 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
Interim Final Rule Comment Period End	03/23/01	
Final Rule	11/00/02	

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

505. 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: Jeffery Anspacher
 Phone: 202 482-5131
 Fax: 202 482-1790

RIN: 0625-AA52

506. • ESTABLISHMENT OF STEEL IMPORT LICENSING AND SURGE-MONITORING PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 2251 et seq

CFR Citation: 19 CFR ch III

Legal Deadline: None

Abstract: On March 5, 2002, the President issued Proclamation 7529 - To Facilitate Positive Adjustment to Competition of Certain Steel Products. In this Proclamation, the President ordered restrictions and increased tariffs on imports of certain steel products. Also on March 5, 2002, the President issued a memorandum

instructing the Secretary of Commerce, together with the Secretary of the Treasury, to implement a licensing program to give effect to the positive adjustments contained in Proclamation 7529. Pursuant to these instructions, these procedures have been proposed.

Timetable:

Action	Date	FR Cite
NPRM	07/18/02	67 FR 47338
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Roland MacDonald, Department of Commerce, International

DOC—ITA

Long-Term Actions

Trade Administration, Room 3713, 14th and Pennsylvania Avenue, NW.,
Washington, DC 20230

Phone: 202 482-1275
RIN: 0625-AA60

Department of Commerce (DOC)
Bureau of Industry and Security (BIS)

Proposed Rule Stage

507. MANDATORY ELECTRONIC FILING OF LICENSE APPLICATIONS, CLASSIFICATION REQUESTS, AND LICENSE EXCEPTIONS NOTIFICATIONS VIA BIS'S SIMPLIFIED NETWORK APPLICATION PROCESS (SNAP)

Priority: Substantive, Nonsignificant

Legal Authority: 50 USC app 2401; 50 USC 1701; 18 USC 2510; 22 USC 3201; EO 12058; EO 12851; EO 12938; EO 13026; EO 13222; 66 FR 56965; 67 FR 53721; 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 740; 15 CFR 742; 15 CFR 743; 15 CFR 748; 15 CFR 754; 15 CFR 772

Legal Deadline: None

Abstract: This rule would change the Export Administration Regulations as needed to implement a revised version of the Bureau of Industry and Security's Simplified Network Application Processing (SNAP) system. This rule also would make use of that system mandatory for all filings of Export License applications (except Special Comprehensive Licenses and deemed export licenses), Reexport Authorization requests, Classification requests, Encryption Review requests, and License Exception AGR notifications unless the Bureau of Industry and Security authorizes paper filing for a particular user or transaction. This rule also would authorize SNAP filing for special reports of certain items controlled under the Wassenaar Arrangement. This rule also would eliminate all provisions of the regulations associated

with earlier versions of SNAP and other electronic filing systems that the Bureau of Industry and Security has used in the past, as use of those systems would be terminated upon introduction of the new version of SNAP (SNAP 2002). Those eliminated provisions include the requirements regarding personal identification numbers (PINs) and the requirement for users to keep logs of items filed electronically. This rule also would require that requests for advisory opinions include the Export Control Classification Number of the item(s) at issue, revise emergency license application procedures, set the value of all aircraft licensed for temporary sojourn abroad to zero and correct some omissions, misstatements and typographical errors.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William Arvin, Department of Commerce, Bureau of Industry and Security
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RIN: 0694-AC20

508. • PROTECTIVE EQUIPMENT EXPORT LICENSE JURISDICTION

Priority: Routine and Frequent

Legal Authority: Not Yet Determined

CFR Citation: 15 CFR 774

Legal Deadline: None

Abstract: Export Control Classification Number (ECCN) 1A004 in the Commerce Control List (CCL) provides that protection and detection equipment and components not specially designed for military use are subject to the licensing authority of the Department of State, Office of Defense Trade Controls (DTC). The Bureau of Industry and Security (BIS) has received information suggesting that the existing rule commits to DTC authority a number of items that have primarily civil end uses. This proposed rule draws a distinction between items subject to DTC control and items subject to the Export Administration Regulations (EAR) by modifying ECCN 1A004 and creating a new ECCN 1A995.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William Arvin, Department of Commerce, Bureau of Industry and Security
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RIN: 0694-AC64

Department of Commerce (DOC)
Bureau of Industry and Security (BIS)

Final Rule Stage

509. 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

DOC—BIS

Final Rule Stage

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	12/00/02	

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 Industry and Security, 14th & Pennsylvania Avenue NW., Washington, DC 20230
Phone: 202 482-2440

RIN: 0694-AB06

510. 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

Action	Date	FR Cite
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	12/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Industry and Security, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230
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RIN: 0694-AB60

511. 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	12/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sheila Quarterman, Export Policy Analyst, Department of Commerce, Bureau of Industry and Security
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RIN: 0694-AB87

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 Industry and Security (BIS) 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 antiterrorism controls.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sheila Quarterman, Export Policy Analyst, Department of Commerce, Bureau of Industry and Security
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RIN: 0694-AC05

DOC—BIS

Final Rule Stage

513. 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:** Bureau of Industry and Security (BIS) 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	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Industry and Security, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230
Phone: 202 482-2440
Fax: 202 482-3355
Email: scook@bis.doc.gov**RIN:** 0694-AC22**514. REVISIONS AND CLARIFICATIONS TO THE EXPORT ADMINISTRATION REGULATIONS (EAR)****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; 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 Export Administration Regulations by making certain revisions and clarifications and, in some cases, inserts material inadvertently omitted from previous rules.**Timetable:**

Action	Date	FR Cite
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Industry and Security, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230
Phone: 202 482-2440
Fax: 202 482-3355
Email: scook@bis.doc.gov**RIN:** 0694-AC24**515. 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 Industry and Security (BIS) 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	12/00/02	

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 Industry and Security, 14th &Pennsylvania Avenue NW.,
Washington, DC 20230
Phone: 202 482-2440**RIN:** 0694-AC33**516. 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 Industry and Security (BIS) 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 chemical weapons reasons.**Timetable:**

Action	Date	FR Cite
Final Action	12/00/02	

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 Industry and Security, 14th & Pennsylvania Avenue NW., Washington, DC 20230
Phone: 202 482-2440**RIN:** 0694-AC35**517. 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

DOC—BIS

Final Rule Stage

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 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 Industry and Security (BIS) 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. BIS 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	11/00/02	

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 Industry and Security

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RIN: 0694-AC45

518. ELIMINATION OF "NATIONAL SECURITY" AS A REASON FOR CONTROL FOR CERTAIN ITEMS ON THE COMMERCE CONTROL LIST

Priority: Substantive, Nonsignificant

Legal Authority: 50 USC 2401; 50 USC 1701; 18 USC 2510; EO 13222; EO 12058; ...

CFR Citation: 15 CFR 742; 15 CFR 774

Legal Deadline: None

Abstract: This rule amends the Commerce Control List (CCL) to eliminate "National Security" as a reason for control with respect to

certain items. This rule is needed to make the CCL conform to Section 5(c)(6)(A) of the Export Administration Act (the Act), which provides that unilateral national security controls expire six months after enactment of the Act or of the control (whichever is later) unless a determination has been made under section 5 of the Act that there is no foreign availability of the items or unless the President is pursuing negotiations to end such availability. All but four of the items affected by this rule are moved to other Export Control Classification Numbers (ECCNs) on the CCL. Two of the items that are removed from the CCL (bayonets and technology for the design, production or use of bayonets) are transferred to the United States Munitions List. The other two items (muzzle-loading firearms and technology for the design, production or use of muzzle-loading firearms) are now EAR99.

Timetable:

Action	Date	FR Cite
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William Arvin, Department of Commerce, Bureau of Industry and Security

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RIN: 0694-AC54

519. IMPOSITION AND EXPANSION OF CONTROLS ON DESIGNATED PERSONS

Priority: Substantive, Nonsignificant

Legal Authority: 50 USC 1701; 50 USC 2401; 22 USC 3201; EO 13099; EO 13222; ...

CFR Citation: 15 CFR 744; 15 CFR 772

Legal Deadline: None

Abstract: This final rule amends the Export Administration Regulations (EAR) by imposing a license requirement on the export and reexport of any item subject to the EAR by a U.S. person or non-U.S. person to persons blocked and designated pursuant to Executive Order 13224 of September 23, 2001. In response to grave acts of terrorism and threats of

terrorism, Executive Order 13224 blocks the property and interests in property of persons who commit, threaten to commit or support terrorism, and prohibits U.S. persons or applicable non-U.S. persons from engaging in any transactions with such blocked persons. The Department of the Treasury's Office of Foreign Assets Control (OFAC) maintains the list of blocked persons newly designated Specially Designated Global Terrorists (SDGTs) in Appendix A to 31 C.F.R. chapter V pursuant to Executive Order 13224 and identified by the bracketed initials [SDGT]. This rule also amends the EAR by expanding reexport controls on Specially Designated Terrorists (SDTs) and foreign controls on Specially Designated Terrorists (SDTs) and Foreign Terrorist Organizations (FTOs). OFAC also maintains the lists of SDTs and FTOs found in appendix A to 31 C.F.R. chapter V and identified by the bracketed initials [SDT] and [FTO], respectively.

Timetable:

Action	Date	FR Cite
Final Action	11/00/02	

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 Industry and Security

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RIN: 0694-AC60

520. ● IMPLEMENTATION OF THE 2002 WASSENAAR ARRANGEMENT LIST OF DUAL-USE ITEMS: REVISIONS TO CATEGORIES 2, 3, 4, 5, 6, 7 AND 9 OF THE COMMERCE CONTROL LIST, GENERAL SOFTWARE NOTE, AND REPORTING REQUIREMENTS

Priority: Routine and Frequent

Legal Authority: 50 USC 2401; EO 13222; EO 13020; 50 USC 1701; 10 USC 7420; ...

CFR Citation: 15 CFR 743; 15 CFR 772; 15 CFR 774

Legal Deadline: None

Abstract: The Bureau of Industry and Security (BIS) maintains the Commerce Control List (CCL), which identifies

DOC—BIS

Final Rule Stage

items subject to Department of Commerce export controls. This final rule revises certain entries controlled for national security reasons in categories 2, 3, 4, 5 part I (telecommunications), 5 part II (information security), 6, 7, and 9 to conform with changes in the 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.

The purpose of this final rule is to make the necessary changes to the Commerce Control List to implement revisions to the Wassenaar List that were agreed upon in the February 2002 meeting (and finalized in June 2002) and to make necessary revisions to reporting requirements, definitions, and the General Software Note.

Timetable:

Action	Date	FR Cite
Final Action	11/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Industry and Security, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230
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RIN: 0694-AC65

521. • REVISION OF EXPORT CONTROLS FOR GENERAL PURPOSE MICROPROCESSORS

Priority: Substantive, Nonsignificant

Legal Authority: 50 USC 2401; 50 USC 1701; 22 USC 3201; 42 USC 2139(a); EO 13224; ...

CFR Citation: 15 CFR 744; 15 CFR 772; 15 CFR 774

Legal Deadline: None

Abstract: The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) to remove license requirements for exports and reexports of general purpose microprocessors to most destinations. There will be no change to existing license requirements for the export or reexport of general purpose microprocessors to terrorist-supporting and embargoed countries, and no change to license requirements for exports or reexports of microprocessors specifically designed for military uses. In addition, this rule will establish a new license requirement for the export or reexport of general purpose microprocessors if at the time of the export or reexport you know, have reason to know, or are informed that the item will be used in a military weapon system or used by a military end-user in Country Group D:1.

Timetable:

Action	Date	FR Cite
Final Action	11/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 0694-AC66

522. • LICENSE APPLICATION DENIAL POLICY, "RED FLAG" INDICATORS OF POSSIBLE INAPPROPRIATE END-USE, END-USER OR DESTINATION

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

Unfunded Mandates: Undetermined

Legal Authority: 50 USC app 2401; 50 USC 1701; EO 13026; EO 13222; 22 USC 3201; 42 USC 2139a; EO 12058; EO 12851; EO 12938; EO 12947; EO 13026; EO 13099; EO 13222; EO 13224

CFR Citation: 15 CFR 732; 15 CFR 744.11

Legal Deadline: None

Abstract: This rule makes explicit BIS's policy of denying export license applications when a sanction imposed on a party pursuant to a statute requires such denial. Such sanctions are imposed for activities contrary to United States foreign policy interests or that contribute to the proliferation of weapons of mass destruction. This rule also makes the imposition of such sanctions or publication of a party's name on the BIS "Unverified List" a "red flag" triggering a need for heightened scrutiny when dealing with such parties in transactions that are subject to the Export Administration Regulations.

Timetable:

Action	Date	FR Cite
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

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RIN: 0694-AC68

Department of Commerce (DOC)
Bureau of Industry and Security (BIS)
Long-Term Actions
523. 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

524. 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

525. 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

526. 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
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RIN: 0694-AB49

527. 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: Sharron Cook
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RIN: 0694-AB59

528. 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
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
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RIN: 0694-AB73

529. 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
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RIN: 0694-AB90

530. EXPORT OF TECHNOLOGY AND SOFTWARE THROUGH ELECTRONIC TRANSMISSIONS, DOWNLOADS, AND PROGRAMMING ONTO HARDWARE

Priority: Substantive, Nonsignificant

CFR Citation: 15 CFR 700 to 799

DOC—BIS

Long-Term Actions

Timetable:

Action	Date	FR Cite
ANPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sharron Cook

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Email: scook@bis.doc.gov

RIN: 0694-AB97

531. EXPORT ADMINISTRATION REGULATIONS: SUPPORT DOCUMENTATION

Priority: Substantive, Nonsignificant

CFR Citation: 15 CFR 748

Timetable:

Action	Date	FR Cite
Interim Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected:

Undetermined

Agency Contact: Sharron Cook

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Fax: 202 482-3355

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RIN: 0694-AC04

532. ANTITERRORISM CONTROLS ON IRAQ

Priority: Other Significant

CFR Citation: 15 CFR 700 to 799

Timetable:

Action	Date	FR Cite
Interim Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sheila Quarterman

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Email: squarter@bis.doc.gov

RIN: 0694-AC06

533. EXPANSION OF LICENSE EXCEPTION GOV; EXPORTS AND REEXPORTS TO INTERNATIONAL ORGANIZATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 15 CFR 730 to 774

Timetable:

Action	Date	FR Cite
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sheila Quarterman

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Email: squarter@bis.doc.gov

RIN: 0694-AC15

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

Priority: Substantive, Nonsignificant

CFR Citation: 15 CFR 730 to 774

Timetable:

Action	Date	FR Cite
Interim Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sharron Cook

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Email: scook@bis.doc.gov

RIN: 0694-AC17

535. REVISION TO THE EXPORT ADMINISTRATION REGULATIONS: REPLACEMENT LICENSES

Priority: Substantive, Nonsignificant

CFR Citation: 15 CFR 748 to 750

Timetable:

Action	Date	FR Cite
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sharron Cook

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RIN: 0694-AC23

536. 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

537. OFFSETS IN MILITARY EXPORTS

Priority: Other Significant

CFR Citation: 15 CFR 701

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Brad Botwin

Phone: 202 482-4060

Fax: 202 482-5650

RIN: 0694-AC27

538. ENTITY LIST: ADDITIONS AND REVISIONS

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

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sharron Cook

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RIN: 0694-AC28

539. CRIME CONTROL ITEMS: REVISIONS TO THE COMMERCE CONTROL LIST

Priority: Other Significant

CFR Citation: 15 CFR 730 to 799

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/13/00	65 FR 55177
Final Action	To Be	Determined

DOC—BIS

Long-Term Actions

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Sheila Quarterman

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Email: squarter@bis.doc.gov

RIN: 0694-AC31**540. 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**541. CLARIFICATIONS TO PART 753: SPECIAL COMPREHENSIVE LICENSE REQUIREMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 15 CFR 700 to 799**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None**Agency Contact:** Willard Fisher

Phone: 202 482-2440

RIN: 0694-AC34**542. ADDITION AND REVISION OF MISSILE PROJECTS IN THE EXPORT ADMINISTRATION REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 15 CFR 740**Timetable:**

Action	Date	FR Cite
Interim Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None**Agency Contact:** Sharron Cook

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RIN: 0694-AC46**543. REVISION, SUSPENSION, OR PROHIBITION OF USE OF "NO LICENSE REQUIRED" PROVISIONS****Priority:** Routine and Frequent**CFR Citation:** 15 CFR 732; 15 CFR 738; 15 CFR 758**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Sharron Cook

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RIN: 0694-AC47**544. REMOVAL OF LICENSING EXEMPTION FOR EXPORTS AND REEXPORTS OF MISSILE TECHNOLOGY-CONTROLLED ITEMS DESTINED TO CANADA****Priority:** Substantive, Nonsignificant**CFR Citation:** 15 CFR 738; 15 CFR 742**Timetable:**

Action	Date	FR Cite
ANPRM	12/20/01	66 FR 65666
Next Action	Undetermined	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None**Agency Contact:** Sharron Cook

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RIN: 0694-AC48**545. EXPORTS TO THE FEDERAL REPUBLIC OF YUGOSLAVIA: LIFTING OF SANCTIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 15 CFR 732; 15 CFR 738; 15 CFR 746; 15 CFR 758**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None**Agency Contact:** Sheila Quarterman

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Email: squarter@bis.doc.gov

RIN: 0694-AC57**546. • COMPUTER TECHNOLOGY AND SOFTWARE ELIGIBLE FOR EXPORT OR REEXPORT UNDER LICENSE EXCEPTION TSR****Priority:** Routine and Frequent**Legal Authority:** Not Yet Determined**CFR Citation:** 15 CFR 774**Legal Deadline:** None

Abstract: The Bureau of Industry and Security (BIS) is reviewing the current limit for use of License Exception TSR for exports and reexports of technology and software on the Commerce Control List (CCL) of the Export Administration Regulations (EAR) under Export Classification Control Numbers (ECCNs) 4D001 and 4E001. These ECCNs control technology and software that can be used for the development, production, or use of computers. The goal of this notice is to collect information from industry that will assist BIS in evaluating whether the current TSR eligibility level of 33,000 Millions of Theoretical Operations per Second (MTOps) for exports and reexports to most countries should be adjusted, taking into consideration the control level for the export of computer equipment and the control policies of other member countries of the Wassenaar Arrangement.

Timetable:

Action	Date	FR Cite
ANPRM	06/10/02	67 FR 39675
Next Action	Undetermined	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Sharron Cook, Policy Analyst, Department of Commerce, Bureau of Industry and Security, 2096/MS 2705, 14th & Pennsylvania Avenue NW., Washington, DC 20230

DOC—BIS

Long-Term Actions

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Department of Commerce (DOC)
Bureau of Industry and Security (BIS)

Completed Actions

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

Priority: Substantive, Nonsignificant

CFR Citation: 15 CFR 730 to 774

Completed:

Reason	Date	FR Cite
Interim Final Rule	08/10/01	66 FR 42108

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sharron Cook

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RIN: 0694-AB76

548. REVISIONS TO THE NORTH KOREAN EMBARGO POLICY

Priority: Other Significant

CFR Citation: 15 CFR 730 to 774

Completed:

Reason	Date	FR Cite
Interim Final Rule	06/19/00	65 FR 38148

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sheila Quarterman

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Email: squarter@bis.doc.gov

RIN: 0694-AC10

549. EXPORTS OF AGRICULTURAL COMMODITIES, MEDICINES AND MEDICAL DEVICES

Priority: Substantive, Nonsignificant

CFR Citation: 15 CFR 700 to 799

Completed:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sheila Quarterman

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RIN: 0694-AC37

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

Priority: Substantive, Nonsignificant

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

Completed:

Reason	Date	FR Cite
Final Action	03/08/02	67 FR 10611

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0694-AC42

551. LICENSING JURISDICTION FOR "SPACE QUALIFIED" ITEMS

Priority: Substantive, Nonsignificant

CFR Citation: 15 CFR 740; 15 CFR 774

Completed:

Reason	Date	FR Cite
Interim Final Rule	09/23/02	67 FR 59721

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sharron Cook

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RIN: 0694-AC49

552. MISSILE TECHNOLOGY PRODUCTION EQUIPMENT AND FACILITIES

Priority: Routine and Frequent

CFR Citation: 15 CFR 774

Completed:

Reason	Date	FR Cite
Final Action	09/18/02	67 FR 58691
Final Action Effective	09/18/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0694-AC51

553. REVISIONS AND CLARIFICATIONS TO THE EXPORT ADMINISTRATION REGULATIONS—NUCLEAR NONPROLIFERATION CONTROLS: NUCLEAR SUPPLIERS GROUP

Priority: Substantive, Nonsignificant

CFR Citation: 15 CFR 738; 15 CFR 740; 15 CFR 742; 15 CFR 744; 15 CFR 772; 15 CFR 774

Completed:

Reason	Date	FR Cite
Final Rule	08/29/02	67 FR 55593

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Willard Fisher

Phone: 202 482-2440

RIN: 0694-AC52

554. CORRECTIONS AND CLARIFICATIONS TO THE EXPORT ADMINISTRATION REGULATIONS: CZECH REPUBLIC, HUNGARY, AND POLAND

Priority: Substantive, Nonsignificant

CFR Citation: 15 CFR 738; 15 CFR 742

Completed:

Reason	Date	FR Cite
Final Action	03/18/02	67 FR 11896

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sheila Quarterman

DOC—BIS

Completed Actions

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 RIN: 0694-AC53

555. REVISIONS TO THE EXPORT ADMINISTRATION REGULATIONS AS A RESULT OF THE SEPTEMBER 2001 MISSILE TECHNOLOGY CONTROL REGIME (MTCR) PLENARY MEETING

Priority: Substantive, Nonsignificant
CFR Citation: 15 CFR 774

Completed:

Reason	Date	FR Cite
Final Action	05/20/02	67 FR 35428

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sharron Cook
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RIN: 0694-AC55

556. REVISIONS TO LICENSE EXCEPTION CTP: IMPLEMENTATION OF PRESIDENTIAL ANNOUNCEMENT OF JANUARY 2, 2002

Priority: Substantive, Nonsignificant
CFR Citation: 15 CFR 734; 15 CFR 740; 15 CFR 742

Completed:

Reason	Date	FR Cite
Final Action	03/08/02	67 FR 10608

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sharron Cook
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 RIN: 0694-AC56

557. REVISION TO EXPORT ADMINISTRATION REGULATIONS: DENIED PERSONS LIST

Priority: Info./Admin./Other
CFR Citation: 15 CFR 732; 15 CFR 736; 15 CFR 752; 15 CFR 758; 15 CFR 764; ...

Completed:

Reason	Date	FR Cite
Final Action	08/27/02	67 FR 54592
Final Action Effective	08/27/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 0694-AC58

558. LICENSE EXCEPTION CIV ELIGIBILITY FOR CERTAIN "MICROPROCESSORS" CONTROLLED BY ECCN 3A001

Priority: Substantive, Nonsignificant
CFR Citation: 15 CFR 774

Completed:

Reason	Date	FR Cite
Final Rule	03/21/02	67 FR 13091

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sharron Cook
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RIN: 0694-AC59

559. IMPLEMENTATION OF THE WASSENAAR ARRANGEMENT LIST OF DUAL-USE ITEMS AND OTHER REVISIONS TO ENCRYPTION ITEMS

Priority: Substantive, Nonsignificant
CFR Citation: 15 CFR 732; 15 CFR 740; 15 CFR 742; 15 CFR 748; 15 CFR 770; ...

Completed:

Reason	Date	FR Cite
Interim Final Rule	06/06/02	67 FR 38855

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Willard Fisher
 Phone: 202 482-2440

RIN: 0694-AC61

560. REVISIONS AND CLARIFICATIONS TO THE EXPORT ADMINISTRATION REGULATIONS—CHEMICAL AND BIOLOGICAL WEAPONS CONTROLS: AUSTRALIA GROUP; CHEMICAL WEAPONS CONVENTION

Priority: Substantive, Nonsignificant
CFR Citation: 15 CFR 736; 15 CFR 738; 15 CFR 740; 15 CFR 742; 15 CFR 745; ...

Completed:

Reason	Date	FR Cite
Final Action	05/31/02	67 FR 37977

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Willard Fisher
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RIN: 0694-AC62

Department of Commerce (DOC)

Completed Actions

National Institute of Standards & Technology (NIST)

561. • ESTABLISHMENT OF INFORMATION TECHNOLOGY SECURITY VALIDATION PROGRAMS FEES

Priority: Substantive, Nonsignificant
Legal Authority: PL 104-106 section 5131; PL 100-235; 15 USC 273; 15 USC 275a; ...
CFR Citation: None
Legal Deadline: None

Abstract: NIST issued a final rule to adopt a fee schedule for some of its Information Technology Security Validation Programs. Prior to the notice, NIST did not charge fees for these programs, but demand for the services increased 1800 percent since 1996 in some cases, which resulted in significantly increased expense to NIST for each program. The fees will allow NIST to continue and expand the

Information Technology Security Validation Programs.

Timetable:

Action	Date	FR Cite
Final Action	06/18/02	67 FR 41399

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

DOC—NIST

Completed Actions

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RIN: 0693-AB51

Department of Commerce (DOC)

Prerule Stage

National Oceanic and Atmospheric Administration (NOAA)

NATIONAL MARINE FISHERIES
SERVICE**562. • FLEET CAPACITY CONTROL
FOR U.S. TUNA PURSE SEINE
FISHERIES IN THE EASTERN PACIFIC
OCEAN**

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 951 to 961;
16 USC 971 et seq

CFR Citation: 50 CFR 300

Legal Deadline: None

Abstract: This rule will implement a tuna fishery management recommendation of the Inter-American Tropical Tuna Commission (IATTC), of which the United States is a party. The rule will establish procedures by which the United States will limit tuna purse seine fleet capacity consistent with the limits in the IATTC recommendation, which has been approved by the Department of State pursuant to the Tuna Conventions Act. Fleet capacity is necessary to prevent overcapitalization and achieve sustainable tuna fisheries in the eastern Pacific Ocean. Excessive fleet capacity threatens the ability of the IATTC and its member states to take effective action to control overall fishing mortality and maintain healthy stocks that will support economically viable fisheries, including U.S. tuna fisheries in the region.

Timetable:

Action	Date	FR Cite
ANPRM	11/00/02	
ANPRM Comment Period End	12/00/02	
NPRM	03/00/03	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: Businesses

Government Levels Affected: Federal

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-AQ21

**563. • FLEET CAPACITY CONTROL
FOR U.S. TROLL ALBACORE TUNA
FISHING IN CANADIAN WATERS**

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 50 CFR 300

Legal Deadline: None

Abstract: This rule will implement limits on albacore tuna fishing by vessels of the United States in Canadian waters pursuant to the U.S.-Canada Albacore Fishing Treaty. In accordance with recent amendments to that Treaty, the United States is obliged

to ensure that U.S. vessels do not fish for more than a set number of days each year 2003-2005. This will require methods to monitor fishing effort and notify U.S. vessel owners/operators of the date on which further U.S. fishing must cease. In turn, U.S. vessel operators/owners will be required to furnish reports of entry to and exit from Canadian waters and to provide points of contact for notices of closures. In addition, the Treaty requires that the United States exchange fishery data each year. The rule will require maintenance and submission of logbooks of fish catch and fishing effort in Canadian and U.S. waters each year.

Timetable:

Action	Date	FR Cite
ANPRM	11/00/02	
ANPRM Comment Period End	12/00/02	
NPRM	03/00/03	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: Businesses

Government Levels Affected: Federal

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-AQ22

Department of Commerce (DOC)

Proposed Rule Stage

National Oceanic and Atmospheric Administration (NOAA)

NATIONAL MARINE FISHERIES SERVICE

564. 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 4 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	01/00/03	
NPRM Comment Period End	02/00/03	

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-AG87**565. 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:** This action will establish 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

Action	Date	FR Cite
ANPRM Comment Period End	08/05/97	
NPRM	01/00/03	

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**566. 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	11/00/02	
NPRM Comment Period End	12/00/02	

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-AK26**567. 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 establish eligibility criteria for new entry into the NWHIs Mau Zone limited access system**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	
NPRM Comment Period End	01/00/03	

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**568. 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	11/00/02	
NPRM Comment Period End	12/00/02	

DOC—NOAA

Proposed Rule Stage

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

Undetermined

Agency Contact: John Dunnigan, 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: john.dunnigan@noaa.gov

RIN: 0648-AK84**569. AMENDMENT 11 TO THE FISHERY MANAGEMENT PLAN FOR THE CRUSTACEAN 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: Amendment 11 to the Western Pacific Remote Crustaceans Fishery Management Plan would add the exclusive economic zone waters off the U.S. Pacific Island Areas and the Commonwealth of the Northern Mariana Islands as crustaceans management areas.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	
NPRM Comment Period End	01/00/03	

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**570. REGULATORY AMENDMENT TO REINSTATE 6000 POUND TRIP LIMIT OF HALIBUT IN AREA NORTHEAST OF THE BERING SEA****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: 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	11/00/02	
NPRM Comment Period End	12/00/02	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:**

Undetermined

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AL97**571. ENHANCED MEASURES TO MITIGATE SEABIRD BYCATCH IN THE ALASKA LONGLINE FISHERIES****Priority:** Substantive, Nonsignificant**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	01/00/03	
NPRM Comment Period End	02/00/03	

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

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National

Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AM30**572. AMENDMENT 7 TO THE FISHERY MANAGEMENT PLAN FOR THE BOTTOMFISH 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: Amendment 7 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.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	
NPRM Comment Period End	01/00/03	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions**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-AM98**573. 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

DOC—NOAA

Proposed Rule Stage

conservation of grouper stocks in the Gulf of Mexico by establishing additional closed seasons and areas.

Timetable:

Action	Date	FR Cite
NPRM	05/00/03	

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

574. 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 and revise management of black sea bass.

Timetable:

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

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

575. 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 and address essential fish habitat issues. This action may replace or modify the current DAS reduction schedule.

Timetable:

Action	Date	FR Cite
NPRM	03/00/03	
NPRM Comment Period End	04/00/03	

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-AN16

576. 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	05/00/03	
NPRM Comment Period End	06/00/03	

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-AN17

577. 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	11/00/02	
NPRM Comment Period End	01/00/03	
Final Action	02/00/03	
Final Action Effective	03/00/03	

Regulatory Flexibility Analysis

Required: Undetermined

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-AN76

578. RESUBMISSION OF SUSTAINABLE FISHERIES ACT AMENDMENT CRUSTACEANS, BOTTOMFISH, AND PELAGICS REGARDING OVERFISHING DEFINITIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

DOC—NOAA

Proposed Rule Stage

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 and bycatch provisions and fishing community definitions (0648-AP54, 0648-AP55).

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	
NPRM Comment Period End	01/00/03	
Final Action	02/00/03	

Regulatory Flexibility Analysis Required: 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

Related RIN: Related To 0648-AP54, Related To 0648-AP55

RIN: 0648-AN79

579. 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	11/00/02	

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

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

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	02/00/03	
NPRM Comment Period End	03/00/03	

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

581. FISHERY MANAGEMENT PLAN FOR NORTHEAST SKATE

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 a fishery management plan for the seven species of skates found in the Northeast. Management measures would be established to end overfishing on two of the seven species of skate and to provide basic protection for the remaining five species.

Timetable:

Action	Date	FR Cite
NPRM	03/00/03	
NPRM Comment Period End	04/00/03	

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-AO10

582. AMENDMENT 5 TO THE FISHERY MANAGEMENT PLAN FOR PRECIOUS CORAL FISHERIES IN 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: Amendment 5 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

DOC—NOAA

Proposed Rule Stage

reporting requirements for harvesters in this area.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	
NPRM Comment	01/00/03	
Period End		

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

583. 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	01/00/03	
NPRM Comment	02/00/03	
Period End		

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

584. 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	12/14/00	
Period End		
Comment Period	01/16/01	
Extended		
NPRM	05/00/03	
NPRM Comment	06/00/03	
Period End		

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Chris Rogers, Chief for Highly Migratory Species, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13563, Bldg. SSMC3, Stop F/SF1, Office of Sustainable Fisheries, 1315 East-West Highway, Silver Spring, MD 20910
Phone: 301 713-2347
Fax: 301 713-1917

RIN: 0648-AO75

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

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: John Dunnigan, 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: john.dunnigan@noaa.gov

RIN: 0648-AO79

586. 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

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.

Timetable:

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

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

DOC—NOAA

Proposed Rule Stage

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

587. 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 maximum sustainable yield (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	08/00/03	

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

588. REVISION OF AMERICAN LOBSTER REGULATIONS FOR THE EEZ

Priority: Other Significant

Legal Authority: 16 USC 5101 et seq

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 in response to recommendations from the Atlantic States Marine Fisheries Commission to NMFS in Addenda II and III to Amendment 3 to the Interstate Fishery Management Plan for American Lobster (ISFMP). This ANPR/NOI proposes to develop regulations relative to Addendum III to the ISFMP, and combine those with Addendum II (ANPR and NOI published May and September of 2001, respectively) into a single environmental impact statement. Addendum II management measures would include minimum gauge size increases in five of the seven Lobster Conservation Management Areas (LCMA), lobster trap gear modifications, a 4-year lobster trap reduction schedule for LCMA 3, and a logbook requirement for LCMA 3 lobster vessels. Addendum III would further modify Addendum II's gauge increase schedule and include new management measures for the majority of the LCMAs.

Timetable:

Action	Date	FR Cite
ANPRM	05/24/01	66 FR 28726
ANPRM Comment Period End	06/25/01	
ANPRM	09/05/02	67 FR 56800
ANPRM Comment Period End	10/07/02	
NPRM	02/00/03	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

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

589. 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: This action 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 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	11/00/02	

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

DOC—NOAA

Proposed Rule Stage

590. 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 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	11/00/02	
NPRM Comment Period End	12/00/02	

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

Agency Contact: D. Robert Lohn, 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
Fax: 206 526-6426

RIN: 0648-AP38**591. 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: This action would implement the Fishery Management Plan (FMP) for Highly Migratory Species Fisheries off the West Coast. 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 publication of proposed and final rules within certain time periods.

Timetable:

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

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**592. 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.

Timetable:

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

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**593. 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 prohibit possession and harvest of 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.

Timetable:

Action	Date	FR Cite
NPRM	06/00/03	

DOC—NOAA

Proposed Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	07/00/03	

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

594. 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 2003.

Abstract: This regulatory action would facilitate and enable adjustments to management measures for the bottomfish fisheries in the Commonwealth of the Northern Mariana Islands.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	
NPRM Comment Period End	01/00/03	
Final Action	02/00/03	

Regulatory Flexibility Analysis Required: 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–AP53

595. 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
NPRM	11/00/02	
NPRM Comment Period End	01/00/03	

Regulatory Flexibility Analysis Required: 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–AP54

596. RESUBMISSION OF SUSTAINABLE FISHERIES ACT AMENDMENT BOTTOMFISH, CRUSTACEANS, AND PELAGICS, AND PRECIOUS CORALS 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
NPRM	12/00/02	
NPRM Comment Period End	02/00/03	

Regulatory Flexibility Analysis Required: 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–AP55

597. ATLANTIC SURF CLAM 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 Surf Clam and Ocean Quahog Fisheries would describe gear impacts on essential fish habitat, revise the surf clam overfishing definition, establish multi-year quotas, and add/revise other measures.

Timetable:

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

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–AP57

598. 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

DOC—NOAA

Proposed Rule Stage

Mackerel, Squid and Butterfish Fisheries would establish a controlled access program for mackerel, address essential fish habitat, and revise the Illex quota procedures.

Timetable:

Action	Date	FR Cite
NPRM	06/00/03	
NPRM Comment	07/00/03	
Period End		

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-AP60

599. 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: None

Abstract: This rulemaking will implement an electronic vessel monitoring system under the South Pacific Tuna Act. The system is satellite-based with individual U.S. purse seine vessels providing automatic location information to the Forum Fisheries Agency located in Honiara, Solomon Islands. This rule will require that 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	12/00/02	
NPRM Comment	02/00/03	
Period End		

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

600. REVISE COMMUNITY DEVELOPMENT QUOTA PROGRAM ADMINISTRATION AND ALLOCATION REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 679

Legal Deadline: None

Abstract: This action will revise regulations governing the process under which a portion of the Bering Sea and Aleutian Islands quotas for groundfish, prohibited species, crab, and halibut are allocated to groups representing Western Alaska communities eligible for the Community Development Quota (CDQ) Program. The action also will revise administrative regulations for the economic development aspects of the CDQ Program.

Timetable:

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

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Federal

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AP67

601. FULL RETENTION OF DEMERSAL SHELF ROCKFISH IN GULF OF ALASKA AREA 650

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 679

Legal Deadline: None

Abstract: This action would require full retention of demersal shelf rockfish (DSR) in the hook-and-line fisheries in the GOA, Regulatory Area 650. If approved, this rule would eliminate the maximum retainable bycatch limit for DSR and require that all DSR caught by federally permitted vessels using fixed gear in the SEO be retained, landed, weighed and reported. The amount of DSR that could be sold would be limited to an amount no more than 10 percent of other retained catch. With respect to DSR in excess of that 10 percent limit, fishermen would be allowed to voluntarily surrender the fish to the State of Alaska, retain it for personal use, donate it to a State-recognized charity, use it for bait, or any combination of the above.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AP73

602. ANTARCTIC MARINE LIVING RESOURCES VESSEL MONITORING SYSTEM AND CATCH DOCUMENTATION SCHEME

Priority: Other Significant

Legal Authority: 16 USC 2341 et seq

CFR Citation: 50 CFR 300

Legal Deadline: None

Abstract: This rule would lengthen the duration of the permit required to enter a Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) Ecosystem Monitoring Program (CEMP) site from one year to five years. The rule would define the CCAMLR fishing season and require the use of an automated satellite-linked

DOC—NOAA

Proposed Rule Stage

vessel monitoring system (VMS) for U.S. vessels harvesting Antarctic marine living resources (AMLR) in the area of the Convention on the Conservation of Antarctic Marine Living Resources (Convention). The rule would also require a non-resident consignee to designate a resident agent; prohibit the importation of Dissostichus species declared as harvested in certain high seas areas outside the Convention area; prohibit the import of Dissostichus species issued a Specially Validated Dissostichus Catch Document (SVDCD); provide guidance on the disposition of AMLR seized by law enforcement personnel; and propose regulations to modify requirements for U.S. receivers and importers of Dissostichus species harvested in all waters, including those under the jurisdiction of CCAMLR. This rule is intended to implement U.S. obligations as a member of CCAMLR and to conserve Antarctic and Patagonian toothfish by preventing and discouraging unlawful harvest and trade in these species.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	
NPRM Comment Period End	12/00/02	
Final Action	01/00/03	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Federal

Agency Contact: Dean Swanson, Chief, International Fisheries Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910
Phone: 301 713-2276
Email: dean.swanson@noaa.gov

RIN: 0648-AP74**603. AMENDMENT 10 TO THE COASTAL PELAGIC SPECIES FISHERY MANAGEMENT PLAN****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660**Legal Deadline:** None

Abstract: Amendment 10 to the Coastal Pelagic Species Fishery Management Plan, would (1) establish a capacity

goal for the limited entry fishery (LE), provide for LE permit transferability to achieve and maintain the capacity, and establish a process for considering new LE permits; and (2) establish a maximum sustainable yield (or proxy) for market squid that will address the Magnuson-Stevens Fishery Management Act requirement that "Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery in the United States fishing industry."

Timetable:

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

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

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-AP87**604. • IFQ RECORDKEEPING AND REPORTING REQUIREMENTS FOR CATCHER VESSELS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 679**Legal Deadline:** None

Abstract: This rulemaking will revise the submittal time limit for the individual fishing quotas (IFQ) prior notice of landing; will combine the IFQ shipment report into the groundfish product transfer report; will remove the vessel clearance requirement; will remove authorized IFQ ports of landing from Table 14; and will revise the IFQ departure report.

Timetable:

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

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

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AP92**605. • AMENDMENT TO FISHERY MANAGEMENT PLAN FOR REEF FISH RESOURCES OF GULF OF MEXICO TO SET 10-YEAR REBUILDING PLAN FOR RED GROUPER****Priority:** Other Significant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 622**Legal Deadline:** None

Abstract: In October 2000, the National Marine Fisheries Service (NMFS) issued a determination that the Gulf of Mexico red grouper stock is overfished and undergoing overfishing. This determination was based on the results of a 1999 red grouper stock assessment. Once a stock is determined to be overfished the Magnuson-Stevens Act requires the Gulf of Mexico Fishery Management Council within one year to submit a plan to NMFS to end overfishing and rebuild the stock to a level capable of sustaining maximum sustainable yield on a continuing basis. The proposed rebuilding plan contains alternatives that would implement a 10-year rebuilding plan for red grouper including a recreational and commercial shallow-water grouper closed season, recreational bag limits, movement of the commercial longline gear boundary, and a reduction of the shallow-water grouper quota by an amount consistent with a 45 percent reduction in commercial red grouper harvest. The rebuilding plan also contains alternatives for establishing red grouper sustainable fishing parameters (e.g., maximum sustainable yield, optimum yield, maximum fishing mortality rate, minimum stock size threshold).

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	
NPRM Comment Period End	01/00/03	

Regulatory Flexibility Analysis**Required:** Yes

DOC—NOAA

Proposed Rule Stage

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-AP95

606. • 2003 OBSERVER PROGRAM REQUIREMENTS

Priority: Substantive, Nonsignificant
Legal Authority: 16 USC 1801 et seq
CFR Citation: 50 CFR 679

Legal Deadline: None

Abstract: This regulatory rulemaking would extend through 2007, the existing regulations for the Interim North Pacific Groundfish Observer Program (Observer Program) (50 CFR 679.50), which otherwise expire December 31, 2002. Further, this proposed action would improve regulations governing the relationship between NMFS and the observer providers and observers through modifications to existing observer and observer provider responsibilities, including several new regulations. It would also ensure that the administrative procedures NMFS uses in dealing with observer providers and observers are compliant with the Administrative Procedures Act. This action also would increase the ability of NMFS to interact effectively with observers, fishermen, and processing plant employees by granting to NMFS the authority to place NMFS staff and authorized agents aboard groundfish vessels and at shoreside and stationary floating processors that require observer coverage.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James W. Balsiger,
 Administrator, Alaska Region,
 Department of Commerce, National
 Oceanic and Atmospheric

Administration, NMFS, P.O. 21668,
 Juneau, AK 99802
 Phone: 907 586-7221
 Fax: 907 586-7249
RIN: 0648-AQ05

607. • REGULATORY AMENDMENT TO SECTION 679 PERMITS OR PERMIT-RELATED ISSUES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 679

Legal Deadline: None

Abstract: This rulemaking would revise several sections of regulations that pertain to permits or permit-related issues by technical edits and clarifications to existing requirements, removal of obsolete text, and clarification and simplification of text. In addition, this rulemaking would combine the registered buyer permit with the Federal processor permit when a shoreside processor does both IFQ and groundfish. This would be accomplished by adding an endorsement to the Federal processor permit.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James W. Balsiger,
 Administrator, Alaska Region,
 Department of Commerce, National
 Oceanic and Atmospheric
 Administration, NMFS, P.O. 21668,
 Juneau, AK 99802
 Phone: 907 586-7221
 Fax: 907 586-7249

RIN: 0648-AQ07

608. • 2003 INITIAL SPECIFICATIONS FOR ATLANTIC MACKEREL, SQUID, AND BUTTERFISH

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 648

Legal Deadline: None

Abstract: The action proposes initial specifications for the 2003 fishing year for Atlantic mackerel, squid, and butterfish.

Timetable:

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

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Governmental Jurisdictions

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-AQ15

609. • PACIFIC COAST GROUND FISH FISHERY; ANNOUNCEMENT OF THE 2003 GROUND FISH FISHERY SPECIFICATIONS AND MANAGEMENT MEASURES

Priority: Economically Significant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 660

Legal Deadline: None

Abstract: This rulemaking will implement the 2003 annual specifications and management measures for the Pacific Coast groundfish fishery.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: D. Robert Lohn,
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 Region, NMFS, Department of
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 Atmospheric Administration, 7600
 Sand Point Way NE, Building 1,
 Seattle, WA 48115-0070
 Phone: 206 526-6150
 Fax: 206 526-6426

RIN: 0648-AQ18

DOC—NOAA

Proposed Rule Stage

610. • REGULATORY AMENDMENT TO ADJUST PERMIT RENEWAL REQUIREMENTS AND TRANSFERABILITY RESTRICTIONS IN NWHIS HOOMALU ZONE AND MAU LIMITED ACCESS PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 660

Legal Deadline: Final, Statutory, February 2003, Final Rule - adjust permit renewal requirements/transferability restrictions in NWHI Hoomalu Zone and Mau Limited Access Programs.

Abstract: This measure would remove the annual landings requirement for permit renewal retroactive to December 4, 2000, which is the date the Northwestern Hawaiian Islands Reserve (NWHI) was established and when restrictions on fishing in the NWHI became uncertain.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	
NPRM Comment Period End	01/00/03	
Final Action	02/00/03	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

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-AQ20

611. • SECRETARIAL AMENDMENT 2 TO REEF FISH FISHERY MANAGEMENT PLAN TO SET GREATER AMBERJACK SUSTAINABLE FISHERIES ACT TARGETS AND THRESHOLDS AND TO SET REBUILDING PLAN

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 622

Legal Deadline: NPRM, Statutory, December 2002.
Final, Statutory, January 2003.

Abstract: The greater amberjack resource in the Gulf of Mexico was

declared overfished by the National Marine Fisheries Service (NMFS) on February 9, 2001. This determination was based on the 2000 greater amberjack stock assessment conducted by the NMFS Southeast Fisheries Science Center (SEFSC) (Turner et al. 2000) and the December 2000 Report of the Reef Fish Stock Assessment Panel (RFSAP) (GMFMC 2000). The results of several analyses indicated that the stock biomass was below the level needed to sustain harvest at maximum sustainable yield (MSY), with the best estimate indicating that the stock biomass was at less than half the biomass needed to sustain MSY, below the minimum level allowed under the 1998 NMFS National Standard Guidelines.

Currently, the Reef Fish Fishery Management Plan (FMP) requires that overfished stocks be restored to a level of 20 percent transitional spawning potential ratio (SPR) within one and a half generation times. A generation time is the average time it would take a year class in an unfished population to replace itself. However, in order to comply with the requirements of the NMFS National Standard Guidelines (NSG), new biomass based targets and recovery time frame parameters need to be implemented. The greater amberjack resource is not considered by NMFS to be undergoing overfishing at this time due to Council actions taken in 1997 and 1998 as cited in section 3.0 (1998 is the final year of data in the stock assessment). Consequently, actions to further reduce fishing mortality are not needed at this time.

This secretarial amendment proposes no changes to the current fishing regulations for greater amberjack, but does propose to establish new biomass based targets and thresholds as well as the establishment of a ten-year rebuilding plan. These measures would be in compliance with the provisions of the Magnuson-Stevens Fishery Conservation and Management Act, Sustainable Fisheries Act (SFA), NMFS NSGs, and NMFS technical guidance on implementing National Standard 1 (Restrepo et al. 1998).

Timetable:

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

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-AQ24

612. • AMENDMENT 2 TO MONKFISH FISHERY MANAGEMENT PLAN

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 648

Legal Deadline: None

Abstract: Amendment 2 to the Monkfish Fishery Management Plan would address essential fish habitat and bycatch issues and revise the management program.

Timetable:

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

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-AQ25

613. • ANNUAL SPECIFICATIONS FOR THE ATLANTIC BLUEFISH FISHERY FOR FISHING YEAR 2003

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 648

Legal Deadline: None

Abstract: This action would implement the annual specifications for the Atlantic Bluefish Fishery for fishing year 2003.

Timetable:

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

DOC—NOAA

Proposed Rule Stage

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-AQ26

614. • AMENDMENT 1 TO THE ATLANTIC HERRING FISHERY MANAGEMENT PLAN (FMP) AND AMENDMENT 2 TO THE ATLANTIC SALMON FMP

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** None

Abstract: These amendments would address essential fish habitat conservation measures.

Timetable:

Action	Date	FR Cite
NPRM	03/00/03	
NPRM Comment Period End	04/00/03	

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-AQ27

615. • FRAMEWORK 15 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:** None

Abstract: This framework action would implement management measures for fishing year 2003-2004 in the Atlantic sea scallop fishery.

Timetable:

Action	Date	FR Cite
NPRM	01/00/03	

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

NPRM Comment
Period End

02/00/03

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-AQ28

616. • FRAMEWORK 2 TO THE MONKFISH FISHERY MANAGEMENT PLAN

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** None

Abstract: This framework would amend the overfishing criteria in the Monkfish Fishery Management Plan and establish measures for fishing year 2003-2004.

Timetable:

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

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-AQ29

617. • ANNUAL SPECIFICATIONS FOR FISHING YEAR 2003 FOR THE SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS FISHERY

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** None

Abstract: This action would establish annual specifications for the summer flounder, scup and black sea bass fishery for fishing year 2003.

Timetable:

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

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-AQ30

618. • ANNUAL SPECIFICATIONS FOR THE SURF CLAM AND OCEAN QUAHOG FISHERIES FOR FISHING YEAR 2003

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** None

Abstract: This action would implement the annual specifications for the surf clam and ocean quahog fisheries for fishing year 2003.

Timetable:

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

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-AQ31

619. • RECREATIONAL MEASURES FOR THE SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS FISHERY FOR FISHING YEAR 2003

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** None

Abstract: This action would implement recreational measures for the 2003

DOC—NOAA

Proposed Rule Stage

fishing year for the summer flounder, scup, and black sea bass fishery.

Timetable:

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

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-AQ32

620. • SPECIFICATIONS FOR THE ATLANTIC HERRING FISHERY FOR FISHERY YEAR 2003

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 648

Legal Deadline: None

Abstract: This action would implement specifications for the 2003 fishing year for the Atlantic herring fishery.

Timetable:

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

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-AQ33

621. • SPECIFICATIONS FOR THE 2003-2004 FISHING YEAR FOR THE SPINY DOGFISH FISHERY

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 648

Legal Deadline: None

Abstract: This action would implement specifications for the 2003-2004 fishing year for the spiny dogfish fishery.

Timetable:

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

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-AQ34

622. • FRAMEWORK 37 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 framework action would establish year-4 measures for the whiting fishery.

Timetable:

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

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-AQ35

623. • ATLANTIC HIGHLY MIGRATORY SPECIES (HMS); BIGEYE TUNA AND SWORDFISH TRADE STATISTICAL DOCUMENT PROGRAMS

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 proposed rule is to comply with the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT) to establish statistical document programs for trade of swordfish and bigeye tuna. This regulation will require all dealers, who export or import swordfish or bigeye tuna, complete a statistical document and ensure the document accompanies the shipment. The purpose of the ICCAT recommendation and this regulation, is to assist in the conservation of swordfish and bigeye tuna, improve the reliability of statistical information of catches and to assist ICCAT with the elimination of illegal, unreported and unregulated fishing operations.

Timetable:

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

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Chris Rogers, Chief for Highly Migratory Species, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13563, Bldg. SSMC3, Stop F/SF1, Office of Sustainable Fisheries, 1315 East-West Highway, Silver Spring, MD 20910
Phone: 301 713-2347
Fax: 301 713-1917

RIN: 0648-AQ37

624. • ATLANTIC HIGHLY MIGRATORY SPECIES (HMS); 2003 BLUEFIN TUNA QUOTA SPECIFICATIONS AND EFFORT CONTROLS

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 proposes specifications for the Atlantic bluefin tuna (BFT) fishery to set BFT quotas and General category effort controls for the 2003 fishing year. This action will implement the U.S. annual BFT quota

DOC—NOAA

Proposed Rule Stage

as recommended by the International Commission on Conservation of Atlantic Tunas and allocate that quota among the domestic fishing categories. Effort controls for the General category will allocate monthly quotas and set certain restricted fishing days.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Chris Rogers, Chief for Highly Migratory Species, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13563, Bldg. SSMC3, Stop F/SF1, Office of Sustainable Fisheries, 1315 East-West Highway, Silver Spring, MD 20910
Phone: 301 713-2347
Fax: 301 713-1917

RIN: 0648-AQ38

625. • ATLANTIC HIGHLY MIGRATORY SPECIES (HMS); SMALL COASTAL SHARK COMMERCIAL AND RECREATIONAL MANAGEMENT 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: The rule would address small coastal shark commercial and recreational management measures based on a new stock assessment.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Chris Rogers, Chief for Highly Migratory Species, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13563, Bldg. SSMC3, Stop F/SF1, Office of Sustainable Fisheries, 1315 East-West Highway, Silver Spring, MD 20910

Phone: 301 713-2347

Fax: 301 713-1917

RIN: 0648-AQ39

626. • ATLANTIC HIGHLY MIGRATORY SPECIES (HMS); LARGE COASTAL SHARK COMMERCIAL AND RECREATIONAL MANAGEMENT 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: The rule would address large coastal shark commercial and recreational management measures based on a new stock assessment.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	
NPRM Comment	01/00/03	
Period End		

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Chris Rogers, Chief for Highly Migratory Species, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13563, Bldg. SSMC3, Stop F/SF1, Office of Sustainable Fisheries, 1315 East-West Highway, Silver Spring, MD 20910
Phone: 301 713-2347
Fax: 301 713-1917

RIN: 0648-AQ40

627. • 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 216

Legal Deadline: None

Abstract: NMFS is amending the regulations that implement the Atlantic Large Whale Take Reduction Plan, specifically with regard to the straight set of gillnets in the southeast U.S. Restricted Area in waters off the coasts of Georgia and Florida. The intent of this proposed rule is to prohibit straight

sets of gillnets at night from November 15 through March 31, annually to reduce the risk of entanglement of large whales, including the western North Atlantic right whale.

This rule was published on March 27, 2002, in the Federal Register under RIN 0648-AN88.

Timetable:

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

Regulatory Flexibility Analysis

Required: 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

Related RIN: Related To 0648-AN88

RIN: 0648-AQ42

628. • EFH AMENDMENTS TO THE BOTTOMFISH, CRUSTACEANS, AND PRECIOUS CORALS FMPs

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 660

Legal Deadline: NPRM, Statutory, February 2003, Proposed rule to implement FMP amendments. Final, Statutory, May 2003, Final rule to implement FMP amendments.

Abstract: Amendment 8, to the Bottomfish FMP, Amendment 12 to the Crustaceans FMP, and Amendment 6 to the Precious Corals FMP would revise the EFH portions of the subject FMPs and include the Commonwealth of the Northern Mariana Islands and the Pacific Remote Island Areas exclusive economic zones under Western Pacific Fishery Management Council developed management plans.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

DOC—NOAA

Proposed Rule Stage

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-AQ43

629. • INCREASE IN ALLOWABLE PERCENTAGE OF POLLOCK ROE

Priority: Routine and Frequent

Legal Authority: 16 USC 773 et seq; 16 USC 1801 et seq; 16 USC 3631 et seq; PL 106-31; PL 105-277

CFR Citation: 50 CFR 679

Legal Deadline: None

Abstract: This regulatory amendment would increase from 7 to 9 percent the percentage of pollock roe that may be retained by operators of catcher/processors and motherships processing pollock harvested in the BSAI. This action is necessary because catcher/processors and motherships have been able to increase their pollock roe recovery rate since the passage of the American Fisheries Act through cooperative fishing practices and more precise timing of fishing activity.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AQ44

630. • OPENING WATERS TO PACIFIC COD POT FISHING OFF CAPE BARNABAS AND CATON ISLAND IN THE GULF OF ALASKA

Priority: Info./Admin./Other

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 679

Legal Deadline: None

Abstract: This action would remove restriction on directed fishing for Pacific cod by federally permitted vessels using pot gear in waters within 3 nm of Cape Barnabas and Caton Island Steller sea lion haulouts in the Gulf of Alaska. This action is necessary to provide consistency between State of Alaska and Federal fishing regulations.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AQ45

631. • SEASONAL ADJUSTMENT OF CLOSURE AREAS TO POLLOCK AND PACIFIC COD TRAWL FISHING IN WATERS OFF CAPE SARICHEF IN THE BERING SEA SUBAREA

Priority: Info./Admin./Other

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 679

Legal Deadline: None

Abstract: This action will seasonally close a portion of waters located near Cape Sarichef in the Bering Sea subarea to vessels using trawl gear for directed fishing for pollock and Pacific cod. This action is necessary to support NMFS-sponsored research on the effect of fishing on localized abundance of Pacific cod and support a comprehensive program of Steller sea lion protection measures research.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: James W. Balsiger, Administrator, Alaska Region,

Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802

Phone: 907 586-7221

Fax: 907 586-7249

RIN: 0648-AQ46

632. AMEND REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1371(a)(6)

CFR Citation: 50 CFR 216

Legal Deadline: None

Abstract: This action implements certain changes in the prohibitions on importing or exporting marine mammals or marine mammal parts and products that occurred with the enactment of the Marine Mammal Protection Act Amendments of 1994 (Pub. L. 104-238). This action prohibits the export of marine mammals or marine mammal products for purposes other than public display, scientific research, or enhancing the survival of a species or stock and establishes three new categories of exceptions to the prohibition on importing marine mammal parts and products. This is a noncontroversial action that is not significant as it will have only minor effects on a small number of people, most of whom will benefit by the new exceptions.

Timetable:

Action	Date	FR Cite
NPRM	07/00/03	
NPRM Comment	09/00/03	
Period End		

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-AH83

633. PREVENTING HARASSMENT FROM HUMAN ACTIVITIES DIRECTED AT MARINE MAMMALS IN THE WILD

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 et seq

DOC—NOAA

Proposed Rule Stage

CFR Citation: 50 CFR 216**Legal Deadline:** None**Abstract:** This rule would prohibit the public from swimming with or otherwise interacting with dolphins and other marine mammals in the wild.**Timetable:**

Action	Date	FR Cite
ANPRM	01/30/02	67 FR 4379
ANPRM Comment Period End	04/01/02	
NPRM	06/00/03	
NPRM Comment Period End	08/00/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**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**634. ENDANGERED AND THREATENED SPECIES: PERMIT EXEMPTIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq; 16 USC 742a et seq; 31 USC 9701**CFR Citation:** 50 CFR 222**Legal Deadline:** None**Abstract:** NMFS is providing exceptions to prohibitions to allow Federal and State employees to perform conservation activities.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** LaMont Jackson, Fishery Biologist, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Silver Spring, MD 20910

Phone: 301 713-1401

Fax: 301 713-0376

Email: terri.jordan@noaa.gov

RIN: 0648-AO37**635. CAPTIVE STELLER SEA LIONS****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531-1543; 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	06/00/03	
NPRM Comment Period End	07/00/03	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Jennifer Lyn Skidmore, 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**636. 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	11/05/01	66 FR 55909
ANPRM Comment Period End	12/05/01	
NPRM	06/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State**Agency Contact:** Kenneth Hollingshead, Fishery Biologist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources, 1315 East-West Highway, Room 13600, Silver Spring, MD 20910

Phone: 301 713-2322

Fax: 301 713-0376

Email: ken.hollingshead@noaa.gov

RIN: 0648-AP62**637. • DESIGNATING THE EASTERN NORTH PACIFIC SOUTHERN RESIDENT STOCK OF KILLER WHALES AS DEPLETED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1383b**CFR Citation:** 50 CFR 216**Legal Deadline:** None**Abstract:** NMFS anticipates promulgating regulations to designate the Eastern North Pacific, Southern Resident stock of killer whales as depleted under the Marine Mammal Protection Act.**Timetable:**

Action	Date	FR Cite
ANPRM	06/28/02	67 FR 43586
ANPRM Comment Period End	08/30/02	
NPRM	11/00/02	
NPRM Comment Period End	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Thomas C. Eagle, Fishery Biologist, Department of

DOC—NOAA

Proposed Rule Stage

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-AQ00

638. • 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: None

Abstract: This proposed regulatory action is related to RIN 0648-AN88, a final rule which amended the regulations that implement the Atlantic Large Whale Take Reduction Plan and established a Dynamic Area Management (DAM) program. This proposed regulatory action involves the identification of acceptable fishing practices and gear which could be used under the DAM program.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Mary A. Colligan, Assistant Regional Administrator, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS/Protected Resources, Protected Resources Division, One Blackburn Drive, Gloucester, MA 01930
Phone: 978 281-9116
Fax: 978 281-9394

Related RIN: Related To 0648-AN88

RIN: 0648-AQ04

NATIONAL OCEAN SERVICE/OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT

639. 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	12/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Debra Malek, National Marine Sanctuary Program, Department of Commerce, National Oceanic and Atmospheric Administration, N ORM 6, 1305 East-

West Highway, Silver Spring, MD 20910
Phone: 301 713-3125

RIN: 0648-AI91

640. • GRAY'S REEF NATIONAL MARINE SANCTUARY

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1434; 16 USC 1439

CFR Citation: 15 CFR 922.90 to 922.92

Legal Deadline: None

Abstract: This action will amend regulations and designation document for the Gray's Reef National Marine Sanctuary to clarify that the sanctuary boundary includes submerged lands; revise regulations on placing structures on the seabed, fishing, anchoring, discharges, and cultural resources; and revise procedure for issuing sanctuary permits.

Timetable:

Action	Date	FR Cite
NPRM	01/00/03	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Reed Bohne, Manager, Gray's Reef National Marine Sanctuary, Department of Commerce, National Oceanic and Atmospheric Administration, 10 Ocean Science Circle, Savannah, GA 31411
Phone: 912 598-2345
Fax: 912 598-2367
Email: reed.bohne@noaa.gov

RIN: 0648-AQ41

Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Final Rule Stage

NATIONAL MARINE FISHERIES SERVICE

641. REGULATORY AMENDMENT TO ALLOCATE PACIFIC HALIBUT TO THE CHARTER BOAT FLEET

Priority: Substantive, Nonsignificant

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: This action establishes measures to manage the halibut charter boat industry off Alaska.

Timetable:

Action	Date	FR Cite
NPRM	01/28/02	67 FR 3867
NPRM Comment Period End	02/27/02	
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AK17

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Final Rule Stage

642. 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) fishery 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	11/00/02	

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

Agency Contact: John Dunnigan, 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: john.dunnigan@noaa.gov

RIN: 0648-AK40**643. 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: NMFS proposes regulations to implement those provisions of the Comprehensive Amendment Addressing Sustainable Fishery Act (SFA) Definitions and other Required Provision of the Magnuson-Stevens Act in the FMP of the U.S. Caribbean

(Comprehensive SFA Amendment) that would modify and/or add framework procedures to the FMPs for reef fish, corals and reef associated plants and invertebrates, queen conch, and spiny lobster. These FMP framework modifications/additions would allow timely modification/addition of required stock parameters and management measures related to preventing overfishing and rebuilding overfished stocks. The intended effect is to provide a more efficient mechanism for implementation of improved estimates of stock parameters and necessary management measures as better information becomes available.

Timetable:

Action	Date	FR Cite
Final Rule	05/01/02	67 FR 21598
Final Action	05/00/03	

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**644. REGULATORY AMENDMENT TO CHANGE THE REGULATIONS IMPLEMENTING THE NORTH PACIFIC OBSERVER PROGRAM****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: 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	04/02/02	67 FR 15517
NPRM Comment Period End	05/01/02	
Final Action	11/00/02	

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

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AM44**645. FRAMEWORK REGULATORY AMENDMENT FOR THE ATLANTIC HIGHLY MIGRATORY SPECIES (HMS); FISHING VESSEL PERMITS; CHARTER BOAT OPERATIONS****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 framework regulatory amendment to the HMS FMP will adjust gear/permitting/reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/26/02	67 FR 20716
NPRM Comment Period End	05/23/02	
Final Action	11/00/02	

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

Additional Information: Correction to comment period end date, changing from 05/28/02 to 05/23/02, was published in the Federal Register 05/02/02, 67 FR 22165.

Agency Contact: Chris Rogers, Chief for Highly Migratory Species,

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Final Rule Stage

Department of Commerce, National Oceanic and Atmospheric Administration, Room 13563, Bldg. SSMC3, Stop F/SF1, Office of Sustainable Fisheries, 1315 East-West Highway, Silver Spring, MD 20910
Phone: 301 713-2347
Fax: 301 713-1917

RIN: 0648-AM91

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

Priority: Other Significant

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	09/24/02	67 FR 59824
NPRM Comment Period End	10/24/02	
Final Action	02/00/03	

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

647. ATLANTIC HIGHLY MIGRATORY SPECIES FISHERIES; MONITORING OF THE ATLANTIC BILLFISH AND SWORDFISH RECREATIONAL FISHERIES

Priority: Other Significant

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	12/26/01	66 FR 66386
NPRM Comment Period End	02/25/02	
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Chris Rogers, Chief for Highly Migratory Species, Department of Commerce, National Oceanic and Atmospheric Administration, Room 13563, Bldg. SSMC3, Stop F/SF1, Office of Sustainable Fisheries, 1315 East-West Highway, Silver Spring, MD 20910
Phone: 301 713-2347
Fax: 301 713-1917

RIN: 0648-AN06

648. 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
Notice	04/18/02	67 FR 19155
NPRM	06/25/02	67 FR 42744
NPRM Comment Period End	08/09/02	
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No

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

649. 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

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 679

Legal Deadline: Other, Statutory, American Fisheries Act requires regulatory implementation prior to January 2000.

Abstract: This rule would implement: (1) permitting requirements for AFA pollock catcher vessels, catcher vessel cooperatives, c/p motherhips, and shoreside processors; (2) new pollock allocation regime for allocations to catcher vessel cooperatives; (3) new recordkeeping and reporting requirements for vessels and processors; (4) new restrictions on participation of AFA pollock vessels in non-pollock fisheries; and (5) restrictions on ability of AFA pollock processors to process non-pollock groundfish and crab species from the Bering Sea and Gulf of Alaska.

Timetable:

Action	Date	FR Cite
Notice	11/17/01	66 FR 59225
NPRM	12/17/01	66 FR 65028
Comment Period End	01/28/02	
NPRM Comment Period End	01/31/02	
Final Action	11/00/02	

DOC—NOAA

Final Rule Stage

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** None**Agency Contact:** James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249**RIN:** 0648—AN55**650. 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	06/20/02	67 FR 41936
NPRM Comment Period End	07/23/02	
Final Action	11/00/02	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**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—AN68**651. 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	11/15/01	66 FR 57409
NPRM Comment Period End	12/31/01	
Final Action	11/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** John Dunnigan, 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: john.dunnigan@noaa.gov**RIN:** 0648—AO93**652. AMERICAN LOBSTER FISHERY; REVISIONS TO LOBSTER TRAP LIMITS, CONSERVATION EQUIVALENCY 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	01/03/02	67 FR 282
NPRM Comment Period End	02/19/02	
Comment Period Extended	02/19/02	67 FR 4697
Final Action	11/00/02	

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**653. 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 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

DOC—NOAA

Final Rule Stage

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	06/24/02	67 FR 42525
NPRM Comment Period End	07/24/02	
Final Action	11/00/02	

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

Agency Contact: D. Robert Lohn, 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
Fax: 206 526-6426

RIN: 0648-AP39

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

Abstract: This rule would implement Amendment 5 to the Fishery Management Plan (FMP) for the Shrimp Fishery of the South Atlantic Region. This rule would: (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, 2000 and (b) can demonstrate landings of at least 15,000 pounds in any one year from 1996 to 2000; (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) require any vessel fishing for rock shrimp in the South Atlantic Council's EEZ 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.

Timetable:

Action	Date	FR Cite
Notice	07/25/02	67 FR 48603
NPRM	09/04/02	67 FR 56516
NPRM Comment Period End	10/21/02	
Final Action	01/00/03	

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

655. 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
NPRM	07/11/02	67 FR 45952
NPRM Comment Period End	07/26/02	
Final Action	11/00/02	

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

656. AMENDMENT TO REGULATIONS FOR OBSERVER AT-SEA ELECTRONIC COMMUNICATION EQUIPMENT REQUIREMENTS FOR VESSELS AND SHORESIDE PROCESSORS IN THE NORTH PACIFIC GROUND FISH FISHERIES

Priority: Other Significant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 679

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

Abstract: This rulemaking would refine requirements for the facilitation of observer data transmission and improve support for observers. The rulemaking is intended to assure continued collection of high-quality observer data to support the management objectives of the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area and the Fishery Management Plan for Groundfish of the Gulf of Alaska.

Timetable:

Action	Date	FR Cite
NPRM	07/25/02	67 FR 48604
NPRM Comment Period End	08/26/02	
Final Rule	12/00/02	

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

DOC—NOAA

Final Rule Stage

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AP66

657. AMENDMENT 69 TO THE BSAI FMP — AFA COOP LEASING

Priority: Routine and Frequent

Legal Authority: 16 USC 1801 et seq; 16 USC 773 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 rulemaking would amend the Fishery Management Plan for the Groundfish Fishery of the Bering Sea Aleutian Islands Area (BSAI) (Amendment 69) to allow American Fisheries Act (AFA) inshore pollock cooperatives to contract with inshore catcher vessel members of other cooperatives for the purpose of harvesting the cooperative's BSAI pollock allocation.

This rulemaking would alter the AFA inshore cooperative structure. The change would allow one inshore cooperative to contract with members of another inshore cooperative to harvest a portion of the first cooperative's BSAI pollock allocation. This is currently not allowed, since only members of a given cooperative are allowed to harvest any portion of that cooperative's allocation. Cooperatives are concerned that they might not be able to achieve a full harvest of their pollock allocation under some conditions in any given year. This amendment would result in a structure that would better ensure that cooperatives are able to harvest all of their allocation.

Timetable:

Action	Date	FR Cite
Notice	07/05/02	67 FR 47794
NRPMP	08/23/02	67 FR 54610
Notice Comment Period End	09/03/02	
NPRM Comment Period End	10/07/02	
Final Action	02/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AP71

658. PROTECT NORTHEAST MULTISPECIES GROUND FISH STOCKS

Priority: Other Significant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 648

Legal Deadline: None

Abstract: The National Marine Fisheries Service implemented interim measures intended to reduce overfishing on species managed under the Northeast Multispecies Fishery Management Plan. The interim rules implemented restrictions specified in the Settlement Agreement Among Certain Parties which was ordered to be implemented by the U.S. District Court for the District of Columbia.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/29/02	67 FR 21140
Interim Final Rule Effective	05/01/02	
Interim Final Rule	05/06/02	67 FR 30331
Interim Final Rule	06/05/02	67 FR 38608
NPRM	07/01/02	67 FR 44139
Interim Final Rule Comment Period End	07/05/02	
NPRM Comment Period End	07/16/02	
Interim Final Rule	08/01/02	67 FR 50292
Final Action	02/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: 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-AP78

659. AMENDMENT 60 TO THE FISHERY MANAGEMENT PLAN FOR THE GROUND FISH FISHERY OF THE GULF OF ALASKA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 679

Legal Deadline: None

Abstract: This Amendment is intended to protect the depressed king and Tanner crab stocks in Cook Inlet by minimizing bycatch and the mortality of such bycatch. Prohibiting non-pelagic trawl operations will protect this habitat and promote the rebuilding of the crab resources in the Cook Inlet portion of the GOA.

Timetable:

Action	Date	FR Cite
Notice	05/14/02	67 FR 34424
NPRM	06/13/02	67 FR 40680
NPRM Comment Period End	07/29/02	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: None

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AP79

660. PACIFIC TUNA FISHERIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 955

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

DOC—NOAA

Final Rule Stage

set forth at 50 CFR part 300 subpart C.

Timetable:

Action	Date	FR Cite
Final Action	11/00/02	

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-AP86

661. ANNOUNCEMENT OF THE OPTIMUM YIELD AND HARVEST LIMIT FOR PACIFIC SARDINE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 660

Legal Deadline: Final, Statutory, January 1, 2003, The CPS fisheries regulations require that the annual specs for Pacific sardine be published in the Federal Register before January 1, the start of the fishing year.

Abstract: This rule will announce the annual harvest guidelines for Pacific sardine in the exclusive economic zone off the Pacific coast. The catch sharing plan (CSP) FMP and its implementing regulations require NMFS to establish an annual harvest guideline for Pacific sardine based on a formula in the Fishery Management Plan (FMP). This harvest guideline has been calculated according to the regulations implementing the Coastal Pelagic Species FMP and establishes allowable harvest levels for Pacific sardine off the Pacific coast.

Timetable:

Action	Date	FR Cite
Final Action	12/00/02	

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-AP88

662. ATLANTIC HIGHLY MIGRATORY SPECIES (HMS); REGULATORY ADJUSTMENTS; NOAA INFORMATION COLLECTION REQUIREMENTS

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 622

Legal Deadline: None

Abstract: This rule corrects the cross-references in several parts to regulations that have since been removed, and it updates the table in 15 CFR 902.1(b) to add new OMB approvals and to correct control number references to the appropriate CFR part or section.

Timetable:

Action	Date	FR Cite
Final Action	11/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: John H. Dunnigan, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, 1315 East-West Highway 13350, Silver Spring, MD
Phone: 301 713-2334

RIN: 0648-AP89

663. ATLANTIC HIGHLY MIGRATORY SPECIES (HMS); 2002 BLUEFIN TUNA QUOTA SPECIFICATIONS AND EFFORT CONTROLS

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 proposes specifications for the Atlantic bluefin tuna (BFT) fishery to set BFT quotas and general category effort controls for the 2002 fishing year. This action will implement the U.S. annual BFT quota as recommended by the International Commission on Conservation of Atlantic Tunas and allocate that quota

among the domestic fishing categories. Effort controls for the general category will allocate monthly quotas and set certain restricted fishing days.

Timetable:

Action	Date	FR Cite
NPRM	06/27/02	67 FR 43266
NPRM Comment Period End	07/24/02	
Final Action	11/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: John H. Dunnigan, Director, Office of Sustainable Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, 1315 East-West Highway 13350, Silver Spring, MD
Phone: 301 713-2334

RIN: 0648-AP90

664. • EXTENSION OF AN EMERGENCY INTERIM RULE TO IMPLEMENT 2002 STELLER SEA LION PROTECTION MEASURES AND HARVEST SPECIFICATIONS FOR THE BERING SEA/ALEUTIAN ISLANDS AREA AND THE GULF OF ALASKA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 773 et seq; 16 USC 1801 et seq; 16 USC 3631 et seq

CFR Citation: 50 CFR 679

Legal Deadline: Other, Statutory, July 8, 2002, Extension of emergency interim rule.

Abstract: The extension of an emergency interim rule continues to implement Steller sea lion protection measures to avoid the likelihood that the groundfish fisheries off Alaska will jeopardize the continued existence of the western population of Steller sea lions or adversely modify their critical habitat. This action also extends final 2002 harvest specifications and associated management measures for the groundfish fisheries of the Bering Sea and Aleutian Islands management area and the Gulf of Alaska through December 31, 2002.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/16/02	67 FR 34860
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

DOC—NOAA

Final Rule Stage

Government Levels Affected: None

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

Related RIN: Related To 0648-AP69

RIN: 0648-AQ02

665. • FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA — REGULATORY AMENDMENT TO IMPLEMENT STELLER SEA LION PROTECT MEASURES

Priority: Economically Significant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 679

Legal Deadline: None

Abstract: This regulatory amendment would implement Steller sea lion protection measures to avoid the likelihood that the groundfish fisheries off Alaska will jeopardize the continued existence of the western distinct population segment of Steller sea lions or adversely modify its critical habitat.

Timetable:

Action	Date	FR Cite
NPRM	09/04/02	67 FR 56692
NPRM Comment Period End	10/04/02	
Final Action Effective	01/00/03	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AQ08

666. • SUBSISTENCE FISHERY FOR PACIFIC HALIBUT IN WATERS OFF ALASKA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 773-773k

CFR Citation: 50 CFR 300; 50 CFR 679

Legal Deadline: None

Abstract: NMFS proposes regulations to authorize a subsistence fishery for Pacific halibut in waters off Alaska. These regulations are necessary to allow qualified persons to practice the long-term customary and traditional harvest of Pacific halibut for food in a noncommercial manner. This action is intended to meet the conservation and management requirements of the Northern Pacific Halibut Act of 1982 (Halibut Act) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Timetable:

Action	Date	FR Cite
NPRM	08/26/02	67 FR 54767
NPRM Comment Period End	09/25/02	
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AQ09

667. • IMPLEMENTATION OF NEW DEPTH-BASED MANAGEMENT MEASURES IN THE PACIFIC COAST GROUND FISH FISHERY

Priority: Economically Significant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 660

Legal Deadline: None

Abstract: This emergency rulemaking would allow additional depth-based management measures to be incorporated into the suite of routine management measures that can be used by the Pacific Fishery Management Council and NMFS in the Pacific Coast Groundfish fishery. The emergency rule published on 9/13/02 published under RIN 0648-AP85.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	09/10/02	

Action	Date	FR Cite
Interim Final Rule	09/13/02	67 FR 57973
Interim Final Rule Comment Period End	10/15/02	
Final Action	05/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: The Emergency Rule published on 9/13/02 was published with an incorrect RIN: 0648-AP85.

Agency Contact: D. Robert Lohn, 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
Fax: 206 526-6426

RIN: 0648-AQ14

668. • CAPITAL CONSTRUCTION FUND PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 46 USC 1177

CFR Citation: 50 CFR 259

Legal Deadline: None

Abstract: Simplifies and clarifies program regulations and eases restrictions on reconstructions to promote fleet safety, reliability, and efficiency.

Timetable:

Action	Date	FR Cite
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No

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-AQ16

DOC—NOAA

Final Rule Stage

669. • 2003-2004 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 2003.

Abstract: The annual management measures for the 2003-2004 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	05/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: D. Robert Lohn, 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
Fax: 206 526-6426

RIN: 0648-AQ17

670. • EMERGENCY RULE — GROUND FISH FISHERY MANAGEMENT MEASURES FOR JANUARY THROUGH FEBRUARY 2003

Priority: Economically Significant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 660

Legal Deadline: Final, Statutory, January 1, 2003, Emergency Rule January-February management measures.

Abstract: This emergency rulemaking would implement the January through February 2003 management measures for groundfish taken in the U.S. exclusive economic zone and State waters off the coasts of Washington, Oregon, and California. These management measures are intended to allow achievement of harvest guidelines and limited entry and open

access allocations to the extent practicable.

Timetable:

Action	Date	FR Cite
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: D. Robert Lohn, 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
Fax: 206 526-6426

RIN: 0648-AQ19

671. • EMERGENCY ACTION TO EXPEDITE REALLOCATION OF SARDINE IN THE WEST COAST COASTAL PELAGIC SPECIES FISHERY

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1801 et seq

CFR Citation: 50 CFR 660

Legal Deadline: None

Abstract: This emergency rule would expedite the reallocation of Pacific sardine along the West Coast to minimize economic harm to fishermen and processors in communities of Washington, Oregon and northern California. The Coastal Pelagic Species Fishery Management Plan provides that an annual harvest guideline for Pacific sardine be announced in January each year, with an initial allocation of one-third of the harvest guideline to the northern area and two-thirds of the allocation to the southern area. After nine months, the Southwest Regional Administrator, NMFS, determines the catches to date and, if the harvest guideline has not been reached, allocates the remaining portion of the harvest guideline equally between the northern and southern areas. The sardine industry in the northern area has grown rapidly the past two years. This year the northern allocation was taken before the end of the 9-month period; therefore, the northern fishery was closed effective September 13, 2002. There is substantial unharvested sardine left in the total harvest guideline. Consequently, the

Pacific Fishery Management Council requested that NMFS take emergency action to minimize the effects of this closure. The closure of the northern fishery is viewed as resulting in an unnecessary loss of revenue and jobs. Sardine would normally become available again to the northern fishery with the reallocation on October 1, 2002. The reallocation is expected to result in increased catches, landed value, fishing and processing income, and associated community activity. It is further noted that this is not likely to adversely affect southern fishermen and processors because they would continue to have fish available for the rest of the year. NMFS does not expect this emergency rule to cause any biological problems because the harvest guideline would still control total catch.

Timetable:

Action	Date	FR Cite
Final Action	11/00/02	

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-AQ47

672. 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 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 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

DOC—NOAA

Final Rule Stage

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	12/00/02	

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-AO70

673. 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	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal

Energy Effects: Statement of Energy Effects planned as required by Executive Order 13211.

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

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RIN: 0648-AO84

674. ATLANTIC LARGE WHALE 2002 SEASONAL AREA MANAGEMENT (SAM) PROGRAM

Priority: Other Significant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 229

Legal Deadline: NPRM, Judicial, November 23, 2001, The Federal District Court for the District of Massachusetts order. Final, Judicial, December 31, 2001, The Federal District Court for the District of Massachusetts order.

Abstract: NMFS is preparing regulations to implement a SAM program for the 2002 fishing year, which was identified as a measure under the RPA that resulted from the biological opinions prepared for the Northeast multispecies, monkfish, spiny dogfish, and American lobster fisheries. The 2002 SAM program is intended as an incremental step to provide endangered western North Atlantic right whales protection from entanglement with fishing gear used in those fisheries. NMFS is preparing an EIS for more comprehensive SAM regulations for 2003 and beyond, in accordance with the National Environmental Policy Act (NEPA), to analyze the impacts on the human environment of the management alternatives under consideration. The measures that have been identified for

the 2002 SAM proposed rulemaking requires reduction, elimination, and/or modification of certain types of fixed gear (i.e., gillnets and lobster traps) in specific areas off the Atlantic coast of the United States during times of the year when right whales are known to be present in significant concentrations.

Timetable:

Action	Date	FR Cite
ANPRM	10/03/01	66 FR 50390
ANPRM Comment Period End	11/02/01	
NPRM	11/28/01	66 FR 59394
NPRM Comment Period End	12/13/01	
Interim Final Rule	01/09/02	67 FR 1142
Interim Final Rule Comment Period End	02/08/02	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses, Organizations**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-AP68

675. 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.

DOC—NOAA

Final Rule Stage

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	
Comment Period Extended	11/02/01	
Final Action	02/00/03	

**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

**676. 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 allows 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	08/24/01	66 FR 44549
Final Action	05/00/03	

**Regulatory Flexibility Analysis
Required:** Yes

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

**677. 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: This draft policy evaluates conservation efforts in making listing decisions under the Endangered Species Act (ESA). The 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	12/00/02	

**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

**678. 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 rule to 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 degrees 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.

Timetable:

Action	Date	FR Cite
ANPRM	04/05/00	65 FR 17852
ANPRM Comment Period End	05/05/00	
NPRM	10/02/01	66 FR 50148
NPRM Comment Period End	11/16/01	
Comment Period Extended	02/15/02	
Final Action	12/00/02	

**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

**679. 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.

DOC—NOAA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/19/00	65 FR 79328
NPRM Comment Period End	02/20/01	
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Barry Thom, 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: barry.thom@noaa.gov

RIN: 0648-AO04

680. 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	11/00/02	

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

681. RESTRICTIONS ON POUND NET LEADERS TO ENHANCE TURTLE PROTECTION IN VIRGINIA; THREATENED AND ENDANGERED SEA TURTLE CONSERVATION**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 222; 50 CFR 223; 50 CFR 224**Legal Deadline:** None

Abstract: This action involves prohibiting the use of all pound net leaders measuring 12 inches or greater stretched mesh and all pound nets with stringer leaders in the Virginia waters of the mainstem Chesapeake Bay and the waters of the James River, York River, and Rappahannock River downstream of the first bridge in each tributary from May 8 to June 30. This action also includes a provision to extend the regulation if NMFS believes that sea turtles may still be vulnerable to entanglement in pound net leaders after June 30. Should an extension of the prohibition of pound net leaders measuring 12 inches or greater stretched mesh and leaders with stringers be necessary, NMFS will file a notification with the Office of the Federal Register explicitly stating the duration of the extension. Additionally, this proposed rule incorporates a measure that if high strandings start to occur and/or monitoring of pound net leaders reveals new information about sea turtle interactions with pound net leaders less than 12 inches stretched mesh, NMFS may determine that additional restrictions are necessary. Should this occur, NMFS will immediately file a final rule with the Office of the Federal Register which explicitly states the mandatory gear modification as well as the affected area and the time period. Such additional restrictions may include prohibiting the use of all pound net leaders measuring 8 inches or greater stretched mesh or prohibiting the use of all pound net leaders regardless of mesh size in the Virginia waters of the mainstem Chesapeake Bay and portions of the Virginia tributaries from the date of publication to June 30.

Timetable:

Action	Date	FR Cite
NPRM	03/29/02	67 FR 15160

Action	Date	FR Cite
NPRM Comment Period End	04/15/02	
Interim Final Rule	06/17/02	67 FR 41196
Interim Final Rule Comment Period End	07/17/02	
Final Action	05/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Mary A. Colligan, Assistant Regional Administrator, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS/Protected Resources, Protected Resources Division, One Blackburn Drive, Gloucester, MA 01930
Phone: 978 281-9116
Fax: 978 281-9394

RIN: 0648-AP81

682. 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 is enacting a seasonally adjusted closure of the Mid-Atlantic Exclusive Economic Zone (EEZ) waters to fishing with gillnets with a mesh size larger than 8 inch (20.3 cm) stretched mesh. The purpose of this action is to reduce the impact of the large-mesh gillnet fisheries on endangered and threatened species of sea turtles primarily from the monkfish fishery which has previously demonstrated a high sea turtle bycatch and mortality rate. The closure areas and times are as follows: waters north of 33 degrees 51.0 minutes N (North Carolina/South Carolina border at the coast) and south of 35 degrees 46.0 minutes N (Oregon Inlet) are closed at all times; waters north of 35 degrees 46.0 minutes N (Oregon Inlet) and south of 36 degrees 22.5 minutes N (Currituck Beach Light, NC) are closed from March 16 through January 14; waters north of 36 degrees 22.5 minutes N (Currituck Beach Light, NC) and south of 37 degrees 34.6 minutes N (Wachapreague Inlet, VA) are closed from April 1 through January 14; waters north of 37 degrees 34.6 minutes N (Wachapreague Inlet, VA) and south of 37 degrees 56.0 minutes N

DOC—NOAA

Final Rule Stage

(Chincoteague, VA) are closed from April 16 through January 14; waters north of 37 degrees 56.0 minutes N (Chincoteague, VA) will not be affected by this rule. NMFS also intends to publish a permanent rule establishing seasonal closures and is seeking comments on this proposal. In addition, NMFS is requesting comments on the need to consider restrictions on smaller gillnet mesh sizes in the permanent rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/21/02	67 FR 13098
Final Action	12/00/02	

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

Agency Contact: Patrick Opay, Sea Turtle Ecologist, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Hwy., Silver Spring, MD 20910
Phone: 301 713-1401

RIN: 0648-AP91

683. • LISTING ENDANGERED AND THREATENED WILDLIFE AND DESIGNATING CRITICAL HABITAT; 90-DAY FINDING

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 et seq

CFR Citation: 50 CFR 223

Legal Deadline: None

Abstract: The National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce, announces the 90-day finding for a petition to reclassify the Northern and Florida Panhandle nesting subpopulations of the loggerhead (*Caretta caretta*) sea turtle from threatened to endangered and designate critical habitat under the Endangered Species Act (ESA). The Services find that the petition to reclassify presents substantial scientific information indicating that the petitioned action may be warranted. The Services find that the petition to designate critical habitat did not provide substantial scientific information to warrant further review. The Services will conduct a status review of the loggerhead turtle to determine whether the petitioned

action is warranted. To ensure a comprehensive review, the Services are soliciting information and comments pertaining to this species from any interested party.

Timetable:

Action	Date	FR Cite
NPRM	06/04/02	67 FR 38459
NPRM Comment Period End	08/05/02	
Final Action	01/00/03	

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-AP94

684. • DESIGNATION OF CRITICAL HABITAT FOR GULF STURGEON

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 226

Legal Deadline: NPRM, Judicial, May 23, 2002.
Final, Judicial, February 28, 2003.

Abstract: The National Marine Fisheries Service and U.S. Fish and Wildlife Service (collectively, the Services) jointly listed the Gulf sturgeon as "threatened" under the Endangered Species Act (ESA) in 1991. The ESA requires that critical habitat be designated for any listed species. On June 6, 2002, the Services proposed designating critical habitat for the Gulf sturgeon. The proposed designation includes seven freshwater and seven estuarine/marine units in the Gulf of Mexico as critical habitat. All of the units proposed as critical habitat are areas presently occupied by Gulf sturgeon during part of its life cycle. On August 8, 2002, the Services announced the availability of a draft economic analysis of the proposed designation, and extended the public comment period for the proposal to October 7, 2002. A final designation must be filed by February 28, 2003, per a court settlement agreement.

Timetable:

Action	Date	FR Cite
NPRM	06/06/02	67 FR 39106
Comment Period Extended	08/08/02	67 FR 51530
NPRM Comment Period End	10/07/02	
Final Action	05/00/03	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal

Agency Contact: Stephania Bolden, Fisheries Biologist, Department of Commerce, National Oceanic and Atmospheric Administration, F/SER3, 9721 Executive Center Drive North, St. Petersburg, FL 33702
Phone: 727 570-5312

RIN: 0648-AQ03

685. • TAKING OF THREATENED OR ENDANGERED SPECIES INCIDENTAL TO COMMERCIAL FISHING OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 et seq

CFR Citation: 50 CFR 222; 50 CFR 223

Legal Deadline: None

Abstract: The National Marine Fisheries Service (NMFS) proposes to prohibit drift gillnet fishing in U.S. ocean waters off of southern California south of Point Conception (34 degrees 27 minutes N) and west to 120 degrees W longitude from August 15 to August 31, and from January 1 to January 31, during El Nino events.

Timetable:

Action	Date	FR Cite
NPRM	09/20/02	67 FR 59243
NPRM Comment Period End	10/21/02	
Final Action	01/00/03	

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-AQ13

DOC—NOAA

Final Rule Stage

686. • TAKING OF MARINE MAMMALS INCIDENTAL TO COMMERCIAL FISHING OPERATIONS; ATLANTIC LARGE WHALE TAKE REDUCTION PLAN REGULATIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1387**CFR Citation:** 50 CFR 229**Legal Deadline:** None

Abstract: NMFS is proposing to amend the regulations that implement the Atlantic Large Whale Take Reduction Plan. The purpose of this rule is to correct unintended errors in the Seasonal Area Management interim final rule and the Dynamic Area Management final rule's preambles. Some aspects of each program were inadvertently omitted from the associated regulatory text and this technical amendment makes the regulatory text reflect information provided in the rules' preambles.

Timetable:

Action	Date	FR Cite
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: 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-AQ23**NATIONAL OCEAN SERVICE/OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT****687. NATURAL RESOURCE DAMAGE ASSESSMENTS UNDER THE OIL POLLUTION ACT OF 1990****Priority:** Other Significant**Legal Authority:** 33 USC 2706(e)**CFR Citation:** 15 CFR 990**Legal Deadline:** None

Abstract: This action 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	07/31/01	66 FR 39464
Final Action	11/00/02	

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)

Long-Term Actions

National Oceanic and Atmospheric Administration (NOAA)

NATIONAL MARINE FISHERIES SERVICE**688. FISHERY MANAGEMENT PLAN FOR CALICO SCALLOP FISHERY IN THE SOUTH ATLANTIC REGION (FMP)****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 622**Timetable:**

Action	Date	FR Cite
NPRM	11/00/03	
NPRM Comment	12/00/03	
Period End		

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

Agency Contact: Joseph Powers
Phone: 727 570-5301

RIN: 0648-AL78**689. AMENDMENT 10 TO THE FISHERY MANAGEMENT PLAN FOR THE SHRIMP FISHERY OF THE GULF OF MEXICO (FMP)****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 622**Timetable:**

Action	Date	FR Cite
NPRM	11/00/03	
NPRM Comment	12/00/03	
Period End		

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

Agency Contact: Joseph Powers
Phone: 727 570-5301

RIN: 0648-AM23**690. AMENDMENT 7 TO THE FISHERY MANAGEMENT PLAN FOR THE SPINY LOBSTER FISHERY OF THE GULF OF MEXICO AND SOUTH ATLANTIC FMP****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 640**Timetable:**

Action	Date	FR Cite
NPRM	11/00/03	
NPRM Comment	12/00/03	
Period End		

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

Agency Contact: Joseph Powers
Phone: 727 570-5301

RIN: 0648-AN08**691. SEA TURTLE CONSERVATION REGULATIONS; FISHERY ACTIVITIES (TEDS)****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 223**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:** Businesses**Government Levels Affected:** None

DOC—NOAA

Long-Term Actions

Agency Contact: Therese Conant

Phone: 301 713-1431

Fax: 301 713-0376

RIN: 0648-AP16

692. • FISHERIES OF THE NORTHEASTERN UNITED STATES; ATLANTIC MACKEREL, SQUID, AND BUTTERFISH FISHERIES; CONTROL DATE FOR ATLANTIC MACKEREL**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** None

Abstract: NMFS announces that it is considering, and is seeking public comment on, proposed rulemaking to control future access to the Atlantic mackerel resource if a management regime is developed and implemented under the Magnuson-Stevens Fishery conservation and Management Act that limits the number of participants in the fishery. This announcement is intended, in part, to promote awareness of potential eligibility criteria for future access so as to discourage speculative entry into the fishery while the Mid-Atlantic Fishery Management Council and NMFS consider whether and how access to the Atlantic mackerel fishery should be controlled.

Timetable:

Action	Date	FR Cite
Final Action	07/05/02	67 FR 44792
Comment Period End	08/05/02	
Next Action	Undetermined	

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-AQ11

693. 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
Next Action	Undetermined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Barry Thom

Phone: 301 713-1401

Email: barry.thom@noaa.gov

RIN: 0648-AJ91

694. NORTH ATLANTIC WHALE PROTECTION**Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 216; 50 CFR 222**Timetable:**

Action	Date	FR Cite
ANPRM	01/04/00	65 FR 270
ANPRM Comment Period End	03/06/00	
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Trevor Spradlin

Phone: 301 713-2289

Email: trevor.spradlin@noaa.gov

RIN: 0648-AM85

NATIONAL OCEAN SERVICE/OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT**695. INTERAGENCY CONSULTATION FOR THE NATIONAL MARINE SANCTUARY PROGRAM****Priority:** Other Significant**CFR Citation:** 15 CFR 922**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Helen Golde

Phone: 301 713-3145

RIN: 0648-AL06

696. 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 Period End	10/23/00	
Next Action	Undetermined	

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

Undetermined

Agency Contact: Helen Golde

Phone: 301 713-3145

RIN: 0648-AO36

697. • PROCEDURAL CHANGES TO THE FEDERAL CONSISTENCY PROCESS**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1463; 16 USC 1451 et seq**CFR Citation:** 15 CFR 930**Legal Deadline:** None

Abstract: NOAA is evaluating whether procedural changes or additional guidance to the existing Federal consistency regulations is necessary to improve efficiencies in the Federal consistency procedures and Secretarial appeals process, particularly as related to energy development on the Outer Continental Shelf (OCS).

Timetable:

Action	Date	FR Cite
ANPRM	07/02/02	67 FR 44407
ANPRM Comment Period End	09/03/02	
Next Action	Undetermined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:**

Undetermined

Agency Contact: David W. Kaiser, Federal Consistency Coordinator, Department of Commerce, National Oceanic and Atmospheric Administration, 1305 East-West Highway, 11th Floor, Silver Spring, MD 20910

Phone: 301 713-3155

Fax: 301 713-4367

Email: david.kaiser@noaa.gov

RIN: 0648-AP98

DOC—NOAA

Long-Term Actions

OFFICE OF THE ADMINISTRATOR

698. 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)

National Oceanic and Atmospheric Administration (NOAA)

Completed Actions

699. 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

CFR Citation: 50 CFR 660

Completed:

Reason	Date	FR Cite
NPRM	05/06/02	67 FR 30346
Final Action	09/04/02	67 FR 56500

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Charles Karnella
Phone: 808 973-2937

RIN: 0648-AJ08

700. ADJUSTMENT OF THE MANAGEMENT PROGRAM FOR PRECIOUS CORALS FISHERIES IN THE WESTERN PACIFIC

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 660

Completed:

Reason	Date	FR Cite
Final Action	03/18/02	67 FR 11941
Final Action Effective	04/17/02	

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: None

Agency Contact: Charles Karnella
Phone: 808 973-2937

RIN: 0648-AK23

701. AMENDMENT 54 TO FMP FOR GROUND FISH FISHERY OF BERING SEA AND ALEUTIAN ISLANDS AREA AND AMENDMENT 54 TO FMP FOR GROUND FISH OF GULF OF ALASKA

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 679

Completed:

Reason	Date	FR Cite
Final Action	04/29/02	67 FR 20915
Final Action Effective	05/29/02	

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: None

Agency Contact: James W. Balsiger
Phone: 907 586-7221

Fax: 907 586-7249

RIN: 0648-AK70

702. FISHING CAPACITY REDUCTION PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 600

Completed:

Reason	Date	FR Cite
Interim Final Rule	05/18/00	65 FR 31430

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Michael L. Grable
Phone: 301 713-2390

Email: michael.grable@noaa.gov

RIN: 0648-AK76

703. CRAB COMMUNITY DEVELOPMENT QUOTA RESERVES

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 679

Completed:

Reason	Date	FR Cite
Final Action	03/22/02	67 FR 13291

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: None

Agency Contact: James W. Balsiger

Phone: 907 586-7221

Fax: 907 586-7249

RIN: 0648-AL92

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

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 679

Completed:

Reason	Date	FR Cite
Final Action	04/15/02	67 FR 18129
Correction	08/15/02	67 FR 53321

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: None

Agency Contact: James W. Balsiger

Phone: 907 586-7221

Fax: 907 586-7249

RIN: 0648-AM40

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

Priority: Other Significant

CFR Citation: 50 CFR 660

Completed:

Reason	Date	FR Cite
NPRM	04/29/02	67 FR 20945
Final Action	06/12/02	67 FR 40232
Correction	07/25/02	67 FR 48604

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: None

Agency Contact: Charles Karnella

Phone: 808 973-2937

RIN: 0648-AN75

DOC—NOAA

Completed Actions

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

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 622

Completed:

Reason	Date	FR Cite
Final Action	07/19/02	67 FR 47467

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Joseph Powers
Phone: 727 570-5301

RIN: 0648-AN83

707. AMENDMENT 3 TO THE FISHERY MANAGEMENT PLAN FOR THE GOLDEN CRAB FISHERY OFF THE SOUTHERN ATLANTIC STATES (FMP)

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 622

Completed:

Reason	Date	FR Cite
Final Action	05/03/02	67 FR 22359

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Joseph Powers
Phone: 727 570-5301

RIN: 0648-AO23

708. REGULATORY AMENDMENT TO MODIFY THE MANAGEMENT PROGRAM FOR THE WESTERN PACIFIC PELAGIC FISHERIES TO MITIGATE THE TAKE OF SEABIRDS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 660

Completed:

Reason	Date	FR Cite
Final Rule	05/14/02	67 FR 34408
Final Rule Effective	06/13/02	
Final Action	09/10/02	67 FR 57346

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: State,
LocalAgency Contact: Charles Karnella
Phone: 808 973-2937

RIN: 0648-AO35

709. AMENDMENT 11 TO FISHERY MANAGEMENT PLAN FOR SHRIMP FISHERY OF GULF OF MEXICO (FMP)

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 622

Completed:

Reason	Date	FR Cite
Final Action	08/07/02	67 FR 51074
Final Action Effective	09/06/02	

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: None

Agency Contact: Joseph Powers
Phone: 727 570-5301

RIN: 0648-AO51

710. 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

CFR Citation: 50 CFR 622

Completed:

Reason	Date	FR Cite
Final Action	06/28/02	67 FR 43558

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: None

Agency Contact: Joseph Powers
Phone: 727 570-5301

RIN: 0648-AO62

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

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 648

Completed:

Reason	Date	FR Cite
NPRM	05/23/02	67 FR 36139
Final Action	08/02/02	67 FR 50368

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patricia Kurkul
Phone: 978 281-9200

RIN: 0648-AO91

712. SPECIFICATIONS FOR THE SPINY DOGFISH FISHERY FOR FISHING YEAR 2002

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 648

Completed:

Reason	Date	FR Cite
Final Action	05/07/02	67 FR 30614

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patricia Kurkul
Phone: 978 281-9200

RIN: 0648-AP07

713. FRAMEWORK 1 TO THE MONKFISH FISHERY MANAGEMENT PLAN FOR FISHING YEAR 2002; DISAPPROVAL OF FRAMEWORK

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 648

Completed:

Reason	Date	FR Cite
NPRM	04/04/02	67 FR 16079
Emergency Interim Rule	05/22/02	67 FR 35928
Emergency Interim Rule Ends	11/18/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patricia Kurkul
Phone: 978 281-9200

RIN: 0648-AP11

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

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 648

Completed:

Reason	Date	FR Cite
NPRM	05/28/02	67 FR 36556
Final Action	07/02/02	67 FR 44392

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patricia Kurkul
Phone: 978 281-9200

RIN: 0648-AP12

DOC—NOAA

Completed Actions

715. ATLANTIC HIGHLY MIGRATORY SPECIES; PELAGIC LONGLINE FISHERY; SEA TURTLE PROTECTION MEASURES**Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 635**Completed:**

Reason	Date	FR Cite
NPRM	04/10/02	67 FR 17349
Final Action	07/09/02	67 FR 45393

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** John Dunnigan

Phone: 301 713-2334

Email: john.dunnigan@noaa.gov

RIN: 0648-AP49**716. 2002-2003 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	05/07/02	67 FR 30616

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** D. Robert Lohn

Phone: 206 526-6150

Fax: 206 526-6426

RIN: 0648-AP52**717. ATLANTIC BLUEFISH FISHERY; SPECIFICATIONS FOR FISHING YEAR 2002****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 648**Completed:**

Reason	Date	FR Cite
Final Action	06/06/02	67 FR 38909

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** None**Agency Contact:** Patricia Kurkul

Phone: 978 281-9200

RIN: 0648-AP59**718. PACIFIC HALIBUT FISHERIES CATCH SHARING PLAN****Priority:** Substantive, Nonsignificant**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Final Action	03/20/02	67 FR 12885

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local**Agency Contact:** D. Robert Lohn

Phone: 206 526-6150

Fax: 206 526-6426

RIN: 0648-AP80**719. IMPOSING ADDITIONAL RESTRICTIONS IN THE HAWAII-BASED LONGLINE FISHERY****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 660**Completed:**

Reason	Date	FR Cite
Interim Final Rule	04/05/02	67 FR 16323

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Charles Karnella

Phone: 808 973-2937

RIN: 0648-AP84**720. IMPLEMENT 2002 PACIFIC WHITING SPECIFICATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 660**Completed:**

Reason	Date	FR Cite
Interim Final Rule	04/15/02	67 FR 18117
Interim Final Rule	05/15/02	
Comment Period		
End		

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** D. Robert Lohn

Phone: 206 526-6150

Fax: 206 526-6426

RIN: 0648-AP85**721. ● CONTROL DATE FOR LONGLINE VESSELS FISHING FOR PELAGIC SPECIES IN THE EEZ AROUND AMERICAN SAMOA****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 660**Legal Deadline:** Final, Statutory, Final rule must be published 30 days after the comment period ends on the proposed rule.

Abstract: On March 21, 2002, the Western Pacific Fishery Management Council (Council) adopted a "control date" of March 21, 2002, for the longline fishery for pelagic species around American Samoa (the "fishery") that entrance to this fishery might be limited. The purpose of the "control date" is to notify persons interested in joining this fishery after March 21, that they might be excluded from the fishery if the Council and/or NMFS decide to limit entry to the fishery. The Council is currently developing an amendment to the Fishery Management Plan for the Pelagic Fisheries of the Western Pacific Region to limit new entry to this fishery. The specific eligibility requirements that would be used in this limited entry program are still being formulated and analyzed. The Council may choose not to control entry or access to the fishery, in which case the control date may be rescinded.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/03/02	67 FR 38245
Interim Final Rule	07/03/02	
Comment Period		
End		

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, 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-AQ01

DOC—NOAA

Completed Actions

722. • CHANGE OF TITLE FOR THE SALMON FMP**Priority:** Info./Admin./Other**Legal Authority:** 16 USC 773 et seq; 16 USC 1801 et seq**CFR Citation:** 50 CFR 679**Legal Deadline:** None

Abstract: NMFS is correcting the title of the Fishery Management Plan for the Salmon Fisheries in the Exclusive Economic Zone (EEZ) off Alaska (FMP). This action is necessary to make the name of the FMP in Federal regulations consistent with the actual name of the FMP as approved by the Secretary of Commerce (Secretary). The intended effect of this action is regulatory consistency, and it will have no effect on any person fishing in the EEZ for any species.

Timetable:

Action	Date	FR Cite
Final Action	07/01/02	67 FR 44093

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

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

RIN: 0648-AQ10**723. • NOTICE OF CONTROL DATE FOR HAGFISH FISHERY****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 648**Legal Deadline:** None

Abstract: At present, the hagfish fishery is not regulated under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The control date admonishes the industry that future action to control the number of participants in the hagfish fishery is being considered. It announces that anyone entering the hagfish fishery after the control date will not be assured of future access, should a management regime that limits the number of participants in the fishery

be prepared and implemented. Limited entry into the fishery may be based on levels of participation or other criteria such as domestic harvest capacity. The control date is intended to discourage speculative entry into the hagfish fishery if controlled access schemes are developed by the Council. This notice would establish the date of its publication in the Federal Register as the control date. The publication of a control date would not commit the Council to developing any particular management regime or to using any specific criteria for determining entry into the fishery. Any action by the Council will be taken pursuant to the requirements for FMP development established under the Magnuson-Stevens Act.

Timetable:

Action	Date	FR Cite
Final Action	08/28/02	67 FR 55191

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-AQ12**724. • REGULATORY AMENDMENT TO CORRECT THE DEFINITION OF "ELIGIBLE APPLICANT" FOR A CRAB SPECIES LICENSE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1801 et seq**CFR Citation:** 50 CFR 679**Legal Deadline:** None

Abstract: This action corrects paragraph (3) of the definition of "eligible applicant" for a crab species license. This paragraph is designed to implement part of the License Limitation Program (LLP) for the crab fisheries in the Bering Sea and Aleutian Islands. A final rule to implement the initial crab LLP was published on October 1, 1998 (63 FR 52642). As published in this rule, paragraph (3) incorrectly included the word "and" between "1993" and "1994" in the "eligible applicant" definition. This error incorrectly made the conditions for a certain crab species license more

restrictive than intended by the North Pacific Fisheries Management Council and NMFS and inconsistent with crab species license criteria specified at section 679.4(k)(5)(ii)(G). NMFS corrected this error on September 12, 2000 (65 FR 54971).

Subsequently, NMFS issued a final rule on December 14, 2000 (65 FR 78110) to implement Amendment 4 to the Fishery Management Plan for the scallop fishery off Alaska, which created an LLP for the scallop fishery. The scallop final rule added clarifying subheadings to the numbered paragraphs within the definition of "eligible applicant" and in the process, repeated the regulatory text of each paragraph. The regulatory text repeated for paragraph (3), however, was the original incorrect text published on October 1, 1998, for the crab LLP. This mistake likely occurred because, with respect to paragraph (3), the scallop final rule relied on the text of the proposed rule for the scallop LLP which was published on April 21, 2000 (65 FR 21385), before the text was corrected nearly five months later on September 12, 2000. Therefore, this action recorrects paragraph (3) to read as originally intended and corrected to read on September 12, 2000.

Timetable:

Action	Date	FR Cite
Final Action	08/28/02	67 FR 55170

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

Agency Contact: James W. Balsiger, Administrator, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, NMFS, P.O. 21668, Juneau, AK 99802
Phone: 907 586-7221
Fax: 907 586-7249

Related RIN: Related To 0648-AM42**RIN:** 0648-AQ36**725. SEA TURTLE CONSERVATION REGULATIONS; FISHERY ACTIVITIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 223**Completed:**

Reason	Date	FR Cite
Final Action Effective	09/03/02	
Final Action	09/06/02	67 FR 56931

DOC—NOAA

Completed Actions

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Therese Conant

Phone: 301 713-1431

Fax: 301 713-0376

RIN: 0648-AP63**726. ENDANGERED SPECIES;
TRANSFERRING PERMITS****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 224; 50 CFR 223;
50 CFR 222**Completed:**

Reason	Date	FR Cite
Final Action	09/13/02	67 FR 57970
Final Action Effective	10/15/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Lamont Jackson

Phone: 301 713-1401

RIN: 0648-AP64**727. RULEMAKING FOR THE
INCIDENTAL TAKING OF MARINE
MAMMALS DURING WORLDWIDE
DEPLOYMENT OF THE U.S. NAVY'S
LOW FREQUENCY ACTIVE SONAR****Priority:** Other Significant**CFR Citation:** 50 CFR 216.101**Completed:**

Reason	Date	FR Cite
Final Action	07/16/02	67 FR 46712

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Kenneth R.

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RIN: 0648-AM62**728. SEA TURTLE CONSERVATION
REGULATIONS; SUMMER FLOUNDER
FISHERY****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 223; 50 CFR 222**Completed:**

Reason	Date	FR Cite
Final Action	04/17/02	67 FR 18833

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State,
Federal**Agency Contact:** Therese Conant

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RIN: 0648-AM89**729. TAKING AND IMPORTING
MARINE MAMMALS; TAKING MARINE
MAMMALS INCIDENTAL TO OIL AND
GAS STRUCTURE REMOVAL
ACTIVITIES IN THE GULF OF MEXICO****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 216**Completed:**

Reason	Date	FR Cite
NPRM	04/19/02	67 FR 19370
Final Action	08/01/02	67 FR 49869

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Kenneth Hollingshead

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Email: ken.hollingshead@noaa.gov

RIN: 0648-AP83**730. • 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:** None

Abstract: This action will amend the regulations that implement the Atlantic Large Whale Take Reduction Plan, specifically with regard to the straight set of gillnets in the southeast U.S. restricted area in waters off the coasts of Georgia and Florida. The intent of this rulemaking is to prohibit straight sets of gillnets at night from November 15 through March 31, annually to reduce the risk of entanglement of large whales, including the western North Atlantic right whale.

This rule was published on March 27, 2002, in the Federal Register under RIN 0648-AN88.

Timetable:

Action	Date	FR Cite
NPRM	03/27/02	67 FR 14690

Action	Date	FR Cite
NPRM Comment Period End	05/28/02	
Final Action	09/23/02	67 FR 59471

**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

Related RIN: Related To 0648-AN88**RIN:** 0648-AP93**731. • SEA TURTLE CONSERVATION
REGULATIONS; RESTRICTIONS
APPLICABLE TO SHRIMP TRAWL
ACTIVITIES; LEATHERBACK
CONSERVATION ZONE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 222; 50 CFR 223**Legal Deadline:** None

Abstract: NMFS is closing, for a two-week period, all inshore waters and offshore waters out to 10 nautical miles (nm) (18.5 km) seaward of the COLREGS demarcation line, bounded by 31 degrees N. lat. (approximately St. Andrews Sound, Georgia) and 32 degrees N. lat. (approximately Tybee Island, Georgia) within the Leatherback Conservation Zone, to fishing by shrimp trawlers required to have a turtle excluder device (TED) installed in each net that is rigged for fishing, unless the TED has an escape opening large enough to exclude leatherback turtles, as specified in the regulations.

Timetable:

Action	Date	FR Cite
Final Action	04/24/02	67 FR 20054

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

Agency Contact: Patrick Opay, Sea
Turtle Ecologist, Department of
Commerce, National Oceanic and
Atmospheric Administration, 1315
East-West Hwy., Silver Spring, MD
20910

DOC—NOAA

Completed Actions

Phone: 301 713-1401

RIN: 0648-AP96

732. • ATLANTIC LARGE WHALE TAKE REDUCTION; TEMPORARY AREA AND GEAR RESTRICTIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 229**Legal Deadline:** None

Abstract: NMFS is implementing temporary restrictions consistent with the requirements of the Atlantic Large Whale Take Reduction Plan's (ALWTRP) implementing regulations. These restrictions apply to lobster trap and anchored gillnet fishing gear in an area totaling approximately 1,100 square nautical miles (nm²) (2,038.5 km²) in April and 1,700 nm² (3,150 km²) in May off Cape Ann, MA, for 15 days. The purpose of this action is to provide immediate protection to an aggregation of North Atlantic right whales (right whales).

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/26/02	67 FR 20699

Regulatory Flexibility Analysis**Required:** 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-AP97

733. • SEA TURTLE CONSERVATION REGULATIONS; RESTRICTIONS APPLICABLE TO SHRIMP TRAWL ACTIVITIES; LEATHERBACK CONSERVATION ZONE**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 222; 50 CFR 223**Legal Deadline:** None

Abstract: NMFS is closing, for a short 2-week period, all inshore waters and offshore waters 10 nautical miles (nm) (18.5 km) seaward of the COLREGS demarcation line, bounded by 32 degrees N. lat. (approximately Tybee Island, Georgia) and 34 degrees N. lat. (approximately Wilmington Beach, North Carolina) within the Leatherback Conservation Zone, to fishing by shrimp trawlers required to have a turtle excluder device (TED) installed in each net that is rigged for fishing, unless the TED has an escape opening large enough to exclude leatherback turtles, as specified in the regulations.

Timetable:

Action	Date	FR Cite
Final Action	05/01/02	67 FR 21585

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

Agency Contact: Patrick Opay, Sea Turtle Ecologist, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Hwy., Silver Spring, MD 20910

Phone: 301 713-1401

RIN: 0648-AP99

734. • SEA TURTLE CONSERVATION REGULATIONS; RESTRICTIONS APPLICABLE TO SHRIMP TRAWL ACTIVITIES; LEATHERBACK CONSERVATION ZONE**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 222; 50 CFR 223**Legal Deadline:** None

Abstract: NMFS is requiring shrimp trawlers fishing in offshore Atlantic waters west of 77 degrees 57.5 minutes W. longitude (approximately Cape Fear, N.C.) and north of 30 degrees N. latitude (just north of St. Augustine, Fla.) to use turtle excluder devices (TEDs) with escape openings modified to exclude leatherback turtles and to restrict shrimp trawling to the hours between one hour before sunrise to one hour after sunset.

Timetable:

Action	Date	FR Cite
Final Action	05/30/02	67 FR 37723

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

Agency Contact: Patrick Opay, Sea Turtle Ecologist, Department of Commerce, National Oceanic and Atmospheric Administration, 1315 East-West Hwy., Silver Spring, MD 20910
Phone: 301 713-1401

RIN: 0648-AQ06

Department of Commerce (DOC)

Completed Actions

National Telecommunications and Information Administration (NTIA)

735. MANDATORY REIMBURSEMENT RULES FOR RELOCATION OF FEDERAL SPECTRUM**Priority:** Other Significant**CFR Citation:** 47 CFR 301**Completed:**

Reason	Date	FR Cite
Final Rule	06/17/02	67 FR 41182

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** Federal**Agency Contact:** Milton Brown

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Email: mbrown@ntia.doc.gov

RIN: 0660-AA14

Department of Commerce (DOC)
Patent and Trademark Office (PTO)

Proposed Rule Stage

736. RULES OF PRACTICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES IN APPEALS UNDER 35 U.S.C. 134

Priority: Substantive, Nonsignificant

Legal Authority: 35 USC 2(B)(2); 35 USC 6; 35 USC 134

CFR Citation: 37 CFR 1.191 to 1.198; 37 CFR 1.959 to 1.981

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	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jeffrey V. Nase, Administrative Patent Judge, Department of Commerce, Patent and Trademark Office, Commissioner of Patents and Trademarks, Washington, DC 20231
 Phone: 703 305-9797
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RIN: 0651-AB27

737. CHANGES IN RULES OF PRACTICE FOR PATENT INTERFERENCES AND RELATED PROCEEDINGS

Priority: Substantive, Nonsignificant

Legal Authority: 35 USC 2; 35 USC 3; 35 USC 6; 35 USC 10; 35 USC 22; 35 USC 23; 35 USC 25; 35 USC 32; 35 USC 41; 35 USC 135; ...

CFR Citation: 37 CFR 1; 37 CFR 41; ...

Legal Deadline: None

Abstract: The United States Patent and Trademark Office will revise its rules of practice in patent interferences to simplify the process and to increase its flexibility and efficiency.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Richard Torczon, Administrative Patent Judge, Department of Commerce, Patent and Trademark Office, Box Interference, Washington, DC 20231
 Phone: 703 308-9797
 Fax: 703 305-0942
 Email: interference.rules@uspto.gov

RIN: 0651-AB32

738. CHANGES TO IMPROVE THE PATENT AND APPLICATION PROCESS

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 improve the patent application and examination process. For example, the Office is proposing: (1) changes to facilitate the filing of applications and subsequent papers by facsimile or electronic mail message over Internet; (2) changes to the manner in which applicants bring pertinent information to the Office's attention and how the Office uses that information; (3) limitation on the number of claims that must be given a separate examination by the Office; (4) changes to allow the Office to terminate proceedings or application if the applicant refuses to prosecute the application with reasonable diligence; and (5) changes that facilitate obtaining information from the applicant to aid in the examination process, such as what information is well known in the art, where support for a claim is found in the written description, what priority application provides support for each claim. These changes to the patent application and examination process are necessary for the Office to be able to process an ever-increasing number of applications within a reasonable time frame.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: 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
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RIN: 0651-AB50

739. • REVISION OF THE FEES FOR REQUEST FOR CONTINUED EXAMINATION AND THE URAA TRANSITIONAL EXAMINATION PRACTICES

Priority: Substantive, Nonsignificant

Legal Authority: 35 USC 41, 2(b)(2)

CFR Citation: 37 CFR 1

Legal Deadline: None

Abstract: The United States Patent and Trademark Office (Office) is proposing to adjust the fee for filing a request for continued examination in a patent application, and the fees for a submission after final or for the examination of each additional invention under the Uruguay Round Agreements Act (URAA) transitional examination practices in a patent application. The Office is proposing to adjust these fees to be closer to the actual cost of providing the additional examination given to an application when an applicant files a request for continued examination, or a submission after final or a request for the examination of each additional invention under the URAA transitional examination practices.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	

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
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RIN: 0651-AB53

DOC—PTO

Proposed Rule Stage

740. • CHANGES IN TRADEMARK RULES OF PRACTICE IN INTER PARTES PROCEEDINGS BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 1067; 35 USC 2(8)(2)(A)**CFR Citation:** 37 CFR 2.120(a); 37 CFR 2.120(d) to (g); 37 CFR 2.120 (i) to (j); 37 CFR 2.121 (a) to (b); 37 CFR 2/127 (e)**Legal Deadline:** None**Abstract:** The United States Patent and Trademark Office proposes to amend its rules of practice in connection with inter partes proceedings before the Trademark Trial and Appeal Board to require initial disclosure of certain information.**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** James David Sams, Chief Administrative Trademark Judge, Department of Commerce, Patent and Trademark Office, ST-9A03, Trademark Trial and Appeal Board, 2900 Crystal Drive, Arlington, VA 22202
Phone: 703 308-9300
Fax: 703 308-9092
Email: david.sams@uspto.gov**RIN:** 0651-AB56**Department of Commerce (DOC)
Patent and Trademark Office (PTO)****Final Rule Stage****741. COMPLAINTS REGARDING INVENTION PROMOTERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 35 USC 2(b)(2); 35 USC 297; PL 106-113, sec 4001**CFR Citation:** 37 CFR 4**Legal Deadline:** None**Abstract:** The Patent and Trademark Office (Office) has added rules of practice to implement the Office's procedures for accepting complaints under the Inventor's Rights Act of 1999. The Act requires the Office to provide a forum for publishing complaints concerning invention promoters.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/20/00	65 FR 3127
Interim Final Rule Effective	01/28/00	
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** William R. Covey, Associate Counsel for General Law, Department of Commerce, Patent and Trademark Office, Washington, DC 20231

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RIN: 0651-AB12**742. 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	11/00/02	
Final Action Effective	11/00/02	

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

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RIN: 0651-AB37**743. • REVISION OF PATENT AND TRADEMARK FEES FOR FISCAL YEAR 2003****Priority:** Routine and Frequent**Legal Authority:** 35 USC 41; 15 USC 1115; 35 USC 1051; 15 USC 1113; 15 USC 1123; 35 USC 2(b)(2); 35 USC 376; PL 105-358; PL 106-113**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**Legal Deadline:** Final, Statutory, October 1, 2002, Final Action Effective Date.**Abstract:** This rulemaking revises certain patent and trademark fees to reflect fluctuations in the Consumer Price Index (CPI) consistent with PL 105-358, as amended by PL 106-113.**Timetable:**

Action	Date	FR Cite
NRPM	05/17/02	67 FR 30634
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Matthew Lee, Financial Systems Analyst, Department

DOC—PTO

Final Rule Stage

of Commerce, Patent and Trademark Office, PK1-802, Washington, DC 20231
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RIN: 0651-AB51

744. • CHANGES TO IMPLEMENT PATENT-RELATED PROVISIONS OF UNITED STATES PATENT AND TRADEMARK REAUTHORIZATION ACT, FISCAL YEAR 2003

Priority: Substantive, Nonsignificant

Legal Authority: 35 USC 41, 2(b)(2)

CFR Citation: 37 CFR 1

Legal Deadline: None

Abstract: The United States Patent and Trademark Office Reauthorization Act,

fiscal year 2003, includes changes to the patent fee structure as well as the patent application examination process. Under the revised patent fee structure and patent application examination process, the United States Patent and Trademark Office (Office) will not examine an application for patent unless the applicant files a request for examination and pays the examination fee in a timely manner. This interim final rule implements these changes in the patent fee structure and patent application examination process.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/02	

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

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RIN: 0651-AB54

Department of Commerce (DOC) Patent and Trademark Office (PTO)

Long-Term Actions

745. 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

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RIN: 0651-AB17

746. MADRID PROTOCOL IMPLEMENTATION ACT RULES CHANGE

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: Mary E. Hannon

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RIN: 0651-AB45

747. • PROCESSING FEE FOR USE OF PAPER FORMS FOR SUBMISSION OF APPLICATIONS FOR REGISTRATION AND OTHER DOCUMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 1113; 37 USC 9701

CFR Citation: 37 CFR 2.6(a)

Legal Deadline: None

Abstract: The United States Patent and Trademark Office seeks to amend its rules to require a \$50.00 paper processing fee when a party submits a paper instead of an electronically transmittable form available through the Trademark Electronic Application System (TEAS).

Timetable:

Action	Date	FR Cite
NPRM	05/12/02	67 FR 35081
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Craig Morris, Department of Commerce, Patent and Trademark Office, Office of the Commissioner of Trademarks, Washington, DC 20231
Phone: 703 308-3910

Related RIN: Related To 0651-AB47

RIN: 0651-AB52

748. • CHANGES TO REPRESENTATION OF OTHERS BEFORE THE UNITED STATES 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 (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 based largely 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

DOC—PTO

Long-Term Actions

Phone: 703 306-4097

Related RIN: Related To 0651-AB38

RIN: 0651-AB55

Department of Commerce (DOC)
Patent and Trademark Office (PTO)

Completed Actions

749. RULEMAKING RELATED TO ELECTRONIC FILING OF TRADEMARK DOCUMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 37 CFR 1.4; 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; ...

Completed:

Reason	Date	FR Cite
Final Action	07/23/02	67 FR 36099
Final Action Effective	07/23/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mary E. Hannon

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Related RIN: Merged With 0651-AB48

RIN: 0651-AB31

Department of Commerce (DOC)
Technology Administration (TA)

Final Rule Stage

750. 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 is 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	
Final Action	06/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Karen Laney-Cummings, Acting Director, Technology Competitiveness, Department of Commerce, Technology Administration, 14th & Pennsylvania Ave. NW., Washington, DC 20230
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RIN: 0692-AA14

751. ACQUISITION AND PROTECTION OF FOREIGN RIGHTS IN INVENTIONS

Priority: Substantive, Nonsignificant

Legal Authority: EO 10096; 15 USC 3710d

CFR Citation: 37 CFR 101; 37 CFR 501

Legal Deadline: None

Abstract: On August 7, 1996, 37 CFR part 101 was abolished and 37 CFR part 501 expanded to cover foreign rights of inventions made by Federal employees.

We are evaluating the comments received on the interim final rule and will be making minor changes to the regulation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/07/96	61 FR 40997
Interim Final Rule Effective	08/07/96	
Final Action	11/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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RIN: 0692-AA15

752. AMENDMENT TO RIGHTS TO INVENTIONS MADE BY NONPROFIT ORGANIZATIONS AND SMALL BUSINESS FIRMS UNDER GOVERNMENT GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 35 USC 206

CFR Citation: 37 CFR 401

Legal Deadline: NPRM, Statutory, June 30, 2000, To provide for an exception for support contractors.

Abstract: This would require certain contractors to assign their rights if they make an invention under a Cooperative Research and Development Agreement.

Timetable:

Action	Date	FR Cite
NPRM	09/11/00	65 FR 54826
Final Rule	10/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: John H. Raubitschek, Patent Counsel, Department of Commerce, Technology Administration, HCHB Room 4613, 14th & Pennsylvania Avenue, NW., Washington, DC 20230
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RIN: 0692-AA18

[FR Doc. 02-23903 Filed 12-06-02; 8:45 am]

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