

authority provided the Under Secretary at 10 U.S.C. 133.

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

### B. Regulatory Flexibility Act

This final rule does not constitute a significant revision within the meaning of FAR 1.501 and Public Law 98-577 and publication for public comment is not required. However, DoD will consider comments from small entities concerning the affected DFARS subpart in accordance with 5 U.S.C. 610. Such comments should cite DFARS Case 2000-D025.

### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the rule does not impose any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

#### List of Subjects in 48 CFR Part 250

Government procurement.

**Michele P. Peterson,**

*Executive Editor, Defense Acquisition Regulations Council.*

Therefore, 48 CFR Part 250 is amended as follows:

1. The authority citation for 48 CFR Part 250 continues to read as follows:

**Authority:** 41 U.S.C. 421 and 48 CFR Chapter 1.

#### PART 250—EXTRAORDINARY CONTRACTUAL ACTIONS

2. Section 250.201 is revised to read as follows:

##### 250.201 Delegation of authority.

(b) Authority under FAR subpart 50.4 to approve actions obligating \$50,000 or less may not be delegated below the level of the head of the contracting activity.

(d) In accordance with the acquisition authority of the Under Secretary of Defense (Acquisition, Technology, and Logistics (USD (AT&L))) under 10 U.S.C. 133, in addition to the Secretary of Defense and the Secretaries of the military departments, the USD (AT&L) may exercise authority to indemnify against unusually hazardous or nuclear risks.

3. Section 250.201-70 is amended by revising paragraphs (b)(1) and (c) to read as follows:

##### 250.201-70 Delegations.

\* \* \* \* \*

(b) \* \* \*

(1) Requests to obligate the Government in excess of \$50,000 must be submitted to the USD (AT&L) for approval.

\* \* \* \* \*

(c) *Approvals.* The Secretary of the military department or the agency director must approve any delegations in writing.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 000211040-0040-01; I.D. 120800B]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Hook-and-line in the Bering Sea and Aleutian Islands

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

**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Pacific cod by catcher processor vessels using hook-and-line gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 2000 total allowable catch (TAC) of Pacific cod allocated for catcher processor vessels using hook-and-line gear in this area.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), December 9, 2000, until 2400 hrs, A.l.t., December 31, 2000.

**FOR FURTHER INFORMATION CONTACT:** Mary Furuness, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP

appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The share of the 2000 TAC of Pacific cod allocated to catcher processor vessels using hook-and-line gear in the BSAI was established by the Revision of the 2000 BSAI Pacific cod Harvest Specifications of Groundfish for the BSAI (65 FR 51553, August 24, 2000) and subsequent reallocation (65 FR 65272, November 1, 2000) as a directed fishing allowance of 81,958 mt. See § 679.20(c)(3)(iii) and § 679.20(a)(7)(i)(A)&(C).

In accordance with § 679.20(d)(1)(iii), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 2000 TAC of Pacific cod allocated to catcher processor vessels using hook-and-line gear as a directed fishing allowance in the BSAI will soon be reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod for vessels using hook-and-line and pot gear in the BSAI.

Maximum retainable bycatch amounts may be found in the regulations at § 679.20(e) and (f).

#### Classification

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately in order to prevent overharvesting the 2000 TAC of Pacific cod allocated to catcher processor vessels using hook-and-line gear in the BSAI. NMFS finds that the prevention of overharvesting of Pacific cod constitutes good cause to waive the requirement for prior notice and comment pursuant to 5 U.S.C 553(b)(B) as such procedures are contrary to the public interest. The Pacific cod directed fishing allowance established for catcher processor vessels using hook-and-line gear will soon be reached. Further delay would only result in overharvest. NMFS finds for good cause that the implementation of this action can not be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

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

Dated: December 8, 2000.

**Bruce C. Morehead,**

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

[FR Doc. 00-31733 Filed 12-8-00; 4:44 pm]

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