

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****Spring 2008 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 (Department), 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 fall 2007 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 spring 2008 regulatory agenda includes regulatory activities that are expected to be conducted during the period April 1, 2008, through March 31, 2009.

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 Jennifer K. Nist, 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 January 31, 2008, the Office of Management and Budget issued guidelines and procedures for the preparation and publication of the spring 2008 Unified Agenda of Federal Regulatory and Deregulatory Actions. The Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, requires agencies to publish, in the spring and fall of each year, a regulatory flexibility agenda that contains a brief description of the subject of any rule 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.

As of the fall 2007 edition, the Internet will be the basic means for disseminating the Unified Agenda. The complete Unified Agenda will be available online at www.reginfo.gov, in a format that offers users a greatly enhanced ability to obtain information from the Agenda database.

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), the Department of Commerce's printed agenda entries include only:

- (1) rules that are in the Agency's regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and
- (2) any rules that the Agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's Agenda requirements. Additional information on these entries is available in the Unified Agenda published on the Internet.

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, an "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 that require conservation and management measures. Regulations implementing these FMPs regulate domestic fishing and foreign fishing where permitted. Foreign fishing may 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 Department's spring 2008 regulatory agenda follows.

NAME: John J. Sullivan,
General Counsel.

The 296 Regulatory Agendas

General Administration - Final Rule

Title	Regulation Identifier Number
Disclosure of Government Information	0605-AA19

Bureau of the Census - Proposed Rule

Title	Regulation Identifier Number
Procedure for Requesting a Population Estimates Review and Update	0607-AA46

Bureau of the Census - Final Rule

Title	Regulation Identifier Number
Cutoff Dates for Recognition of Boundary Changes for Census 2000 and for the Intercensal Period	0607-AA35
Mandatory Automated Export System (AES) Filing for Export Shipments Requiring Shipper's Export Declaration Information	0607-AA38

Bureau of the Census - Long-term Action

Title	Regulation Identifier Number
Establishment of the 2010 Census Redistricting Program	0607-AA42

Economic Development Administration - Proposed Rule

Title	Regulation Identifier Number
Revisions to the Trade Adjustment Assistance for Firms Program Regulations and Other EDA Regulations	0610-AA64

International Trade Administration - Proposed Rule

Title	Regulation Identifier Number
Procedures for Conducting 5-Year (Sunset) Reviews of Antidumping and Countervailing Duty Orders	0625-AA51
Changes in Procedures for the Florence Agreement Program	0625-AA75

International Trade Administration - Final Rule

Title	Regulation Identifier Number
Proposed Amendment to Regulation Concerning Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings	0625-AA66
Imports of Certain Cotton Shirting Fabric: Implementation of Tariff Rate Quota Established Under the Tax Relief and Health Care Act of 2006	0625-AA74
Canadian Softwood Lumber Import Licensing System	0625-AA76
Withdrawal of Regulation Governing Treatment of Tollers and Subcontractors in Antidumping Duty Determinations	0625-AA77
Changes in the Insular Possessions Watch, Watch Movement, and Jewelry Programs 2006; Corrections	0625-AA78

International Trade Administration - Long-term Action

Title	Regulation Identifier Number
Commercial Availability of Fabric and Yarn	0625-AA59

International Trade Administration - Completed Action

Title	Regulation Identifier Number
Antidumping and Countervailing Duty Proceedings; Documents Submission Procedures; Administrative Protective Order (APO) Procedures	0625-AA73

National Oceanic and Atmospheric Administration - PreRule

Title	Regulation Identifier Number
Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Naval Surf-Zone Explosive Ordnance Disposal School Training Operations at Eglin Air Force Base, Florida	0648-AU53
National Marine Sanctuary Program Regulations on Cruise Ship Discharges	0648-AV86
Regulations on Conducting Interagency Consultation Pursuant to the National Marine Sanctuaries	0648-AV89

National Oceanic and Atmospheric Administration - Proposed Rule

Title	Regulation Identifier Number
Amendment 9 to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan	0648-AP60
Taking and Importing Marine Mammals: Taking Marine Mammals Incidental to Conducting Oil and Gas Exploration Activities in the Gulf of Mexico	0648-AQ71
Amendment 62 to the FMP for the Groundfish Fishery of the Gulf of Alaska and Amendment 62 to the FMP for the Groundfish Fishery of the Bering Sea and Aleutian Islands	0648-AR06
Maximize Retention and Monitoring Program in the Shore-Based Pacific Whiting Fishery	0648-AR63
Amendment 72 to the Fishery Management Plan for the Groundfish of the Gulf of Alaska	0648-AR72
Community Development Quota Transfers	0648-AS13
Amendment 1 to the Fishery Management Plan for the Tilefish Fishery	0648-AS25
Atlantic Highly Migratory Species (HMS); Reducing Sea Turtle Takes	0648-AS49
Amendment to Coastal Migratory Pelagics FMP, Red Drum FMP, Reef Fish FMP, Spiny Lobster FMP, and Stone Crab FMP To Provide for Regulation of Marine Aquaculture	0648-AS65
Western Pacific Squid Fishery	0648-AS71
Transfer of Management Authority for the Atlantic Coast Red Drum Resource From the South	0648-AT13

American Lobster Fishery; Fishing Effort Control Measures To Complement Interstate Lobster Management Recommendations by the Atlantic States Marine Fisheries Commission	0648-AT31
West Coast Highly Migratory Species, Correcting Amendment	0648-AT32
Amendment 10 to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan	0648-AT58
Taking and Importing of Marine Mammals; Taking Marine Mammals Incidental to Assessing Naval Ship Survivability	0648-AT77
Taking and Importing of Marine Mammals; Taking Marine Mammals Incidental to Deployment of a Naval At-Sea Gunnery Scoring System	0648-AT78
Taking and Importing of Marine Mammals; Taking Marine Mammals Incidental to Naval Training Operations at the East Coast Shallow Water Training Range	0648-AT81
Taking and Importing of Marine Mammals; Taking Marine Mammals Incidental to U.S. Air Force Air-to-Surface Gunnery Exercises in the Northern Gulf of Mexico	0648-AT82
Taking and Importing of Marine Mammals; Taking Marine Mammals Incidental to Naval Explosives Ordnance Testing and Training Exercises in the Northern Gulf of Mexico	0648-AT83
Spinner Dolphins in the Main Hawaiian Islands	0648-AU02
Subsistence Halibut Program Amendments	0648-AU14
BSAI Amendment 73 and GOA Amendment 77 FMP To Revise Management Authority of Dark Rockfish	0648-AU20
Authorize an Exempted Fishing Permit Under the Highly Migratory Species (HMS) Fishery Management Plan (FMP)	0648-AU25
Amendment 12 to the Coastal Pelagic Species (CPS) Fishery Management Plan (FMP)	0648-AU26
Amendment 14 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region	0648-AU28
Amendment 15 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan	0648-AU36
Approval of Operations Plan for the Georges Bank Fixed Gear Sector for 2007 to 2008	0648-AU61
Western Pacific Fishery Ecosystem Plans and Regulatory Reorganization	0648-AU71
Effort Limitation for United States Commercial Fishing Vessels Targeting North Pacific Albacore Tuna	0648-AU74
Restrictions for 2007 Purse Seine and Longline Fisheries in the Eastern Tropical Pacific Ocean	0648-AU79
Atlantic Highly Migratory Species; International Trade Permit Regulatory Amendment	0648-AU88
4(d) Protective Regulations for Threatened Elkhorn and Staghorn Corals	0648-AU92
Taking Marine Mammals Incidental to Construction of the Knik Arm Bridge, Anchorage, Alaska	0648-AU96
Atlantic Highly Migratory Species; Essential Fish Habitat	0648-AV00
Potential Revisions to the Turtle Excluder Device (TEDs) Requirements	0648-AV04
Revise Economic Data Reports (EDR) Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands King and Tanner Crab Fishery Resources	0648-AV06
High Seas Fishing Compliance Act (HSFCA); Amendment of Regulations	0648-AV12
Revision to Allowable Bycatch Reduction Devices for the Gulf of Mexico Shrimp Fishery	0648-AV14
Protective Regulations for Killer Whales in the Northwest Region Under the Endangered Species Act and Marine Mammal Protection Act	0648-AV15
Amendment 1 to the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species	0648-AV24
Fisheries in the Western Pacific; Amendment 10 to Bottomfish and Seamount Groundfish FMP; Commonwealth of the Northern Mariana Islands	0648-AV28
Fisheries in the Western Pacific; Western Pacific Crustacean Fisheries; FMP Amendment 13--Deepwater Shrimp	0648-AV29
Fisheries in the Western Pacific; Precious Corals Fisheries; Fishery Management Plan for Amendment 7--Gold and Black Coral Management	0648-AV30
South Atlantic Fishery Ecosystem Plan Comprehensive Amendment	0648-AV31
Modifying Maximum Retainable Amounts (MRAs) for Selected Groundfish Species Caught by the Non-American Fishing Act Trawl Catcher Processor Sector	0648-AV32
Community Development Quota Regulation of Harvest	0648-AV33

Reef Fish Amendment 30A for Greater Amberjack and Gray Triggerfish: Total Allowable Catch (TAC) Adjustments, Measures To End Overfishing and Establish Sustainable Fisheries Act (SFA) Parameters	0648-AV34
Endangered and Threatened Species; Designation of Critical Habitat for Elkhorn and Staghorn Corals	0648-AV35
Amendments to Regulations for Tuna Purse Seine Vessels and Fishing Operations in the Eastern Tropical Pacific Ocean	0648-AV37
Certification of Nations Whose Fishing Vessels Are Engaged in IUU Fishing or Bycatch of Protected Living Marine Resources	0648-AV51
Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (MSRA) Environmental Review Procedure	0648-AV53
Guidance for Annual Catch Limits and Accountability Measures To End Overfishing	0648-AV60
Rule To Implement a Minimum Possession Size Limit on Spiny Lobster (<i>Panulirus argus</i>)	0648-AV61
Initial Implementation of the Western and Central Pacific Fisheries Convention Implementation Act	0648-AV63
Atlantic Pelagic Longline Take Reduction Plan	0648-AV65
Reorganization and Update of Federal West Coast Groundfish Regulations	0648-AV67
Marine Debris Definition	0648-AV68
Halibut and Sablefish Individual Fishing Quota (IFQ) Program Online Services	0648-AV71
A Maximized Retention and Monitoring Program for the Pacific Whiting Shoreside Fishery	0648-AV72
Designation of Critical Habitat for the Endangered U.S. Distinct Population Segment (DPS) of Smalltooth Sawfish	0648-AV74
Collection and Use of Tax Identification Numbers From Holders of and Applicants for National Marine Fisheries Service Permits	0648-AV76
American Lobster Data Collection and Broodstock Protection Measures	0648-AV77
Gulf Reef Fish Amendment 30B	0648-AV80
Confidentiality of Information	0648-AV81
Marine Mammal Protection Act Permit Regulation Revisions	0648-AV82
Comprehensive Review and Update of National Marine Sanctuary Program Regulations	0648-AV85
Revisions and Modifications to the Florida Keys National Marine Sanctuary Regulations	0648-AV87
Consideration of a Research-Only Area in the Gray's Reef National Marine Sanctuary	0648-AV88
Atlantic Highly Migratory Species (HMS); Atlantic Tunas; Fishing Gear Authorization, Operation, and Deployment Restrictions; Sea Turtle Control Devices	0648-AV92
Rulemaking To Establish Take Prohibitions for the Threatened Southern Distinct Population Segment of North American Green Sturgeon	0648-AV94
Taking of Marine Mammals Incidental to U.S. Navy Training in the Hawaii Range Complex, Hawaii	0648-AV97
Amendment 3 to the Fishery Management Plan for the Spiny Lobster Fishery of Puerto Rico and the U.S. Virgin Islands and Amendment 4 to the Reef Fish Fishery Management Plan of Puerto Rico and the U.S.	0648-AV98
Modification to the Geographic Boundaries of the Northwestern Hawaiian Islands Bottomfish Management Subarea	0648-AW00
Measures to Limit Fishing in the Northwestern Hawaiian Islands	0648-AW01
Threatened Status for the Gulf of Maine Distinct Population Segment of Atlantic Salmon	0648-AW02
Individual Fishing Quota Referenda Guidelines and Procedures for the New England Fishery Management Council and the Gulf of Mexico Fishery Management Council	0648-AW05
Amendment 15 to the Pacific Coast Groundfish Fishery Management Plan: Limited Entry Program for the Pacific Whiting Fishery	0648-AW08
Implementation of Regional Fishery Management Organization Conservation Measures Pertaining to Illegal, Unregulated, and Unreported Fishing Vessel Lists	0648-AW09
National Saltwater Angler Registry and State Exemption Program	0648-AW10
Amendment 17 to the South Atlantic Fishery Management Council Snapper Grouper Fishery Management Plan	0648-AW11
Amendment 15B to the South Atlantic Fishery Management Council Snapper Grouper Fishery Management Plan	0648-AW12

Amendment 2 to the Fishery Management Plan for the Queen Conch Fishery of Puerto Rico and the U.S. Virgin Islands	0648-AW15
Amendments to the Regulations on Administration and Operation of Fishery Management Councils	0648-AW18
Amendment 7 to the South Atlantic Shrimp Fishery Management Plan	0648-AW19
Marine Mammal Protection Act Stranding Regulation Revisions	0648-AW22
Revise Regulations Governing the North Pacific Groundfish Observer Program	0648-AW24
Revise Regulations To Exempt Certain Groundfish Catcher-Processors and Motherships From Check-In Check-Out Requirements With Active Vessel Monitoring Systems (VMS)	0648-AW28
Amendment to Discharge Regulations in Gulf of the Farallones, Monterey Bay, and Cordell Banks National Marine Sanctuaries	0648-AW29
Amendment 3 to the Northeast Skate Complex Fishery Management Plan	0648-AW30
Addition of Monkfish Incidental Catch Trip Limit to the Existing Scallop Dredge Exemption Areas	0648-AW31
Fisheries in the Western Pacific; Western Pacific Pelagic Fisheries; Amendment 16 to the Pelagics Fishery Management Plan; Framework Process	0648-AW35
Revision to Subsistence Halibut Fishing Regulations To Correct the Location of the Kanatak Tribal Headquarters	0648-AW36
NMFS Fisheries Disaster Assistance	0648-AW38
Revise Maximum Retainable Amounts (MRA) of Groundfish in the Gulf of Alaska Arrowtooth Flounder Fishery	0648-AW40
Regulations Implementing International Maritime Organization Measures for the Papahānaumokuākea (Northwestern Hawaiian Islands) Marine National Monument	0648-AW44
Amendment 26 to the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs	0648-AW45
Atlantic Highly Migratory Species (HMS); Renewal of Atlantic Tunas Longline Limited Access Permits (LAPs); Atlantic Shark Identification Workshop Attendance Requirements	0648-AW46
Protection of Striped Bass and Red Drum Fish Populations; Executive Order (E.O.) 13449	0648-AW47
List of Fisheries for 2009	0648-AW48
Fisheries in the Western Pacific; Western Pacific Pelagic Fisheries; Amendment 18 to the Pelagics Fishery Management Plan; Shallow-Set Longline Swordfish Fishery	0648-AW49
Establish a Permit Fee Collection Framework Under the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (HMS FMP)	0648-AW50
Harbor Porpoise Take Reduction Plan Measures	0648-AW51
Fisheries in the Western Pacific; Compensation to Northwestern Hawaiian Islands Bottomfish and Lobster Fishermen Due to Fishery Closure in the Papahānaumokuākea Marine National Monument	0648-AW52
Approval of Eliminator Trawl Gear for Special Management Programs: Northeast Multispecies Fishery	0648-AW53
Revisions to the Pollock Trip Limit Regulations in the Gulf of Alaska	0648-AW54

National Oceanic and Atmospheric Administration - Final Rule

Title	Regulation Identifier Number
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
Require Mandatory Observer Coverage in the At-Sea Processing Sector of the Whiting Fishery	0648-AK26
Taking of the Cook Inlet, Alaska, Stock of Beluga Whales by Alaska Natives	0648-AO16
Revisions to the Scientific Research Activity, Exempted Fishing, and Exempted Educational Activity Regulations	0648-AR78
Taking Marine Mammals Incidental to Navy Operations	0648-AR99
Right Whale Ship Strike Reduction	0648-AS36
Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Amendment 14; Essential Fish Habitat (EFH) Descriptions for Pacific Salmon	0648-AS96
Gulf of the Farallones National Marine Sanctuary Management Plan Review	0648-AT14
Monterey Bay National Marine Sanctuary Management Plan Review	0648-AT15
Cordell Bank National Marine Sanctuary Management Plan Review	0648-AT16
Channel Islands National Marine Sanctuary Management Plan Review	0648-AT17
Taking and Importing of Marine Mammals; Taking Marine Mammals Incidental to the Explosive Removal of Offshore Structures in the Gulf of Mexico	0648-AT79
Interagency Electronic Reporting System (IERS)	0648-AT91
Resource Agency Procedures for Conditions and Prescriptions in Hydropower Licenses	0648-AU01
Fisheries of the Northeastern United States; Recordkeeping and Reporting Requirements; Regulatory Amendment To Modify Seafood Dealer Reporting Requirements; Correction	0648-AU05
Framework 4 to the Fishery Management Plan for Monkfish	0648-AU34
Authorize Observer Coverage of Fisheries To Monitor Sea Turtle Interactions	0648-AU81
Atlantic Highly Migratory Species; Atlantic Shark Management Measures	0648-AU89
Virginia Modified Pound Net Leader Inspection Program	0648-AU98
Puget Sound Steelhead Proposed Protective Regulations	0648-AV18
Amendment 25 to the Fishery Management Plan in the Bering Sea and Aleutian Islands King and Tanner Crab Fisheries Off Alaska	0648-AV19
2008 Summer Flounder, Scup, and Black Sea Bass Recreational Fishery Management Measures	0648-AV41
Individual Fishing Quota Omnibus V Action 2 and 4: Allow Longline Pot Gear in Bering Sea During June; Allow Mobilized Military Personnel To Make Temporary Individual Fishing Quota Transfers	0648-AV64
Emergency Action To Lower the Haddock Minimum Size Limit to 18 Inches To Reduce Regulatory Discarding	0648-AV75
General Provisions for Domestic Fisheries; Specifications for Boarding Ladders	0648-AV78
Framework Adjustment 19 to the Atlantic Sea Scallop Fishery Management Plan	0648-AV90
Amendment 89 to the Fishery Management Plan for the Bering Sea; Bering Sea Habitat Conservation Measures	0648-AW06
Revisions to Regulations for the Guided Sport Charter Vessel Fishery for Halibut in Regulatory Area 2C	0648-AW23
Endangered Status for Black Abalone	0648-AW32
Framework Adjustment 5 to the Monkfish Fishery Management Plan	0648-AW33

National Oceanic and Atmospheric Administration - Long-term Action

Title	Regulation Identifier Number
Regional Marine Research Program	0648-AF20
Procedural Changes to the Federal Consistency Process	0648-AP98
Fisheries of the United States; National Standard 1	0648-AQ63
Coastal Zone Management Act Federal Consistency Regulations	0648-AR16

National Oceanic and Atmospheric Administration - Completed Action

Title	Regulation Identifier Number
Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations	0648-AS01
Amendment 68; Central Gulf of Alaska Rockfish Pilot Program	0648-AT71
Joint Amendment to the Fishery Management Plans for the Shrimp (Amendment 14) and Reef Fish Fisheries (Amendment 27) of the Gulf of Mexico	0648-AT87
Western Pacific Precious Corals FMP: Amendment To Manage Hawaii Black Coral Fishery	0648-AT93
American Lobster Fishery: Broodstock Protection and Trap Effort Control Regulations for Offshore Area 3	0648-AU07
Expansion of the Pacific Coast Groundfish Fishery Vessel Monitoring System to the Open Access Fishery	0648-AU08
Amendment 14 to the Bottomfish and Seamount Groundfish FMP: Measures To End Bottomfish Overfishing in the Hawaiian Archipelago	0648-AU22
Amendment 15A to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region	0648-AU29
Amendment 11 to the Atlantic Sea Scallop Fishery Management Plan	0648-AU32
Amendment 85 to the Fishery Management Plan for the Groundfish of the Bering Sea and Aleutian Islands (BSAI) Management Area; Pacific Cod Allocations	0648-AU48
Framework Adjustment to the Bycatch Reduction Criterion for the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico	0648-AU59
Amendment 15 to the Pacific Coast Salmon Fishery Management Plan	0648-AU69
Bag Limits for Tuna Species Taken in the Recreational Charter Fishery for the United States West Coast Fisheries for Highly Migratory Species	0648-AU77
Individual Fishing Quota Processing Restriction Amendments: Processing of IFQ; Non-IFQ Species by Vessels Categories B, C, or D in the GOA, BSAI	0648-AU85
Vessel Monitoring System Revision for Bering Sea and Aleutian Islands and Gulf of Alaska Fisheries	0648-AU93
Atlantic Highly Migratory Species; North and South Atlantic Swordfish Commercial Management Measures	0648-AV10
Framework Adjustment to the Fishery Management Plan for the Coastal Migratory Pelagic Resources in the Gulf of Mexico and South Atlantic Region	0648-AV17
Fishery Ecosystem Plans for the Western Pacific Region	0648-AV27
Alaska Groundfish Fisheries Seabird Avoidance Measures	0648-AV38
Specifications for the 2008 Atlantic Mackerel, Squid, and Butterfish Fisheries	0648-AV40
Specifications for the 2008 to 2010 Surfclam and Ocean Quahog Fisheries	0648-AV42
Amendment 4 to the Atlantic States Marine Fisheries Commission's (Commission) Interstate Fisheries Management Plan (ISFMP) for Weakfish	0648-AV44
Reef Fish Regulatory Amendment for Vermilion Snapper To Revise Management Measures	0648-AV45
Provide Guidance for the Limited Access Privilege Program Provisions of the Magnuson-Stevens Fishery Conservation Reauthorization Act of 2006	0648-AV48
List of Fisheries for 2008	0648-AV54
Atlantic Highly Migratory Species (HMS); 2008 Bluefin Tuna Quota Specifications and Effort Controls	0648-AV58

Rule To Revise the Gulf of Mexico (Gulf) Reef Fish Vessel Monitoring System (VMS) Reporting Requirements, Power-Down Exemption, and Red Snapper Individual Fishing Quota (IFQ) 3-Hour Notification	0648-AV59
FMP Amendments BSAI 88, KTC 23, Scallop 12, and Salmon 9 for the Aleutian Islands Habitat Conservation Area Revision	0648-AV62
Northeast Region Standardized Bycatch Reporting Methodology Omnibus Amendment	0648-AV70
Endangered and Threatened Species; Designation of Critical Habitat for the North Pacific Right Whale (<i>Eubalaena japonica</i>)	0648-AV73
Regulatory Amendment To Correct and Clarify Framework Adjustment 42 to the Northeast Multispecies Fishery Management Plan	0648-AV79
Gear Standards for the Northeast Multispecies B Day-At-Sea Program and the U.S./Canada Haddock Special Access Program	0648-AV83
Sea Turtle Conservation; Gear Requirements in the Atlantic Sea Scallop Dredge Fishery	0648-AV84
Framework Adjustment 20 to the Atlantic Sea Scallop Fishery Management Plan To Extend Fishing Year 2007 Management Measures for the Elephant Trunk Access Area Through February 2008	0648-AV91
Atlantic Highly Migratory Species; Atlantic Shark Commercial Season Lengths	0648-AV93
Vessel Incentive Program (VIP) Repeal	0648-AV96
2008 Summer Flounder Coastwide Recreational Interim Management Measures	0648-AV99
Correcting Amendment Pacific Halibut Fisheries; Subsistence Halibut	0648-AW04
Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments	0648-AW07
Specification of Total Allowable Catch Levels for Georges Bank (GB) Yellowtail Flounder, Eastern GB Cod, and Eastern GB Haddock, for Fishing Year 2008	0648-AW13
Correcting Amendment to Pacific Halibut Fisheries Regulatory Definitions, Catch Sharing Plan, and Domestic Management Measures	0648-AW14
Georges Bank Cod Hook Sector Operations Plan Approval and Allocation of Georges Bank Cod Total Allowable Catch for Fishing Year 2008	0648-AW16
Georges Bank Cod Fixed Gear Sector Operations Plan Approval and Allocation of Georges Bank Cod Total Allowable Catch for Fishing Year 2008	0648-AW17
Fisheries of the Northwestern United States; Regulatory Amendment To Modify Recordkeeping and Reporting and Observer Requirements; Correction	0648-AW20
Control Date for Commercial Dolphin/Wahoo Fishery of the South Atlantic	0648-AW21
Pacific Halibut Fisheries; Catch Sharing Plan	0648-AW26
Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments	0648-AW27
Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments	0648-AW34
Oregon Coho Salmon Critical Habitat Designation	0648-AW39
Establishment of Limits on Entry or Effort in the Purse Seine Fishery in the Western and Central Pacific Ocean	0648-AW41

Patent and Trademark Office - Proposed Rule

Title	Regulation Identifier Number
Changes to Representation of Others Before the U.S. Patent and Trademark Office	0651-AB55
Amendment of Trademark Rules of Practice	0651-AB89
Institution of a Fee To File on Paper a Request for Reconsideration of a Final Office Action in a Trademark Case	0651-AC05
Changes to Rules of Practice Before the Board of Appeals and Interferences in Inter Partes Appeals	0651-AC13
Changes to Rules of Practice Before the Board of Appeals and Interferences in Interferences	0651-AC14
Changes to Practice For Patent-Related Correspondence	0651-AC16
Revision of Patent Fees for Fiscal Year 2009	0651-AC21

Patent and Trademark Office - Final Rule

Title	Regulation Identifier Number
Correspondence With the United States Patent and Trademark Office, Office of the General Counsel	0651-AC08
Changes to Rules of Practice Before the Board of Appeals and Interferences in Ex Parte Appeals	0651-AC12
Changes in the Requirement for a Description of the Mark in Trademark Applications	0651-AC17
Changes in Procedures for Filing Trademark Correspondence by Express Mail or Under a Certificate of Mailing or Transmission	0651-AC18

Patent and Trademark Office - Long-term Action

Title	Regulation Identifier Number
Acceptance, Processing, Use, and Dissemination of Chemical and Three-Dimensional Biological Structural Data in Electronic Format	0651-AB91
Changes to Information Disclosure Statement Requirements and Other Related Matters	0651-AB95
Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility	0651-AB98
Revision to the Time for Filing of a Biological Deposit and the Date of Availability of a Biological Deposit	0651-AB99
Examination of Patent Applications That Include Claims Containing Alternative Language	0651-AC00
Changes To Implement Preexamination Search Reports	0651-AC03
Revisions to the Procedures for Deferral of Examination of an Application for Patent	0651-AC06
Changes To Implement Electronic Patent Publication	0651-AC19
Revision of Patent Fees for Fiscal Year 2010	0651-AC22

Patent and Trademark Office - Completed Action

Title	Regulation Identifier Number
Changes to Practice for Continuing Applications, Requests for Continued Examination Practice, and Applications Containing Patentably Indistinct Claims	0651-AB93
Changes to Practice for the Examination of Claims in Patent Applications	0651-AB94
Pre-Brief Appeal Conference for Patent Applications Under Appeal to the Board of Patent Appeals and Interferences	0651-AB96
Changes to Examination Practice for Means- (or Step-) Plus-Function Claim Elements in Patent Applications	0651-AB97

Bureau of Economic Analysis - Proposed Rule

Title	Regulation Identifier Number
Change in Reporting Requirements for the BE-15 Annual Survey of Foreign Direct Investment in the United States	0691-AA65

Bureau of Economic Analysis - Completed Action

Title	Regulation Identifier Number
Change in Reporting Requirements for BE-11, Annual Survey of U.S. Direct Investment Abroad	0691-AA63
Change in Reporting Requirements for BE-12, Benchmark Survey of Foreign Direct Investment in the United States--2007	0691-AA64

National Institute of Standards and Technology - Final Rule

Title	Regulation Identifier Number
Technology Innovation Program	0693-AB59

Bureau of Industry and Security - PreRule

Title	Regulation Identifier Number
Automated Export System and Shippers Export Declaration--Requirement To Show Paragraphs in Export Control Classification Numbers	0694-AD89

Bureau of Industry and Security - Proposed Rule

Title	Regulation Identifier Number
Administrative Action Providing for Order To Stop Specific Exports or Reexports Otherwise Eligible Under Designation NLR	0694-AC47
Additional Protocol Regulations	0694-AD26
Conforming Changes to Certain End-User/End-Use Based Controls in the EAR; Clarification of the Term "Transfer" and Related Terms as Used in the EAR	0694-AD59
Removal of License Exception GBS and TSR Eligibility for Certain Microwave Monolithic Integrated Circuit Power Amplifiers and Related Software and Technology	0694-AE09
Export Administration Regulations: Establishment of License Exception Intra-Company Transfer (ICT)	0694-AE21

Bureau of Industry and Security - Final Rule

Title	Regulation Identifier Number
License Exception AVS: Clarifications	0694-AC33
Clarifications to Part 752: Special Comprehensive License Requirements	0694-AC34
Technical Amendments to the Export Administration Regulations	0694-AD54
Revisions and Clarifications to the Export Administration Regulations	0694-AD55
Implementation of the Understandings Reached at the 2004 Gotenberg and 2005 Oslo Nuclear Supplier Group (NSG) Plenary Meetings	0694-AD58
Revisions to License Requirements for Certain Thermal Imaging Cameras Incorporating Focal Plane Arrays	0694-AD71
Revision to General Restriction on All License Exceptions: Availability of Certain License Exceptions for Lightweight Aircraft Engines	0694-AD80
Authorization To Impose License Requirements for Exports and Reexports to Entities Acting Contrary to the United States' National Security or Foreign Policy Interests	0694-AD82
Revised Export License Application Review Policy and End-Use Verification Policy To Implement the July 2006 Recommendations of the Commission for Assistance to a Free Cuba	0694-AD87
Mandatory Electronic Filing of Export and Reexport License Applications, Classification Requests, Encryption Review Requests and Notifications, and License Exception AGR Notifications	0694-AD94

Export and Reexport License Requirements for Non-Space-Qualified Focal Plane Arrays Incorporating Electron-Multiplying Charge-Coupled Devices (EMCCD)	0694-AE10
Revisions to License Exception GOV for Support of Civil Aviation Authorities Responsible for Safety of Flight; and Revisions to General Restriction on All License Exceptions	0694-AE14
Revision to the Entity List: Change of License Review Policy for One Listed Entity and Its Subordinates	0694-AE16
Revision of the Export Administration Regulations: Encryption	0694-AE18
Revision to the Commerce Control List: Addition of Certain Engines, Specially Designed or Modified to Propel Unmanned Aerial Vehicles (UAVs) at High Altitudes	0694-AE22
Revisions to the Export Administration Regulations Based on the 2007 Missile Technology Control Regime Plenary Agreements	0694-AE23
Classification of Crew Protection Kits on the Commerce Control List	0694-AE24
License Exception ENC: Expansion of Scope of Countries and End-Use; Revision of Review Request Requirements; and Clarifications	0694-AE25
Deletion of Statement of Understanding Regarding Source Code	0694-AE26
Foreign Direct Products of U.S. Technology	0694-AE27
December 2006 Wassenaar Arrangement Plenary Agreement Implementation Regarding Solar Cells	0694-AE28
December 2007 Wassenaar Arrangement Plenary Agreement Implementation: Categories 1, 2, 3, 5; Parts I and II, 6, 7, and 9 of the Commerce Control List; Definitions	0694-AE29
December 2007 Wassenaar Arrangement Plenary Agreement Implementation: Category 6 (Cameras and Optical Sensors) of the Commerce Control List; Wassenaar Reporting Requirements	0694-AE30
Clarification of Export Control Jurisdiction for Civil Aircraft and Civil Aircraft Equipment Under the Export Administration Regulations	0694-AE31
Technical Corrections to the Export Administration Regulations Based Upon a Systematic Review of the Commerce Control List	0694-AE32
Revisions to the Export Administration Regulations Based Upon a Systematic Review of the Commerce Control List	0694-AE33

Bureau of Industry and Security - Long-term Action

Title	Regulation Identifier Number
Export Administration Regulations: Support Documentation Consolidation and Reorganization	0694-AC04
Expansion of License Exception GOV; Exports and Reexports to International Organizations	0694-AC15
De Minimis U.S. Content in Foreign Made Items	0694-AC17
Revision to the Export Administration Regulations: Replacement Licenses	0694-AC23
Short Supply Controls: Crude Oil Exports	0694-AC25
Chemical Weapons Convention: Revisions to the Export Administration Regulations	0694-AC35
Imposition of License Requirement for Exports and Reexports of Missile Technology (MT)--Controlled Items to Canada	0694-AC48
Revisions of Aircraft Export Licensing Jurisdiction Based on Review of the U.S. Munitions List	0694-AC74
Export and Reexport Controls on Iraq	0694-AC84
Clarification of "Space-Qualified" Parts, Components, and Technology Subject to the Export Administration Regulations	0694-AD07
Export Administration Regulations: Removal of Country Groups	0694-AD09
Implementation of the Wassenaar Arrangement Statement of Understanding on the Control of Non-Listed Dual-Use Items	0694-AD10
License Exception GOV Exports and Reexports for Official IAEA International Inspection and Verification Use in Accordance With the U.S.-IAEA Safeguards Agreement, as Amended by the Additional Protocol	0694-AD27
Revisions to the DPAS Regulation and Associated Notices	0694-AD69
Implementation in the Export Administration Regulations of the United States' Rescission of Libya's Designation as a State Sponsor of Terrorism and Revisions Applicable to Iraq	0694-AD81

Country Group C: Destinations of Diversion Concern	0694-AD93
Revision of the Regional Stability and Chemical and Biological Export Controls in the Export Administration Regulations	0694-AE04

Bureau of Industry and Security - Completed Action

Title	Regulation Identifier Number
Exports and Reexports to Sudan	0694-AC05
Removal of License Exception GBS and TSR Eligibility for Certain Microwave Monolithic Integrated Circuit Power Amplifiers and Related Software and Technology	0694-AD36
Revisions to License Exceptions TMP and BAG: Expansion of Eligible Items	0694-AD72
Expanded Licensing Jurisdiction for QRS 11 Micromachined Angular Rate Sensor	0694-AD92
Dec. 2006 Wassenaar Arrangement Plenary Agreement Implementation: CCL Cats. 1, 2, 3, 5 Pt I, 6, 7, 8, and 9; Wassenaar Report Requirements; Definitions; and Statements of Understanding on Source Code	0694-AD95
Technical Corrections to the Export Administration Regulations	0694-AE07
Implementation of the Understandings Reached at the June 2007 Australia Group (AG) Plenary Meeting; Addition to the List of States Parties to the Chemical Weapons Convention (CWC)	0694-AE08
Approved End-Users and Respective Eligible Items Under Authorization Validated End-User for the People's Republic of China	0694-AE11
Revisions and Technical Corrections to the Export Administration Regulations and the Defense Priorities and Allocations System Regulation	0694-AE15
Burma: Revision of the Export Administration Regulations	0694-AE17
Updated Statement of Legal Authority for the Export Administration Regulations	0694-AE19
Expanded Authorization for Temporary Exports and Reexports to Sudan	0694-AE20

Department of Commerce (DOC) General Administration (ADMIN)

RIN: 0605-AA19

 [View Related Documents](#)

Title: Disclosure of Government Information

Abstract: This rule amends the Department of Commerce's (Department) Privacy Act (PA) regulations (15 CFR part 4) by adding an additional method of authorization to determine the identification of individuals seeking access to records under the Privacy Act.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 4 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC 552; 5 USC 552a; 5 USC 301; 5 USC 553; 31 USC 3717; 44 USC 3101

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0607-AA46

 [View Related Documents](#)

Title: Procedure for Requesting a Population Estimates Review and Update

Abstract: The Census Bureau amends the Code of Federal Regulations (CFR) to change the name of a current Census program from "Procedure for Challenging of Certain Population and Income Estimates" to "Procedure for Requesting an Estimates Review and Update." In addition, the Census Bureau updates references to the method by which population estimates are officially released to reflect widespread use of the Internet for disseminating official demographic data. Finally, the Census Bureau eliminates per capita income from the "Procedure for Requesting Population Estimates Review and Update."

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 90 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 13 USC 4; 13 USC 181

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State

Small Entities Affected: Governmental
 Jurisdictions

Federalism: No

Energy Affected: No

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

RIN: 0607-AA35

 [View Related Documents](#)

Title: Cutoff Dates for Recognition of Boundary Changes for Census 2000 and for the Intercensal Period

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).

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 70 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/25/2002	67 FR 3631
NPRM Comment Period End	02/25/2002	
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0607-AA38

 [View Related Documents](#)

Title: Mandatory Automated Export System (AES) Filing for Export Shipments Requiring Shipper's Export Declaration Information

Abstract: The Bureau of the Census is amending the Foreign Trade Statistics Regulations to require mandatory filing through the Automated Export System (AES) of all export information for shipments where filing of a Shipper's Export Declaration was formerly required. The AES is an electronic method by which export information is transmitted. This amendment will specify the provisions and filing responsibilities of parties exporting commodities from the United States.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 30 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: PL 107-228, sec 1404

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	10/22/2003	68 FR 60301
ANPRM Comment Period End	11/21/2003	
NPRM	02/17/2005	70 FR 8200
NPRM Comment Period End	04/18/2005	
Final Action	05/00/2008	
Final Action Effective	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 0607-AA29; Related to 0607-AA31; Related to 0607-AA30

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

RIN: 0607-AA42

 [View Related Documents](#)

Title: Establishment of the 2010 Census Redistricting Program

Abstract: This action announces the establishment of the 2010 Census Redistricting Data Program. Required by law, the program provides States with the opportunity to specify the small geographic areas that they wish to receive 2010 decennial census population totals for the purpose of reapportionment and redistricting.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: None (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 13 USC 141(c)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	
Notice	05/13/2004	69 FR 26547
Notice	02/15/2005	70 FR 7713

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
Economic Development Administration (EDA)

RIN: 0610-AA64

 [View Related Documents](#)

Title: Revisions to the Trade Adjustment Assistance for Firms Program Regulations and Other EDA Regulations

Abstract: The Economic Development Administration (EDA) is taking this action to propose, and receive comments on, changes to certain definitions in the Trade Adjustment Assistance for Firms Program regulations set out in 13 C.F.R. part 315. Additionally, this action would make non-substantive revisions, such as the correction of typographical or grammatical errors and the addition of clarifying language, to other parts of EDA's regulations codified at 13 C.F.R. chapter III.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 13 CFR 301; 13 CFR 302; 13 CFR 303; 13 CFR 307; 13 CFR 308; 13 CFR 314; 13 CFR 315 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 19 USC 2341 to 2355; 19 USC 2391; 42 USC 3121

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0625-AA51

 [View Related Documents](#)

Title: Procedures for Conducting 5-Year (Sunset) Reviews of Antidumping and Countervailing Duty Orders

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 would 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.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 19 CFR 351 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/20/1998	63 FR 13516
Interim Final Rule Effective	03/20/1998	63 FR 13516
NPRM	06/00/2008	
Final Action	06/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0625-AA75

 [View Related Documents](#)

Title: Changes in Procedures for the Florence Agreement Program

Abstract: The action amends the ITA regulations governing the duty-exemption allocations for watch producers and duty-refund benefits for watch and jewelry producers in the United States insular possessions (the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands). Title 15 CFR 303 is amended by making technical changes required by the passage of the Miscellaneous Trade and Technical Corrections Act of 2004, updating the regulations to comport with current Customs and Border Protection (CBP) practices and changes made in the Harmonized Tariff Schedule of the United States (HTSUS), and adding a website address for Statutory Import Programs Staff (SIPS). We also amend the regulations to reflect the new nomenclature changes made necessary by the transfer of the legacy Customs Service of the Department of the Treasury to the Department of Homeland Security (DHS) and the subsequent enfolding of the U.S. Customs Service into the Bureau of Customs and Border Protection.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** PL 108-429; PL 107-296**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Faye Robinson

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Department of Commerce (DOC)
International Trade Administration (ITA)
RIN: 0625-AA66 [View Related Documents](#)**Title:** Proposed Amendment to Regulation Concerning Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings**Abstract:** The Department of Commerce (Department) amends 19 CFR 351.303(g), which governs the certification of factual information submitted to the Department by a person or their representative during antidumping and countervailing duty proceedings. The amendments are intended to strengthen the current imprecise certification requirements so that it is clear what has been certified, by whom, and when, and so that parties and their counsel are aware of the potential consequences of false certifications.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 351 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 5 USC 301; 19 USC 1202 note; 19 USC 1303 note; 19 USC 1671 et seq; 19 USC 3538; ...**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	09/22/2004	69 FR 56738
Final Action	06/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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

RIN: 0625-AA74

 [View Related Documents](#)

Title: Imports of Certain Cotton Shirting Fabric: Implementation of Tariff Rate Quota Established Under the Tax Relief and Health Care Act of 2006

Abstract: The Department of Commerce is issuing interim regulations implementing section 406 of the Tax Relief and Health Care Act of 2006 (the Act), which President Bush signed into law on December 20, 2006 (Pub. L. 109-432). Section 406 (b)(1) authorizes the Secretary of Commerce to issue licenses to eligible manufacturers under headings 9902.52.08 through 9902.52.19 of the Harmonized Tariff Schedule of the United States, specifying the restrictions under each such license on the quantity of cotton woven fabrics that may be entered each year by or on behalf of the manufacturer.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 336 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: PL 109-432

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/24/2007	72 FR 40235
Final Action	09/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0625-AA76

 [View Related Documents](#)

Title: Canadian Softwood Lumber Import Licensing System

Abstract: The Department of Commerce (Commerce) publishes this rule to implement a licensing system for imports of softwood lumber from Canada. This licensing system is intended to enable Commerce to monitor the imports of softwood lumber subject to the 2006 Softwood Lumber Agreement (SLA 2006 or Agreement).

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 19 CFR 362 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0625-AA77

 [View Related Documents](#)

Title: Withdrawal of Regulation Governing Treatment of Tollers and Subcontractors in Antidumping Duty Determinations

Abstract: The International Trade Administration (ITA) takes this action to withdraw the provision at 19 CFR 351.401(h). ITA takes this action to ensure that the Department's antidumping analysis focuses upon the party setting the price of subject merchandise when the manufacture of such merchandise is subcontracted to another company. The regulation has had the unintended effect of bestowing the status of foreign manufacturer or producer upon parties in the United States that would have otherwise assumed the status of purchasers. If a party that customarily assumes the status of a purchaser is bestowed the status of foreign manufacturer or producer, the proper application of the antidumping duty law would be thwarted. This effect is contrary to the Department's intent in promulgating the regulation, and inconsistent with its statutory mandate to provide relief to domestic industries suffering material injury from unfairly traded imports. The withdrawal of this regulation would allow the Department to avoid these effects and provide relief as intended under the statutory scheme.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 19 CFR 351 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC 301; 19 USC 1202; 19 USC 1303; 19 USC 1671; 19 USC 3538

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/28/2008	73 FR 16517
Interim Final Rule Comment Period End	04/28/2008	
Final Rule	06/00/2008	

Regulatory Flexibility Analysis Required: No **Government Levels Affected:** No
Small Entities Affected: No **Federalism:** No
Energy Affected: No

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

RIN: 0625-AA78

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Title: Changes in the Insular Possessions Watch, Watch Movement, and Jewelry Programs 2006; Corrections

Abstract: The Departments of Commerce and the Interior (the Departments) published a document in the Federal Register on April 5, 2007 (72 CFR 16712), amending their regulations governing watch duty-exemption allocations and the watch and jewelry duty-refund benefits for producers in the United States insular possessions (the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands). That document inadvertently provided the formula for the calculation of the watch duty refund rather than jewelry duty refund, as incorrectly listed in sec. 303.15(b), sec. 303.20(b) (i),(ii),(iii) and (iv) and sec. 303.20(b)(2)(i),(ii),(iii), and (iv). This document corrects the regulations by revising this section.

Priority: Substantive, Nonsignificant **Agenda Stage of Rulemaking:** Final Rule
Major: No **Unfunded Mandates:** No

CFR Citation: 15 CFR 303 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 19 USC 1202; 48 USC 1681; PL 106-36; PL 108-429; PL 103-465

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	05/00/2008	

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

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

RIN: 0625-AA59

 [View Related Documents](#)
Title: Commercial Availability of Fabric and Yarn

Abstract: This 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), title II of the Act (the United States-Caribbean Basin Trade Partnership Act or CBTPA), and title XXXI of the Trade Act of 2002 (the Andean Trade Promotion and Drug Eradication Act or ATPDEA) 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, the ATPDEA, and the CBTPA, and has authorized the Committee to extend quota- and duty-free treatment to apparel of such yarn or fabric. The 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 rule also outlines the factors to be considered by the Committee in extending quota- and duty-free treatment.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 345 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** PL 106-200, sec 112(b)(5)(B); PL 106-200, sec 211; EO 13191; PL 107-210, sec 3103**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	00/00/0000	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Janet Heizen

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

RIN: 0625-AA73

 [View Related Documents](#)

Title: Antidumping and Countervailing Duty Proceedings; Documents Submission Procedures; Administrative Protective Order (APO) Procedures

Abstract: The Department of Commerce (the Department) amends its regulations in antidumping (AD) and countervailing duty (CVD) proceedings governing information submitted to the Department and administrative protective orders. Specifically, the Department amends its regulations as follows: (1) To reflect a transfer in the function of receiving submissions filed in D/CVD proceedings from the Central Records Unit to the Administrative Protective Order (APO) Unit, and to change the name of the APO Unit to APO/Dockets Unit; (2) to reflect a transfer in the function of maintaining public service lists from the Central Records Unit to the APO/Dockets Unit; (3) to update the definition of Customs Service to reflect the reorganization of the Executive Branch; (4) to clarify that documents filed with the Department will only be time stamped when appropriate, for example, when an interested party submits a request for treatment as a voluntary respondent; (5) to clarify when a part must serve business proprietary information already on the administrative record to new authorized applicants to the APO; (7) to require a formal letter of appearance to request being placed on the service list of any segment of an AD/CVD proceeding; (8) to clarify when a party is to be considered an interested party for the purposes of the APO; and (9) to require importers to submit documentary evidence to confirm their status as an interested party, and thus eligibility for APO access. Finally, the Department amends its short form application for an APO (Form ITA-367).

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 19 CFR 351 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 18 USC 1677(C)(B)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/08/2007	72 FR 680
NPRM Comment Period End	02/28/2007	
Final Action	01/22/2008	73 FR 3634

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

Public Comment URL: www.trades.gov/ia

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU53

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Title: Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Naval Surf-Zone Explosive Ordnance Disposal School Training Operations at Eglin Air Force Base, Florida

Abstract: The National Marine Fisheries Service (NMFS) has received a request from Eglin Air Force Base (EAFB) to take marine mammals by Level B harassment incidental to Naval Explosive Ordnance Disposal School (NEODS) training operations, which include up to 30 detonations per year of small C-4 charges, off Santa Rosa Island (SRI) at EAFB. This action would implement regulations to govern that take. In order to issue a Letter of Authorization (LOA) and issue final regulations governing the take, NMFS must determine that the taking will have a negligible impact on the species or stocks and will not have an unmitigable adverse impact on the availability of such species or stock for taking for subsistence uses.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: PreRule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 216 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	06/00/2008	
ANPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV86

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Title: National Marine Sanctuary Program Regulations on Cruise Ship Discharges

Abstract: Resulting from a petition for rulemaking and after an extensive review and analysis of the impacts of the issue, the National Marine Sanctuary Program is considering a system-wide regulation on discharges from cruise ships. The rulemaking is intended to address cruise ship discharges across the entire system in a comprehensive way and with an appropriate level of consistency.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: PreRule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 15 CFR 922 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1434; 16 USC 1439

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	01/00/2009	
ANPRM Comment Period End	03/00/2009	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Energy Affected:** No**Agency Contact:** John Armor

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Government Levels Affected: No**Federalism:** No**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AV89 [View Related Documents](#)**Title:** Regulations on Conducting Interagency Consultation Pursuant to the National Marine Sanctuaries**Abstract:** Section 304(d) of the National Marine Sanctuaries Act requires federal agencies to consult with the Secretary of Commerce for any action that is likely to injure, cause the loss of, or destroy any sanctuary resource. This rulemaking would consider the need to have regulations to provide additional specificity regarding the procedures for conducting this consultation process.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** PreRule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 15 CFR 922 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1434; 16 USC 1439; 16 USC 1441**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/2008	
ANPRM Comment Period End	02/00/2009	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Energy Affected:** No**Agency Contact:** John Armor

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Government Levels Affected: Undetermined**Federalism:** No**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AP60

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Title: Amendment 9 to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan

Abstract: Amendment 9 to the Atlantic Mackerel, Squid, and Butterfish (MSB) Fishery Management Plan (FMP) was developed by the Mid-Atlantic Fishery Management Council to remedy deficiencies in the FMP and to address other issues that have arisen since Amendment 8 to the MSB FMP became effective in 1998. Amendment 9 to the MSB FMP considers: allowing multi-year specifications and management measures; extending or eliminating the moratorium on entry into the directed Illex fishery; revising current biological reference points for Loligo; designating essential fish habitat (EFH) for Loligo eggs; implementing closures of EFH areas to reduce gear impacts from MSB fisheries; increasing the Loligo possession limit for Illex vessels during a closure of the Loligo fishery; and requiring real-time electronic reporting via a vessel monitoring system in the Illex fishery.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/04/2008	73 FR 18483
NPRM Comment Period End	05/19/2008	
Final Action	07/00/2008	

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AQ71

 [View Related Documents](#)

Title: Taking and Importing Marine Mammals: Taking Marine Mammals Incidental to Conducting Oil and Gas Exploration Activities in the Gulf of Mexico

Abstract: The National Marine Fisheries Service (NMFS) has received an application from the U.S. Minerals Management Service for regulations under section 101(a)(5)(A) of the Marine Mammal Protection Act (MMPA) to authorize the taking of marine mammals incidental to conducting oil and gas exploration activities by U.S. citizens in the Gulf of Mexico. Without this authorization, the taking of marine mammals is prohibited by the MMPA. In order to authorize the taking and issuing of authorizations, NMFS must, through regulations, determine that the proposed activity will have no more than a negligible impact on the affected species and stocks of marine mammals.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 216.101 to 216.108 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1371(a)(5)(A)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	
NPRM Comment Period End	01/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AR06

 [View Related Documents](#)

Title: Amendment 62 to the FMP for the Groundfish Fishery of the Gulf of Alaska and Amendment 62 to the FMP for the Groundfish Fishery of the Bering Sea and Aleutian Islands

Abstract: This rule would implement American Fisheries Act (AFA) single geographic location allowing AFA-qualified inshore floating processors the flexibility to relocate between reporting weeks rather than between fishing years for the purpose of processing targeted Bering Sea and Aleutian Islands (BSAI) pollock. In addition, this rule would address obsolete and inconsistent inshore/offshore language in both the Bering Sea and Aleutian Islands and Gulf of Alaska (GOA) groundfish fishery management plans and recommend removing the GOA inshore/offshore allocation sunset date.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AR63

 [View Related Documents](#)

Title: Maximize Retention and Monitoring Program in the Shore-Based Pacific Whiting Fishery

Abstract: The Pacific Fishery Management Council (Pacific Council) at their October 21 to 25, 1996, meeting in San Francisco, California addressed the treatment and disposition of salmon in the groundfish trawl fisheries, specifically the shore-based whiting fishery. At that meeting, the Pacific Council discussed the retention of salmon in the shore-based whiting fishery and took action to maintain a viable shore-based whiting fishery by using exempted fishing permits (EFPs). These EFPs allowed the shore-based whiting fleet to temporarily deliver unsorted catch to processing plants and provided for the monitoring of incidentally taken salmon until a permanent monitoring program could be implemented. In keeping with the Pacific Council's recommendation, NMFS is proceeding with implementing a monitoring program for the shore-based whiting fishery. This action will aid in the sustainable management of Pacific Coast salmon and groundfish fisheries while providing an important economic opportunity to those associated with the harvest, processing, and selling of whiting taken by the shore-based whiting fleet. The need for implementing a permanent monitoring program in the shore-based Pacific whiting fishery is to provide for a full retention fishery by enabling the shore-based whiting fleet, composed exclusively of catcher vessels, to deliver unsorted catch to processing plants. This practice is necessary to ensure that whiting landings are of market quality, while abiding by Federal groundfish regulations and those implementing the Pacific Coast salmon and groundfish fishery management plans (FMPs).

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2008	
NPRM Comment Period End	12/00/2008	

Regulatory Flexibility Analysis

Required: Business

Federalism: No

Energy Affected: No

Government Levels Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AR72

 [View Related Documents](#)

Title: Amendment 72 to the Fishery Management Plan for the Groundfish of the Gulf of Alaska

Abstract: This amendment would revise the Gulf of Alaska (GOA) Groundfish Fishery Management Plan to state that the Council will annually review the discards of shallow-water flatfish in Gulf of Alaska groundfish fisheries. After review of this annual report, the Council may recommend revisions to the retention and utilization requirements if the discard rate for shallow-water flatfish falls above or below a specified threshold. This fishery management plan has no implementing regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2008	
NPRM Comment Period End	08/00/2008	

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AS13

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Title: Community Development Quota Transfers

Abstract: This regulatory amendment would revise regulations associated with fisheries quota transfers conducted under the Western Alaska Community Development Quota (CDQ) Program. This includes modifying restrictions associated with groundfish and halibut CDQ transfers to allow eligible entities to transfer quota before or after harvesting. This action also would revise Table 7 to part 679-Eligible CDQ Communities and remove obsolete regulatory text at 50 CFR 679.30.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AS25

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Title: Amendment 1 to the Fishery Management Plan for the Tilefish Fishery

Abstract: Amendment 1 to the Fishery Management Plan for the Tilefish Fishery would implement Individual Fishing Quotas in the tilefish fishery.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AS49

 [View Related Documents](#)
Title: Atlantic Highly Migratory Species (HMS); Reducing Sea Turtle Takes

Abstract: This action would amend the regulations governing the Atlantic pelagic longline fishery based upon a June 1, 2004, Biological Opinion regarding Atlantic sea turtles. This amendment could include framework mechanisms that would allow the Agency to take action, such as partial or rolling closures or gear or effort restrictions, if the number of sea turtle interactions or mortalities exceed anticipated levels during a certain period of time. This action would not change established quotas for target species.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 635 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 971; 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	08/12/2004	69 FR 49858
ANPRM Comment Period End	10/12/2004	
NPRM	11/00/2008	
NPRM Comment Period End	12/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AS65

 [View Related Documents](#)

Title: Amendment to Coastal Migratory Pelagics FMP, Red Drum FMP, Reef Fish FMP, Spiny Lobster FMP, and Stone Crab FMP To Provide for Regulation of Marine Aquaculture

Abstract: The purpose of the amendment is to develop a regulatory permitting process for regulating and promoting environmentally sound and economically sustainable aquaculture in the Gulf exclusive economic Zone. Possible management actions include: (1) Types of aquaculture permits required; (2) duration of aquaculture permits; (3) conditions for permit issuance; (4) species allowed for aquaculture; (5) allowable aquaculture systems; (6) designation of sites or areas for conducting aquaculture; (7) buffer zones for aquaculture facilities; (8) recordkeeping and reporting requirements; and (9) regulations to aid in the enforcement of marine aquaculture facilities.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AS71

 [View Related Documents](#)

Title: Western Pacific Squid Fishery

Abstract: Pelagic squid would be designated as a management unit species under the Western Pacific Pelagics Fishery Management Plan, and permitting and reporting requirements would be established.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 665 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Proposed Rule	05/00/2008	
Comment Period End	06/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Small Entities Affected:** No**Energy Affected:** No**Agency Contact:** Alvin Katekaru

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Government Levels Affected: No**Federalism:** No**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AT13 [View Related Documents](#)**Title:** Transfer of Management Authority for the Atlantic Coast Red Drum Resource From the South**Abstract:** This action would repeal the South Atlantic Fishery Management Council's (Council's) Atlantic Coast Red Drum Fishery Management Plan (Red Drum FMP) and transfer the Secretary's authority to regulate harvest and possession of red drum in and from the Atlantic Coast Exclusive Economic Zone (EEZ) from under the Magnuson-Stevens Act to under the Atlantic Coastal Fisheries Cooperative Management Act (ACA), as requested by the Council and the Atlantic States Marine Fisheries Commission. This action would maintain the prohibition on possession and harvest of red drum in the EEZ.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	04/03/2008	73 FR 18253
NPRM Comment Period End	05/05/2008	
Final Action	07/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal; State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AT31

 [View Related Documents](#)

Title: American Lobster Fishery; Fishing Effort Control Measures To Complement Interstate Lobster Management Recommendations by the Atlantic States Marine Fisheries Commission

Abstract: The National Marine Fisheries Service announces that it is considering, and seeking public comment on, revisions to Federal American lobster regulations for the Exclusive Economic Zone (EEZ) associated with effort control measures as recommended for Federal implementation by the Atlantic States Marine Fisheries Commission (ASFMC) as outlined in the Interstate Fishery Management Plan (ISFMP) for American lobster. This action will evaluate effort control measures in certain Lobster Conservation Management Areas including: Limits on future access based on historic participation criteria; procedures to allow trap transfers among qualifiers and impose a trap reduction or conservation tax on any trap transfers; and a trap reduction schedule to meet the goals of the ISFMP.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 697 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 5101 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	05/10/2005	70 FR 24495
ANPRM Comment Period End	06/09/2005	
NPRM	12/00/2008	
NPRM Comment Period End	02/00/2009	

Regulatory Flexibility Analysis

Required: Business

Federalism: No

Energy Affected: No

RIN Information URL: www.nero.noaa.gov/
 StateFedOff

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Government Levels Affected: No

Public Comment URL: www.nero.noaa.gov/nero/
 comments/index.html

Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AT32

 [View Related Documents](#)**Title:** West Coast Highly Migratory Species, Correcting Amendment**Abstract:** This rule will make clarifications and corrections to the final rules published to implement the Fishery Management Plan for U.S. West Coast Highly Migratory Species.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2008	
NPRM Comment Period End	12/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Mark Helvey

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AT58

 [View Related Documents](#)**Title:** Amendment 10 to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan**Abstract:** This action would implement a rebuilding program for butterfish.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	07/00/2008	

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

Small Entities Affected: No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AT77
 [View Related Documents](#)

Title: Taking and Importing of Marine Mammals; Taking Marine Mammals Incidental to Assessing Naval Ship Survivability

Abstract: The National Marine Fisheries Service (NMFS) expects to receive a request from the U.S. Navy for an authorization under the Marine Mammal Protection Act to take marine mammals, by harassment, injury, and possible mortality, incidental to conducting a shock trial along the U.S. East Coast/Gulf of Mexico. Shock trials are required to test the survivability of naval ship assets in accordance with section 2366, title 10 United States Code. As a result of this request, NMFS will propose new regulations, that if implemented, would govern the incidental taking of marine mammals by the Navy for this activity. In order to promulgate regulations and issue an Letter of Authorization thereunder, NMFS must determine that the takings will have a negligible impact on the affected species and stocks of marine mammals.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 216 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1361 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	04/11/2008	73 FR 19789
NPRM Comment Period End	05/12/2008	
Final Action	07/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AT78

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Title: Taking and Importing of Marine Mammals; Taking Marine Mammals Incidental to Deployment of a Naval At-Sea Gunnery Scoring System

Abstract: The National Marine Fisheries Service (NMFS) has received a request from the U.S. Navy for an authorization under the Marine Mammal Protection Act to take marine mammals, by harassment, incidental to deployment of a Naval At-Sea Gunnery Scoring System for the purpose of proficiency certification of U.S. Atlantic Fleet ships for naval surface fire support both within and seaward of established military operating areas. As a result of this request, NMFS is proposing regulations, that if implemented, would govern the incidental taking of marine mammals by the Navy. In order to promulgate regulations and issue Letters of Authorization thereunder, NMFS must determine that these takings will have a negligible impact on the affected species and stocks of marine mammals.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 216.101 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1361 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AT81

 [View Related Documents](#)

Title: Taking and Importing of Marine Mammals; Taking Marine Mammals Incidental to Naval Training Operations at the East Coast Shallow Water Training Range

Abstract: The National Marine Fisheries Service (NMFS) has received a request from the U.S. Navy for an authorization under the Marine Mammal Protection Act to take marine mammals, by harassment, incidental to naval vessels conducting shallow water anti-submarine training exercises in a specified area along the U.S. East Coast. As a result of this request, NMFS is proposing regulations, that if implemented, would govern the incidental taking of marine mammals by harassment and non-serious auditory impairment. In order to promulgate regulations and issue Letters of Authorization thereunder, NMFS must determine that these takings will have a negligible impact on the affected species and stocks of marine mammals.

Priority: Substantive, Nonsignificant **Agenda Stage of Rulemaking:** Proposed Rule
Major: No **Unfunded Mandates:** No
CFR Citation: 50 CFR 216.101 (To search for a specific CFR, visit the [Code of Federal Regulations](#))
Legal Authority: 16 USC 1361 et seq
Legal Deadline: None
Timetable:

Action	Date	FR Cite
NPRM	10/00/2008	

Regulatory Flexibility Analysis Required: No **Government Levels Affected:** Federal
Small Entities Affected: No **Federalism:** No
Energy Affected: No
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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)
RIN: 0648-AT82
 [View Related Documents](#)

Title: Taking and Importing of Marine Mammals; Taking Marine Mammals Incidental to U.S. Air Force Air-to-Surface Gunnery Exercises in the Northern Gulf of Mexico

Abstract: The National Marine Fisheries Service (NMFS) has received a request from the U.S. Air Force, Eglin Air Force Base (AFB), for an authorization under the Marine Mammal Protection Act to take marine mammals, by harassment, incidental to conducting air-to-surface gunnery testing and training exercises from an AC-130 gunship within the waters of the northern Gulf of Mexico adjacent to Eglin AFB. As a result of this request, NMFS will propose regulations, that if implemented, would govern the incidental taking of marine mammals by Eglin AFB for this activity. In order to promulgate regulations and issue a Letter of Authorization (LOA) thereunder, NMFS must determine that the takings will have a negligible impact on the affected species and stocks of marine mammals.

Priority: Substantive, Nonsignificant **Agenda Stage of Rulemaking:** Proposed Rule
Major: No **Unfunded Mandates:** No
CFR Citation: 50 CFR 216.101 (To search for a specific CFR, visit the [Code of Federal Regulations](#))
Legal Authority: 16 USC 1361 et seq
Legal Deadline: None
Timetable:

Action	Date	FR Cite
NPRM	10/00/2008	

Regulatory Flexibility Analysis Required: No **Government Levels Affected:** Federal
Small Entities Affected: No **Federalism:** No
Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AT83

 [View Related Documents](#)

Title: Taking and Importing of Marine Mammals; Taking Marine Mammals Incidental to Naval Explosives Ordnance Testing and Training Exercises in the Northern Gulf of Mexico

Abstract: The National Marine Fisheries Service (NMFS) has received a request from the U.S. Air Force, Eglin Air Force Base (AFB) for an authorization under the Marine Mammal Protection Act to take marine mammals, by harassment, incidental to conducting naval explosives ordnance disposal school exercises within the waters of the northern Gulf of Mexico adjacent to Eglin AFB. As a result of this request, NMFS will propose regulations, that if implemented, would govern the incidental taking of marine mammals by Eglin AFB for this activity. In order to promulgate regulations and issue a Letter of Authorization (LOA) thereunder, NMFS must determine that the takings will have a negligible impact on the affected species and stocks of marine mammals.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 216.101 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1361 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2008	
NPRM Comment Period End	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU02

 [View Related Documents](#)

Title: Spinner Dolphins in the Main Hawaiian Islands

Abstract: The National Marine Fisheries Service is considering regulations to protect wild spinner dolphins (*Stenella longirostris*) in the main Hawaiian Islands from human activities that have the potential to cause "take," as defined in the Marine Mammal Protection Act and its implementing regulations, or to otherwise adversely affect the dolphins. The scope of this action encompasses the activities of any person or conveyance that may result in the unauthorized taking of spinner dolphins and/or that may diminish the value to the dolphins of habitat routinely used by them for resting and/or that may cause detrimental individual-level and population-level impacts.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 216 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1361 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	12/12/2005	70 FR 73426
ANPRM Comment Period End	01/11/2006	
NPRM	12/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Trevor Spradlin

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E-Mail: trevor.spradlin@noaa.gov**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AU14 [View Related Documents](#)**Title:** Subsistence Halibut Program Amendments

Abstract: The action would amend regulations for the Subsistence Halibut Program by: (1) Revising the subsistence gear restrictions in Kodiak and adding seasonal gear and vessel limits in the Sitka Sound Local Area Management Plan (LAMP) area; (2) adding the village of Naukati to the list of eligible subsistence halibut communities; (3) implementing a possession limit equal to two daily bag limits to enhance enforcement; (4) revising the definition of charter vessel; (5) revising regulations allowing customary trade; and (6) allowing the use of special permits within non-subsistence use areas by tribes eligible for the permits.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 679; 50 CFR 300; 50 CFR 902 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq; 16 USC 773 et seq**Legal Deadline:** None

Timetable:

Action	Date	FR Cite
NPRM	04/14/2008	73 FR 20008
NPRM Comment Period End	05/14/2008	
Final Action	07/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 0648-AK16; Related to 0648-AR88

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AU20
 [View Related Documents](#)

Title: BSAI Amendment 73 and GOA Amendment 77 FMP To Revise Management Authority of Dark Rockfish

Abstract: This amendment would remove dark rockfish (*Sebastes ciliatus*) from the Bering Sea and Aleutian Islands (BSAI) and Gulf of Alaska (GOA) groundfish fishery management plans (FMP). The State of Alaska would then assume management of dark rockfish in the BSAI and GOA. Regulatory amendments are needed to implement these FMP amendments to remove dark rockfish from Table 2a of 50 CFR part 679 (FMP species) to add dark rockfish to Table 2d of 50 CFR part 679 (non-FMP species). The regulations implementing Amendment 73/77 also would revise the scientific name and species code for dusky rockfish on Table 2a to 50 CFR part 679.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU25

 [View Related Documents](#)

Title: Authorize an Exempted Fishing Permit Under the Highly Migratory Species (HMS) Fishery Management Plan (FMP)

Abstract: This rule would implement regulations authorizing an Exempted Fishing Permit, under the Highly Migratory Species (HMS) Fishery Management Plan, to allow a limited number of drift gillnet vessels to fish in a zone currently closed under the Endangered Species Act (ESA) and Magnuson-Stevens Fishery Conservation and Management Act regulations. The action is pending review and approval by the Pacific Council and must undergo an ESA section 7 consultation prior to adoption.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU26

 [View Related Documents](#)

Title: Amendment 12 to the Coastal Pelagic Species (CPS) Fishery Management Plan (FMP)

Abstract: The Pacific Fishery Management Council amends its Coastal Pelagic Species (CPS) Fishery Management Plan (FMP) to ensure the protection of krill and the resources which depend on or are sensitive to the abundance and availability of krill off the West Coast. The Amendment would add krill to the management unit species of the CPS FMP, establish a prohibited harvest category of management unit species in the CPS FMP, place krill in the prohibited harvest category and thus prohibit the harvest and retention of krill in the exclusive economic zone, and deny the use of the exempted fishing permit process under the CPS FMP to allow krill fishing.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU28

 [View Related Documents](#)

Title: Amendment 14 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region

Abstract: Amendment 14 would establish a series of 8 Type II Marine Protected Areas (MPAs) in federal waters in the South Atlantic. The MPAs range in size from 8 square nautical miles to 150 square nautical miles, and would be distributed from North Carolina south to the Florida Keys. Within the MPAs, fishing for or retention of species in the snapper grouper management complex would be prohibited, as would the use of shark bottom longline fishing gear. Trolling for pelagic species such as tuna, dolphin, and mackerel would be allowed within the MPAs.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Notice	07/20/2006	71 FR 41207
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Roy Crabtree

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AU36 [View Related Documents](#)**Title:** Amendment 15 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan**Abstract:** Amendment 15 would address allocation and other issues in the summer flounder, scup, and black sea bass fisheries.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** State**Federalism:** No**Energy Affected:** No**Agency Contact:** Patricia A. Kurkul

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU61

 [View Related Documents](#)
Title: Approval of Operations Plan for the Georges Bank Fixed Gear Sector for 2007 to 2008**Abstract:** This action requests comment on an Operations Plan for a Sector in the NE multispecies fishery.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2008	
NPRM Comment Period End	12/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU71

 [View Related Documents](#)
Title: Western Pacific Fishery Ecosystem Plans and Regulatory Reorganization

Abstract: New Fishery Ecosystem Plans (FEPs) developed by the Western Pacific Fishery Management Council would employ ecosystem approaches to fishery management. The five place-based FEPs (Pelagics, American Samoa, Hawaii, Mariana Islands, and Pacific Remote Island Areas) would replace the five existing species-based fishery management plans (Pelagics, Bottomfish and Seamount Groundfish, Crustaceans, Precious Corals, and Coral Reef Ecosystems). This action would also reorganize western Pacific regulations in 50 CFR 665 geographically according to the new FEPs, making the regulations better organized and easier to use for managers, the regulated community, and the general public.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 665 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	07/00/2008	

Additional Information: This action was previously reported as RIN 0648-AV27 (fishery ecosystem plans) and RIN 0648-AU71 (regulatory reorganization). The two actions have been combined into 0648-AU71.

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

Small Entities Affected: No **Federalism:** No

Energy Affected: No

Related RINs: Merge with 0648-AV27

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU74

 [View Related Documents](#)

Title: Effort Limitation for United States Commercial Fishing Vessels Targeting North Pacific Albacore Tuna

Abstract: The National Marine Fisheries Service is considering regulations to fulfill the United States' obligation under Inter-American Tropical Tuna Commission (IATTC) Resolution to cap effort in the North Pacific albacore surface hook-and-line fishery managed under the Highly Migratory Species Fishery Management Plan. The IATTC Resolution recommends that member nations and cooperating parties take this action to address potential overfishing concerns for North Pacific albacore.

Priority: Substantive, Nonsignificant **Agenda Stage of Rulemaking:** Proposed Rule

Major: No **Unfunded Mandates:** No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/00/2008	

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

Small Entities Affected: No **Federalism:** No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU79

 [View Related Documents](#)

Title: Restrictions for 2007 Purse Seine and Longline Fisheries in the Eastern Tropical Pacific Ocean

Abstract: The National Marine Fisheries Service announces the 2007 conservation and management measures for international tuna fisheries in the eastern tropical Pacific Ocean. The purse seine fishery will be closed for six weeks and any national longline fishery which reaches a catch level for bigeye tuna equal to the 2001 catch levels will also be closed. The intended effect of this rule is to establish prohibition of U.S. vessels purse seine fishing for tuna in the Inter-American Tropical Tuna Commission (IATTC) Convention Area from November 20 to December 31 period, and to announce the closure of the U.S. longline fishery. This will conform to the IATTC recommendation that was approved by the State Department.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU88

 [View Related Documents](#)

Title: Atlantic Highly Migratory Species; International Trade Permit Regulatory Amendment

Abstract: The National Marine Fisheries Species proposes regulatory changes to the highly migratory species (HMS) international trade program, which encompasses dealer permitting and reporting for international trade of swordfish, bluefin tuna, and bigeye tuna. The proposed regulatory changes will include adjustments to improve program efficacy and consistency with regulations of other U.S. agencies.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/04/2008	73 FR18473
NPRM Comment Period End	05/05/2008	
Final Action	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU92

 [View Related Documents](#)

Title: 4(d) Protective Regulations for Threatened Elkhorn and Staghorn Corals

Abstract: Under section 4(d) of the Endangered Species Act (ESA), the Secretary of Commerce (Secretary) is required to adopt such regulations, as he deems necessary and advisable for the conservation of species listed as threatened. The proposed 4(d) rule represents the regulations that we, the NMFS, believe are necessary and advisable to conserve threatened elkhorn and staghorn corals. The proposed 4(d) protective regulations would apply the take prohibitions enumerated in section 9(a)(1) of the ESA in most circumstances to the two listed threatened coral species. We do not find it necessary or advisable to apply the take prohibitions to specified categories of activities that contribute to conserving listed corals or are governed by a program that adequately limits impacts on listed corals.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 223 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 to 1544

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Notice	12/14/2007	72 FR 71102
Comment Period End	03/13/2008	
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

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

Small Entities Affected: Business; Governmental Jurisdictions; Organizations **Federalism:** No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU96

 [View Related Documents](#)

Title: Taking Marine Mammals Incidental to Construction of the Knik Arm Bridge, Anchorage, Alaska

Abstract: NMFS has received a request from the Knik Arm Bridge and Toll Authority for an authorization to take marine mammals, by harassment, incidental to construction of the Knik Arm Bridge in Alaska during the period 2007 through 2012. In order to issue regulations and authorize the take, NMFS must determine that the taking will have a negligible impact on the affected species and stocks of marine mammals, will not have an unmitigable adverse impact on subsistence uses of marine mammals, and will be at the lowest level practicable.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 216.100 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1361 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV00

 [View Related Documents](#)

Title: Atlantic Highly Migratory Species; Essential Fish Habitat

Abstract: This rule would update Essential Fish Habitat (EFH) for Atlantic Highly Migratory Species (HMS). This rulemaking would consider alternatives for different EFH identifications and descriptions, analyze fishing and non-fishing impacts on any resulting changes to EFH, and consider measures to minimize any adverse fishing and non-fishing impacts on the revised EFH. EFH for Atlantic HMS was originally identified and described in the 1999 Fishery Management Plan (FMP) for Atlantic Tunas, Swordfish, and Sharks, and in the 1999 Amendment 1 to the Atlantic Billfish FMP. As part of the 5-year review and update required by the EFH regulatory guidelines, NMFS reviewed all new and existing EFH data in the Consolidated HMS FMP and determined that changes to existing EFH may be warranted. This rulemaking would constitute the second phase of the 5-year review and update by potentially modifying some of the existing EFH.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 635 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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RIN: 0648-AV04

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Title: Potential Revisions to the Turtle Excluder Device (TEDs) Requirements

Abstract: With this action, the National Marine Fisheries Service (NMFS) announces that it is considering technical changes to the requirements for turtle excluder devices (TEDs), and to solicit public comment. Specifically, NMFS would modify the size of the TED escape opening currently required in the summer flounder fishery; require the use of TEDs in the whelk, calico scallop, and Mid-Atlantic scallop trawl fisheries; require the use of TEDs in flynets; and move the current northern boundary of the Summer Flounder Fishery-Sea Turtle Protection Area off Cape Charles, Virginia, to a point farther north.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No

CFR Citation: 50 CFR 222; 50 CFR 223 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1533**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	02/15/2007	72 FR 7382
ANPRM Comment Period End	03/19/2007	
Commend Period Extended	05/18/2007	
NPRM	06/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal; State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Roy Crabtree

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AV06
 [View Related Documents](#)

Title: Revise Economic Data Reports (EDR) Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands King and Tanner Crab Fishery Resources

Abstract: This regulatory amendment would revise the implementing reporting regulations for the Crab Rationalization Program to section 680.06 to conform with the statutory requirements and objectives of the Fishery Management Plan for Bering Sea/Aleutian Islands (BSAI) King and Tanner Crabs (FMP), the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), and other applicable law. This action is necessary to correct a discrepancy in a previous rulemaking. Specifically, revision to the reporting requirements to section 680.06 is necessary to maintain consistency between EDRs and the regulations for crab harvesters and processors participating in the program.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No

CFR Citation: 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1862

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 0648-AS47

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National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV12

 [View Related Documents](#)

Title: High Seas Fishing Compliance Act (HSFCA); Amendment of Regulations

Abstract: The National Marine Fisheries Services proposes regulatory changes to improve the administration of the HSFCA program. The regulatory changes will include adjustments to permitting, reporting, and transshipping procedures; provisions for experimental or exploratory fisheries; specifications for vessel monitoring system requirements and the correction of obsolete references.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 5501

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV14

 [View Related Documents](#)

Title: Revision to Allowable Bycatch Reduction Devices for the Gulf of Mexico Shrimp Fishery

Abstract: In accordance with the framework procedures for adjusting management measures of the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (FMP), NMFS proposes to decertify the expanded mesh bycatch reduction device (BRD), the Gulf fisheye BRD, and to revise the allowable configuration of the fisheye BRD for use in the Gulf of Mexico shrimp fishery. The intended effect of this rule is to improve bycatch reduction in the shrimp fishery and better meet the requirements of national standard 9.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV15

 [View Related Documents](#)

Title: Protective Regulations for Killer Whales in the Northwest Region Under the Endangered Species Act and Marine Mammal Protection Act

Abstract: NMFS is considering whether to propose regulations to protect killer whales (*Orcinus orca*) in the Pacific Northwest. The Southern Resident killer whale distinct population segment (DPS) was listed as endangered under the Endangered Species Act (ESA) on November 18, 2005 (70 FR 69903). In the final rule announcing the listing, NMFS identified vessel effects, including direct interference and sound, as a potential contributing factor in the recent decline of this population. Both the Marine Mammal Protection Act (MMPA) and the ESA prohibit take, including harassment, of killer whales, but these statutes do not prohibit specified acts. NMFS is now considering whether to propose regulations that would prohibit certain acts, under our general authorities under the ESA and MMPA and their implementing regulations. The Proposed Recovery Plan for Southern Resident killer whales (71 FR 69101, November 29, 2006) includes as a management action the evaluation of current guidelines and the need for regulations and/or protected areas. The scope of this action encompasses the activities of any person or conveyance that may result in the unauthorized taking of killer whales and/or that may cause detrimental individual-level and population-level impacts. NMFS requests comments on whether--and if so, what type of--conservation measures, regulations, and, if necessary, other measures would be appropriate to protect killer whales from the effects of these activities.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 216; 50 CFR 224 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1361 et seq; 16 USC 1531 to 1543

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	03/22/2007	72 FR 13464
ANPRM Comment Period End	04/23/2007	
NPRM	12/00/2008	

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV24

 [View Related Documents](#)

Title: Amendment 1 to the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species

Abstract: Amendment 1 to the West Coast HMS FMP, combined with the Western Pacific Fishery Management Council's Amendment 14 will address Pacific-wide overfishing of Pacific bigeye tuna (*Thunnus obesus*). This action is necessary per requirements contained in the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), which requires protection for, and an end to overfishing of species managed under a Federal FMP. Amendment 1 also proposes to reorganize the HMS FMP to create a more user-friendly document as the current form is a combined FMP with the Final Environmental Impact Statement (FEIS), which evaluates the effects of its implementation. In addition to addressing overfishing of bigeye tuna, the reorganized FMP retains the management program elements required by the Magnuson-Stevens Act.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Notice	03/09/2007	72 FR 10628
Comment Period End	05/08/2007	
NPRM	11/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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RIN: 0648-AV28

 [View Related Documents](#)

Title: Fisheries in the Western Pacific; Amendment 10 to Bottomfish and Seamount Groundfish FMP; Commonwealth of the Northern Mariana Islands

Abstract: Amendment 10 to the fishery management plan for Bottomfish and Seamount Groundfish Fisheries in the Western Pacific would establish Federal permitting and reporting requirements, closed areas, and vessel monitoring system requirements, for commercial bottomfish fishing in the Commonwealth of the Northern Mariana Islands.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 665 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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RIN: 0648-AV29

 [View Related Documents](#)

Title: Fisheries in the Western Pacific; Western Pacific Crustacean Fisheries; FMP Amendment 13-- Deepwater Shrimp

Abstract: Amendment 13 to the Fishery Management Plan for Crustacean Fisheries in the Western Pacific would add deepwater shrimp in the genus /Heterocarpus/ to the management unit, and establish permitting and reporting requirements.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 665 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
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RIN: 0648-AV30

 [View Related Documents](#)

Title: Fisheries in the Western Pacific; Precious Corals Fisheries; Fishery Management Plan for Amendment 7--Gold and Black Coral Management

Abstract: Amendment 7 to the Fishery Management Plan for Precious Coral Fisheries in the Western Pacific would establish the Auau Channel, Hawaii, black coral bed as an established bed with an annual harvest quota of 5,000 kg every 2 years, and would place a 5-year moratorium on the harvest of gold coral in the Western Pacific.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 665 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV31

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Title: South Atlantic Fishery Ecosystem Plan Comprehensive Amendment

Abstract: The purpose of this action is to develop an ecosystem-based approach to resource management. The South Atlantic Council plans to develop a Fishery Ecosystem Plan (FEP) Comprehensive Amendment, which would modify all its Fishery Management Plan's (FMPs). The initial amendment would include the following actions: (1) Various actions to comply with new essential fish habitat requirements; (2) establishment of deep water coral Habitat Areas of Particular Concern, with possible gear limitations, such as the establishment of allowable trawl areas; and (3) other possible actions necessary to implement ecosystem-based fishery management.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Small Entities Affected:** No**Energy Affected:** No**Agency Contact:** Roy Crabtree

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Government Levels Affected: No**Federalism:** No**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AV32 [View Related Documents](#)**Title:** Modifying Maximum Retainable Amounts (MRAs) for Selected Groundfish Species Caught by the Non-American Fishing Act Trawl Catcher Processor Sector**Abstract:** The National Marine Fisheries Service issues this action to amend regulations specifying the current interval of time allowed for determining the maximum retainable amount (MRA) of selected groundfish species that can be retained by non-American Fishery Act trawl catcher processors. This action would change MRA regulations located at 50 CFR 679.20(e) that establish the calculation of MRAs for groundfish species that are closed to directed fishing by increasing the interval of time each vessel in this sector would have to retain the MRA specified in regulation for several species in the Bering Sea and Aleutian Islands. This action is intended to promote the goals and objectives of the Fishery Management Plan (FMP) for Groundfish of the Bering Sea and Aleutian Islands Management Area.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/00/2008	
NPRM Comment Period End	11/00/2008	

Regulatory Flexibility Analysis**Required:** Business; Organizations**Small Entities Affected:** No**Energy Affected:** No**Government Levels Affected:** No**Federalism:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV33

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Title: Community Development Quota Regulation of Harvest

Abstract: This regulatory amendment would revise fisheries management regulations to ensure that the halibut, sablefish, and pollock community development quota (CDQ) fisheries are managed no more restrictively than comparable individual fishing quota or cooperative fisheries in Alaska. Possible regulatory revisions include those associated with: (1) Fisheries observer coverage levels; (2) catch retention and reporting requirements; and (3) an exemption from a licensing requirement.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/00/2008	
NPRM Comment Period End	11/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV34

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Title: Reef Fish Amendment 30A for Greater Amberjack and Gray Triggerfish: Total Allowable Catch (TAC) Adjustments, Measures To End Overfishing and Establish Sustainable Fisheries Act (SFA) Parameters

Abstract: Greater amberjack are under a rebuilding plan. A 2006 stock assessment (SEDAR 9) concluded the stock is not recovering as projected. It continues to be overfished and is undergoing overfishing. Adjustments to TAC and management measures are needed to end overfishing and bring the recovery of the greater amberjack stock back into compliance with its ten-year rebuilding time frame. Gray triggerfish were determined to be undergoing overfishing based on a 2006 stock assessment (SEDAR 9). Management measures are necessary to end overfishing of gray triggerfish. Additionally, the Council has not yet approved post-Sustainable Fisheries Act benchmarks and reference points for gray triggerfish.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/09/2007	72 FR 63537
NPRM Comment Period End	12/10/2007	
NPRM	04/08/2008	73 FR 19040
NPRM Comment Period End	05/23/2008	
Final Action	07/00/2008	

Regulatory Flexibility Analysis

Government Levels Affected: No

Required: Business; Organizations

Federalism: No

Energy Affected: No

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RIN: 0648-AV35

 [View Related Documents](#)

Title: Endangered and Threatened Species; Designation of Critical Habitat for Elkhorn and Staghorn Corals

Abstract: The National Marine Fisheries Service proposes to designate critical habitat for elkhorn and staghorn corals, which we recently listed as threatened under the Endangered Species Act (ESA). Areas proposed for designation will be within the current geographic ranges of these species that are under U. S. jurisdiction, including areas in Southeast Florida, Puerto Rico, and the U.S. Virgin Islands. Comments from the public on all aspects of the proposal, including information on the economic, national security, and other relevant impacts of the proposed designation, as well as the benefits to elkhorn and staghorn corals from designation will be solicited during a 60-day comment period. A draft economic analysis and section 4(b)(2) report will be conducted in support of this proposal.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 223 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 to 1544**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/06/2008	73 FR 6895
Correction	03/06/2008	73 FR 12068
NPRM Comment Period End	05/06/2008	
Final Action	10/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Marta Nammack

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E-Mail: marta.nammack@noaa.gov**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AV37

 [View Related Documents](#)**Title:** Amendments to Regulations for Tuna Purse Seine Vessels and Fishing Operations in the Eastern Tropical Pacific Ocean

Abstract: This rule would amend regulations pertaining to vessels authorized to fish for tuna and tuna-like species in the eastern tropical Pacific Ocean. This rule would: (1) Require vessel owners or managing owners of vessels fishing for tuna and tuna-like species to submit information required by the Inter-American Tropical Tuna Commission to list the vessel on the Vessel Register; (2) require that owners or managing owners of purse seine vessels of 400 st (362.8 mt) carrying capacity or less provide annual notification to the National Marine Fisheries Service (NMFS) to be categorized as active or inactive on the Vessel Register; (3) require owners or managing owners of purse seine vessels on the Vessel Register to notify NMFS prior to transfer of the vessel to foreign registry and flag; (4) allow NMFS to remove vessels from the Vessel Register if the vessel's documentation is not valid or effective; (5) allow NMFS to remove purse seine vessels from the Vessel Register if their request for active status is determined to be frivolous; (6) request additional information on tuna purse seine vessel and operator permit applications and add an application fee (less than \$50) for the operator permit; and (7) implement resolutions under the Agreement on the International Dolphin Conservation Program regarding floodlight specifications and vessel gear inspections. This rule would also make additional modifications and technical changes.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 216; 50 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1361 et seq; 16 USC 951 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV51

 [View Related Documents](#)

Title: Certification of Nations Whose Fishing Vessels Are Engaged in IUU Fishing or Bycatch of Protected Living Marine Resources

Abstract: The National Marine Fisheries Service (NMFS) is establishing a process of identification and certification to address Illegal, Unreported, or Unregulated (IUU) activities and bycatch of protected species in international fisheries. Nations whose fishing vessels engage, or have been engaged, in IUU fishing or bycatch of protected living marine resources would be identified in a biennial report to Congress, as required under section 403 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (MSRA) of 2006. NMFS would subsequently certify whether identified nations have taken appropriate corrective action with respect to the activities of its fishing vessels, as required under section 403 of MSRA.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq; 16 USC 1826d to 1826k

Legal Deadline:

Action	Source	Date
NPRM	Statutory	01/12/2009

Timetable:

Action	Date	FR Cite
ANPRM	06/11/2007	72 FR 32052
ANPRM Comment Period End	07/26/2007	
NPRM	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV53

 [View Related Documents](#)

Title: Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (MSRA)
 Environmental Review Procedure

Abstract: NOAA fisheries amends its regulations to develop procedures pursuant to section 107 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (MSRA) (Pub. L. 109-479), which requires NOAA Fisheries to revise and update agency procedures for complying with the National Environmental Policy Act (NEPA) in context of fishery management actions. The MSRA provides that the resulting procedures will be the sole environmental impact assessment procedure for fishery management actions, and that they must: Conform to the time lines for review and approval of fishery management plans and plan amendments; and integrate applicable environmental analytical procedures, including the time frames for public input, with the procedure for the preparation and dissemination of fishery management plans, plan amendments, and other actions taken or approved pursuant to this Act in order to provide for timely, clear, and concise analysis that is useful to decision makers and the public, reduce extraneous paperwork, and effectively involve the public.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 700 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline:

Action	Source	Date
NPRM	Statutory	07/11/2007
Other	Statutory	01/11/2008

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	08/00/2008	

Regulatory Flexibility Analysis

Required: Business; Governmental Jurisdictions; Organizations

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV60

 [View Related Documents](#)

Title: Guidance for Annual Catch Limits and Accountability Measures To End Overfishing

Abstract: Section 104(b) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (MSRA), requires that in fishing year 2010, for fisheries determined by the Secretary to be subject to overfishing, and in fishing year 2011, for all other fisheries, that fishery management plans establish annual catch limits (ACLs), including regulations and annual specifications, at a level such that overfishing does not occur in a fishery, including measures to ensure accountability. The National Marine Fisheries Service intends to prepare guidance on how to establish adequate ACLs and AMs by revising its National Standard 1 (NS1) guidelines at 50 CFR 600.310.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 600.310 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1853

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV61

 [View Related Documents](#)

Title: Rule To Implement a Minimum Possession Size Limit on Spiny Lobster (*Panulirus argus*)

Abstract: The United States is a major importer of spiny lobster from the Caribbean, importing over 88,000 tons (over 194 million lbs.) over the past 10 years, worth an estimated \$2.27 billion dollars. The United States imports over 90 percent of the spiny lobster harvested in Brazil, Colombia, Central America, and the Caribbean countries. The major exporters to the United States are the Bahamas, Brazil, Honduras, and Nicaragua. All of these exporting countries have some form of minimum size requirement, but they are not standardized and enforcement is severely lacking. Therefore, NOAA Fisheries Service in coordination with the Caribbean, South Atlantic, and Gulf of Mexico Fishery Management Councils is proposing to place a minimum size limit restriction on imports to curtail the flow of undersized lobster harvested in foreign countries.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622; 50 CFR 640 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Notice	07/26/2007	72 FR 41063
NPRM	10/00/2008	
NPRM Comment Period End	11/00/2008	

Regulatory Flexibility Analysis

Required: Business; Governmental Jurisdictions; Organizations

Government Levels Affected: Federal; Local; State; Tribal

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV63

 [View Related Documents](#)

Title: Initial Implementation of the Western and Central Pacific Fisheries Convention Implementation Act

Abstract: This action will implement, in part, the Western and Central Pacific Fisheries Convention (WCPFC) Implementation Act, which authorizes the Secretary of Commerce to promulgate regulations needed to carry out the obligations of the United States under the WCPFC. The action will include regulations applicable to owners and operators of U.S. vessels used to fish for highly migratory fish stocks in the western and central Pacific ocean, possibly including requirements to, among others, obtain authorization to fish, carry position-fixing transmitters as part of a vessel monitoring system, accommodate observers from a regional observer program, report fishing activity, accept boarding and inspection by authorized inspectors of other members of the Commission, and to prohibit transshipping at sea from purse seine vessels.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300; 15 CFR 902 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 44 USC 3501 et seq; PL 109-479

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

Agency Contact: Dr. Charles Karnella
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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV65

 [View Related Documents](#)

Title: Atlantic Pelagic Longline Take Reduction Plan

Abstract: With this action, the National Marine Fisheries Service would implement the Draft Atlantic Pelagic Longline Take Reduction Plan in order to reduce serious injuries and mortalities of long-finned pilot whales, short-finned pilot whales, and Risso's dolphins in the Atlantic pelagic longline fishery to insignificant levels approaching a zero mortality and serious injury rate, within 5 years of its implementation. The draft plan was prepared by the Atlantic Pelagic Longline Take Reduction Team (Team) and includes including both regulatory and non-regulatory measures. Regulatory measures include: (1) Limiting the mainline length to 20 nautical miles or less within the Mid-Atlantic Bight; (2) designating a special research area offshore of Cape Hatteras, NC; (3) requiring all longline fishery owners and operators to complete a mandatory certification program on marine mammal bycatch; and (4) requiring all pelagic longline vessels to post an informational placards on careful handling and release of marine mammals in the wheelhouse and working decks of the vessel. Non-regulatory measures of the plan include: (1) Providing for 12 to 15 percent observer coverage throughout all Atlantic pelagic longline fisheries that interact with pilot whales or Risso's dolphins; (2) encouraging vessel operators throughout the fishery to maintain daily communications with other local vessel captains; (3) updating guidelines for careful handling and release of entangled or hooked marine mammals; and (4) distributing quarterly reports of bycatch of marine mammals in the pelagic longline fishery to the Team.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 229 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1361 et seq

Legal Deadline:

Action	Source	Date
NPRM	Statutory	08/07/2006
Other	Statutory	10/07/2006
Other	Statutory	12/07/2006

Timetable:

Action	Date	FR Cite
NPRM	11/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV67

 [View Related Documents](#)

Title: Reorganization and Update of Federal West Coast Groundfish Regulations

Abstract: Several sections of the Federal groundfish regulations at 50 CFR 660 are outdated and should be updated through a notice-and-comment rulemaking. This rulemaking would correct outdated regulatory references, would update Federal permit regulations at 660.331-.341 to reflect the closure of the sablefish tier application period, and would consolidate those regulations so that they read more clearly. This rulemaking would also update participation rules for the tier sablefish fishery to reflect more recent changes in reporting technology. This rule is non-substantive and non-significant, but it is needed to update the regulations so that they are more user-friendly for the regulated public.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV68

 [View Related Documents](#)

Title: Marine Debris Definition

Abstract: The U.S. Coast Guard and the National Oceanic and Atmospheric Administration amends their regulations to jointly promulgate a definition of marine debris for the purposes of 33 U.S.C. 1951.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 909; 33 CFR 151 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 33 USC 1951 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Vickie A. Allin

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AV71

 [View Related Documents](#)
Title: Halibut and Sablefish Individual Fishing Quota (IFQ) Program Online Services**Abstract:** This regulatory action would modify access to current online services to the IFQ program and meet new agency requirements for security measures for personal identification information.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 773 et seq; 16 USC 1801 et seq; 16 USC 1540(f); 16 USC 1851 note; 16 USC 3631 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Robert D. Mecum

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AV72

 [View Related Documents](#)
Title: A Maximized Retention and Monitoring Program for the Pacific Whiting Shoreside Fishery

Abstract: The action is to establish a maximized retention and monitoring program in the Pacific whiting shoreside fishery off the coast of Washington, Oregon, and California. The shoreside whiting fishery has been managed under an annually issued exempted fisheries permit since 1992. Exempted fishing permits are intended to be used as a short-term temporary and exploratory response to issues that potentially should be addressed by permanent regulations. Establishing maximized retention requirements and a federal monitoring program will allow NMFS to: Account for Chinook salmon catch as specified in the Endangered Species Act section 7 Biological Opinion for Chinook salmon catch in the Pacific groundfish fishery; meet standardized bycatch reporting requirements specified by the Magnuson-Stevens Fishery Conservation and Management Act; collect biological data on catch that would otherwise not be available; and create the regulatory structure necessary to efficiently manage the Pacific whiting fishery without exempted fishing permits.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 600 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1851

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV74

 [View Related Documents](#)

Title: Designation of Critical Habitat for the Endangered U.S. Distinct Population Segment (DPS) of Smalltooth Sawfish

Abstract: This action would designate critical habitat for the U.S. DPS of smalltooth sawfish, which was listed as endangered on April 1, 2003. The designation would be located in Florida, within the current geographic range of the species. Comments from the public on the proposal, including information on the economic impacts, national security, and other relevant documents, as well as the benefits to the species from the designation will be solicited during a 60-day comment period. A draft economic analysis and section 4(b)(2) report will be conducted in support of this proposed rule.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** Federal; State**Federalism:** No**Energy Affected:** No**Agency Contact:** Shelley L. Norton

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AV76 [View Related Documents](#)**Title:** Collection and Use of Tax Identification Numbers From Holders of and Applicants for National Marine Fisheries Service Permits

Abstract: In conformance with the Debt Collection Improvement Act of 1996 (Debt Collection Act), the National Marine Fisheries Service (NMFS) will issue a rule to require that each existing holder of and future applicant for a permit, license, endorsement, authorization, transfer, or like instrument issued by the agency to provide a Taxpayer Identification Number (TIN) (business' employer identification number or individual's social security number) and Date of Incorporation or Date of Birth, as appropriate. Under the Debt Collection Act, NMFS is required to collect the TIN to report on and collect any delinquent non-tax debt owed to the Federal Government. NMFS plans to use Date of Incorporation or Date of Birth information for administrative aspects of permitting procedures with appropriate confidentiality safeguards pursuant to the Privacy Act. The rule will specify: (a) The particular uses that may be made of the reported TIN, (b) the effects, if any, of not providing the required information, (c) how the information will be used to ascertain if the permit holder or applicant owes delinquent non-tax debt to the Government pursuant to the Debt Collection Act, (d) the effects on the permit holder or applicant when such delinquent debts are owed and, (e) the agency's intended communications with the permit holder or applicant regarding the relationship of such delinquent debts to its permitting process and the need to resolve such debts as a basis for completing permit issuance or renewal. The rule will amend existing agency permit regulations and contain all appropriate modified and new collections-of-information pursuant to the Paperwork Reduction Act.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 216; 50 CFR 222; 50 CFR 600; 50 CFR 648; 50 CFR 679; 50 CFR 680; 50 CFR 697; ... (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 31 USC 7701; 16 USC 1801 et seq; 16 USC 1361 et seq; 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Federalism:** No**Energy Affected:** No

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Government Levels Affected: No**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AV77
 [View Related Documents](#)
Title: American Lobster Data Collection and Broodstock Protection Measures

Abstract: NMFS is considering the implementation of management measures in the Federal lobster fishery, consistent with recommendations for Federal action as specified in the Atlantic States Marine Fisheries Commission's Interstate Fishery Management Plan for American Lobster. These proposed management measures include: 100 percent mandatory dealer reporting requirements for Federal lobster dealers; implementation of a maximum size limit (maximum carapace length restriction) in several Lobster Management Areas (LMA); and revision to the definition of a V-notch for protection of egg-bearing female lobsters in several LMAs in the Federal American lobster fishery.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 697 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 5101 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	09/19/2007	72 FR 53978
ANPRM Comment Period End	10/22/2007	72 FR 53978
Proposed Rule	05/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Federalism:** No**Energy Affected:** No

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Government Levels Affected: No

Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AV80

 [View Related Documents](#)**Title:** Gulf Reef Fish Amendment 30B

Abstract: Amendment 30B addresses the findings of Gulf of Mexico red grouper and gag stock assessments. Red grouper is not undergoing overfishing and is not overfished. Gag is undergoing overfishing and whether gag are overfished is still being determined. This action incorporates both red grouper and gag management measures together as the measures affecting one species invariably affect the other. The amendment would implement management measures to increase red grouper total allowable catch and to end overfishing of gag. The amendment also proposes definitions for gag status criteria and reference points. The amendment also examines grouper accountability measures, closed fishing areas, and ways to reduce discard mortality.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Notice	03/07/2008	73 FR 12393
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Roy Crabtree

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AV81

 [View Related Documents](#)**Title:** Confidentiality of Information

Abstract: This rule would revise 50 CFR part 600 subpart E to conform with changes to the Magnuson-Stevens Act. This rule will prescribe access requirements for confidential Information for Marine Fisheries Commission employees, state employees who are responsible for fishery management plan enforcement, to persons submitting confidential information in support of homeland and national security activities; and to verify catch under a limited access program. The rule will also prescribe regulations for disclosure of observer data.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 600 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV82

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Title: Marine Mammal Protection Act Permit Regulation Revisions

Abstract: The National Marine Fisheries Service (NMFS) is considering changes to its implementing regulations (50 CFR part 216) governing the issuance of permits for scientific research and enhancement activities under section 104 of the Marine Mammal Protection Act and is soliciting public comment to better inform the process. NMFS intends to streamline and clarify general permitting requirements and requirements for scientific research and enhancement permits, simplify procedures for transferring marine mammal parts, possibly apply the General Authorization (GA) to research activities involving Level A harassment of non-endangered marine mammals, and implement a "permit application cycle" for application submission and processing of all marine mammal permits. NMFS intends to write regulations for marine mammal photography permits and is considering whether this activity should be covered by the GA.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 216 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1374

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	09/13/2007	72 FR 52339
ANPRM Comment Period End	11/13/2007	
NPRM	07/00/2008	

Regulatory Flexibility Analysis

Required: Governmental Jurisdictions;
Organizations

Federalism: No

Energy Affected: No

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Government Levels Affected: Federal; Local;
State; Tribal

Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV85

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Title: Comprehensive Review and Update of National Marine Sanctuary Program Regulations

Abstract: This rulemaking would make several technical revisions of National Marine Sanctuary Program regulations resulting from a comprehensive review and analysis. A few minor technical inconsistencies in wording throughout the regulations were identified, resulting in confusion and inconsistent application of the regulations among various national marine sanctuaries in the system. The technical revisions will make the regulations internally consistent and will update language to current standards consistent with modern regulation drafting guidelines.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 922 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1439

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV87

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Title: Revisions and Modifications to the Florida Keys National Marine Sanctuary Regulations

Abstract: This rulemaking would implement vessel discharge and fish feeding regulations in Federal waters of the Florida Keys National Marine Sanctuary to achieve appropriate consistency with State of Florida regulations. The regulation would also make several minor, non-controversial, changes to the FKNMS regulations to clarify the original intent of the regulations and to codify existing practice.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 922 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1434; 16 USC 1439

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV88

 [View Related Documents](#)

Title: Consideration of a Research-Only Area in the Gray's Reef National Marine Sanctuary

Abstract: This rulemaking would consider the establishment of a research-only area in the Gray's Reef National Marine Sanctuary based on the recommendations of the sanctuary advisory council. An area that is available primarily for research in the Sanctuary will provide scientists with a control area useful for the comparison of natural processes with human-induced change in the sanctuary.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 15 CFR 922 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1434; 16 USC 1439

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV92

 [View Related Documents](#)

Title: Atlantic Highly Migratory Species (HMS); Atlantic Tunas; Fishing Gear Authorization, Operation, and Deployment Restrictions; Sea Turtle Control Devices

Abstract: The National Marine Fisheries Service (NMFS) would define and authorize green-stick fishing gear for harvesting of Atlantic tunas as appropriate and consistent with the bluefin tuna (BFT) rebuilding plan, the Atlantic Tunas Convention Act, and the 2006 Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP). The intent of this rule is to allow Atlantic tuna fishermen additional flexibility to use a fishing gear effective for Atlantic tunas. This rule also would authorize harpoon use for Atlantic tunas fishing on Charter/Headboat category permitted vessels. The intent of this change would be to provide uniformity in application of regulations relevant to the landing of commercial-sized BFT under the General Category quota. NMFS also would make mandatory the possession and use of sea turtle control devices as part of the already required sea turtle bycatch mitigation gear to facilitate dehooking of sea turtles (endangered or threatened depending on species) caught incidentally in pelagic or bottom longline gear for Atlantic HMS. The benefit of this action would be to maximize safe and efficient gear removal from incidentally captured sea turtles, minimizing the potential for serious injury or mortality potential from remaining gear. These actions would be consistent with the BFT rebuilding plan and with the HMS FMP.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 635.21 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV94

 [View Related Documents](#)

Title: Rulemaking To Establish Take Prohibitions for the Threatened Southern Distinct Population Segment of North American Green Sturgeon

Abstract: Under section 4(d) of the Federal Endangered Species Act (ESA), the Secretary of Commerce is required to adopt such regulations as he deems necessary and advisable for the conservation of species listed as threatened. This rulemaking would establish an ESA 4(d) rule representing regulations that NMFS believes necessary and advisable to conserve the threatened Southern Distinct Population Segment of North American green sturgeon (Southern DPS of green sturgeon). The 4(d) rule would apply the prohibitions listed under ESA section 9(a)(1)(A) and 9(a)(1)(D) through 9(a)(1)(G) for the Southern DPS and apply ESA section 9(a)(1)(B) and (a)(1)(C) prohibitions (called the "take prohibitions") to specific activities that take Southern DPS fish or alter its habitat in a manner detrimental to the continued existence of the species. The 4(d) rule would include exceptions to the take prohibitions for activities conducted in a way that NMFS deems adequate to protect or conserve the Southern DPS.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 223 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 to 1543

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/00/2008	
NPRM Comment Period End	12/00/2008	

Regulatory Flexibility Analysis**Required:** Business; Governmental Jurisdictions; **Government Levels Affected:** Undetermined Organizations**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AV97 [View Related Documents](#)**Title:** Taking of Marine Mammals Incidental to U.S. Navy Training in the Hawaii Range Complex, Hawaii

Abstract: Pursuant to section 101(a)(5)(A) of the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361 et seq.), the National Marine Fisheries Service (NMFS), upon application from the U.S. Navy (Navy), plans to issue regulations to govern the unintentional taking of marine mammals, by harassment, incidental to training activities conducted within the Navy's Hawaii Range Complex (HRC). The regulations will set forth the permissible methods of taking, other means of effecting the least practicable adverse impact on the affected species or stocks and their habitats (i.e., mitigation), and the requirements pertaining to the monitoring and reporting of such taking. Letters of Authorization (LOAs) issued under the regulations would authorize the take of marine mammals incidental to upcoming Navy training activities to be conducted within the HRC (which covers 235,000 nm² around the Main Hawaiian Islands) over the course of 5 years and commencing in July 2008. The HRC complex consists of targets and instrumented areas, airspace, surface operational areas (OPAREAS), and land range facilities. Implementation of the training activities conducted by the Navy will expose marine mammals of 26 species present within the HRC to sound from hull-mounted mid-frequency active tactical sonar or to underwater detonations. This rule, if issued, would cover take of individuals of 26 species of marine mammals by Level B Harassment. Further, the rule would cover take of a very small number of individuals of a subset of the exposed species (not ESA-listed species) per year by serious injury or mortality.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 216 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1361 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV98

 [View Related Documents](#)

Title: Amendment 3 to the Fishery Management Plan for the Spiny Lobster Fishery of Puerto Rico and the U.S. Virgin Islands and Amendment 4 to the Reef Fish Fishery Management Plan of Puerto Rico and the U.S.

Abstract: Many species of fish in the reef fish fishery in Puerto Rico and the USVI are believed to be overexploited, largely due to trap fishing and bycatch associated with this fishery. Landings from the trap fishery have continuously decreased since 1990 in Puerto Rico; species composition has changed; and size frequency of some fish has decreased over the last 10 years. These effects have been attributed to excessive trap fishing effort, lack of compliance with trap construction requirements (i.e., fishers often do not use the required biodegradable fasteners on trap doors), use of other gears by commercial fishers (e.g., gill nets), and the lack of escape panels in traps which would allow smaller fishes to escape, resulting in high mortality of juveniles and a loss of long-term potential yield. Under current fishing practices, bycatch and the associated mortality of bycatch is not expected to be reduced sufficiently in the reef fish or spiny lobster trap fisheries. Without a reduction in bycatch, those stocks experiencing overfishing may become overfished, and those stocks overfished may not meet the goals of the rebuilding plan set forth in the Sustainable Fisheries Act Amendment of 2005. Therefore, the use of escape panels as a management tool is proposed in this amendment to help achieve the necessary reductions in fishing mortality among the species harvested by traps.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/00/2009	
NPRM Comment Period End	02/00/2009	

Regulatory Flexibility Analysis

Required: Business; Organizations

Small Entities Affected: No

Energy Affected: No

Government Levels Affected: No

Federalism: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW00

 [View Related Documents](#)

Title: Modification to the Geographic Boundaries of the Northwestern Hawaiian Islands Bottomfish Management Subarea

Abstract: This regulatory amendment would redefine the outer boundary of the Northwestern Hawaiian Islands Bottomfish Management Subarea from the entire 200-nm exclusive economic zone to an area within approximately 50 nm from shore. This action would make the boundary conform to that of the Papahānaumokuākea Marine National Monument, and would provide pelagic fishermen the opportunity to harvest bottomfish outside the bottomfish management area and monument. While bottomfish permit holders rarely fish more than 50 nm from shore, commercial and recreational pelagic fishermen sometimes use troll and handline gear beyond 50 nm, and they sometimes catch bottomfish management unit species. Currently, existing regulations require these fish to be discarded because the catch of these bottomfish species is limited to holders of bottomfish limited entry permits. A reduction in the outer boundary of the bottomfish management area will allow the retention of a few bottomfish species by pelagic fishermen who fish beyond the bottomfish zone.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 50 CFR 665 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	08/00/2008	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW01

 [View Related Documents](#)
Title: Measures to Limit Fishing in the Northwestern Hawaiian Islands

Abstract: This amendment will modify the Bottomfish and Seamount Groundfish Fishery Management Plan (FMP), the Precious Corals FMP, the Crustaceans FMP, and the Pelagics FMP by implementing regulatory measures that affect the authorized fisheries managed under those plans. The modification will bring federal fishery regulations under the Magnuson-Stevens Act into compliance with the non-discretionary provisions contained in Proclamation No. 8031, which created the Papahānaumokuākea Marine National Monument, and further clarify discretionary fishing regulations.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 665 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	08/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Alvin Katekaru

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW02

 [View Related Documents](#)
Title: Threatened Status for the Gulf of Maine Distinct Population Segment of Atlantic Salmon

Abstract: The National Marine Fisheries Service has received a comprehensive Status Review of Atlantic salmon in the United States authored by the Atlantic salmon Biological Review Team (BRT). This review was initiated in response to a variety of new genetic data that was recently published; this information was required to consider the status of Atlantic salmon populations in the rivers other than those specifically named in the listing that occurred in 2000. We have determined that naturally spawned and several hatchery populations constitute a Distinct Population Segment (DPS) and hence a "species" for listing consideration under the ESA. After reviewing the best available scientific and commercial information, evaluating threats facing the species, and taking into account those efforts being made to protect the species, we conclude that the Gulf of Maine DPS of Atlantic Salmon is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range. Therefore, we are proposing that the Gulf of Maine DPS be listed under the ESA as a threatened species. We are also proposing a series of 4(d) protective regulations as well. We will propose critical habitat for the Gulf of Maine DPS in subsequent Federal Register notices.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 223 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/00/2008	
NPRM Comment Period End	09/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Marta Nammack

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E-Mail: marta.nammack@noaa.gov**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AW05 [View Related Documents](#)**Title:** Individual Fishing Quota Referenda Guidelines and Procedures for the New England Fishery Management Council and the Gulf of Mexico Fishery Management Council**Abstract:** The Magnuson-Stevens Act requires all Individual Fishing Quota (IFQ) program proposals developed by the New England Fishery Management Council and the Gulf of Mexico Fishery Management Council to be approved through referenda before they may be submitted for review and approval by the Secretary of Commerce. This rule would publish guidelines and procedures to: (1) Determine procedures and voting eligibility, and (2) conduct such referenda in a fair and equitable manner.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 600 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW08

 [View Related Documents](#)

Title: Amendment 15 to the Pacific Coast Groundfish Fishery Management Plan: Limited Entry Program for the Pacific Whiting Fishery

Abstract: Amendment 15 to the Pacific Coast Groundfish FMP would implement a limited entry program for the Pacific whiting fishery, which occurs within the Exclusive Economic Zone off the coasts of Washington, Oregon, and California. This action would limit future participation in each of the three non-tribal sectors of the Pacific whiting fishery to those vessels with historic participation in those particular sectors.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	
NPRM Comment Period End	01/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW09

 [View Related Documents](#)

Title: Implementation of Regional Fishery Management Organization Conservation Measures Pertaining to Illegal, Unregulated, and Unreported Fishing Vessel Lists

Abstract: NMFS issues this rule to implement obligations under Regional Fishery Management Organization conservation measures to establish lists of vessels having engaged in illegal, unreported, and unregulated (IUU) fishing activities. NMFS is seeking public comment on such measures that may require the United States to deny port access and services to vessels placed on such lists.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 2431 et seq; 16 USC 951 to 962; 16 USC 5601 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW10

 [View Related Documents](#)

Title: National Saltwater Angler Registry and State Exemption Program

Abstract: This action would implement Magnuson-Stevens Fishery Conservation and Management Act requirements for a recreational fishing registration program, which includes procedures for exempting recreational fishermen and charter fishing vessels from the registration requirements if they are licensed, permitted, or registered by qualifying states.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 600 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1881

Legal Deadline:

Action	Source	Date
Other	Statutory	01/01/2009

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	

Regulatory Flexibility Analysis**Required:** Business; Organizations**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Gordon Colvin

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Government Levels Affected: Federal; Local;
State**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AW11 [View Related Documents](#)**Title:** Amendment 17 to the South Atlantic Fishery Management Council Snapper Grouper Fishery Management Plan**Abstract:** Amendment 17 is intended to: Establish a means to address overages in commercial quotas and recreational allocations; adjust golden tilefish management measures; specify the annual number of black sea bass tags and pots; reduce bycatch of deep water species; and address additional management measures identified by the Council.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2008	
NPRM Comment Period End	01/00/2009	

Regulatory Flexibility Analysis**Required:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Roy Crabtree

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Government Levels Affected: No

Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW12

 [View Related Documents](#)

Title: Amendment 15B to the South Atlantic Fishery Management Council Snapper Grouper Fishery Management Plan

Abstract: Amendment 15B would assess the practicability of prohibiting the sale of recreationally caught fish; assess the practicability of changes to the renewal period on commercial snapper grouper permits; assess the practicability of allowing one-to-one transfer of commercial permits from an individual to a family-held corporation; implement a plan to monitor and assess bycatch; implement measures to minimize the impacts of incidental take on sea turtles and smalltooth sawfish; update management reference points for golden tilefish; and define allocation for snowy grouper and black sea bass.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Roy Crabtree

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW15

 [View Related Documents](#)

Title: Amendment 2 to the Fishery Management Plan for the Queen Conch Fishery of Puerto Rico and the U.S. Virgin Islands

Abstract: NMFS amends its regulations to implement a change in fishing practices needed to help achieve the necessary reductions in queen conch fishing mortality. St. Croix queen conch landings by commercial fishermen alone have exceeded sustainable harvest levels since the 2000 to 2001 fishing season. In 2005 to 2006 the commercial harvest was over four times sustainable levels. Additionally, there is an unknown but significant recreational harvest. Overfishing of queen conch has led to resource collapse in other regions and in some cases, long-term resource loss. According to the NMFS Report on the Status of the U.S. Fisheries for 2006, queen conch is overfished and undergoing overfishing. Under current fishing practices, reductions in mortality are not expected to be sufficient in the queen conch fishery. Without a reduction in mortality, queen conch are not expected to achieve the rebuilding goals established in the Sustainable Fisheries Amendment of 2005.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Notice	10/11/2007	72 FR 58057
NPRM	05/00/2008	

Regulatory Flexibility Analysis

Required: Business; Organizations

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW18

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Title: Amendments to the Regulations on Administration and Operation of Fishery Management Councils

Abstract: The action would implement amendments to the Magnuson-Stevens Fishery Conservation and Management Act regarding administration and operations of the eight regional fishery management councils. The action would also make technical changes to the regulations to make them conform to the Magnuson-Stevens Act and other applicable law and regulations. The action would address changes to Councils' statements of Organization, Practices, and Procedures; makeup and function for Scientific and statistical committees (SSC); and potential stipends and requirements for financial disclosures of SSC members. These regulatory changes would affect the operation and administration of the Councils, but would have no discernible direct effect on fishing industry members.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 600 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW19

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Title: Amendment 7 to the South Atlantic Shrimp Fishery Management Plan

Abstract: The South Atlantic Fishery Management Council (Council) in conjunction with NMFS intends to prepare a DEIS to assess the impacts on the natural and human environment of the management measures proposed in its draft Amendment 7 to the Fishery Management Plan (FMP) for the Shrimp Fishery of the South Atlantic Region. Options will address the 15,000-pound landings requirement for permits, permits that may have been lost due to not meeting the 15,000-pound requirement or failure to renew the limited entry permit, and requirements for all shrimp permit holders to provide economic data if selected.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/00/2008	

Regulatory Flexibility Analysis Required: Business

Government Levels Affected: Federal

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW22

 [View Related Documents](#)

Title: Marine Mammal Protection Act Stranding Regulation Revisions

Abstract: The National Marine Fisheries Service (NMFS) is considering proposing changes to its implementing regulations (50 CFR 216) governing the taking of stranded marine mammals under section 109(h), section 112(c), and title IV of the Marine Mammal Protection Act and is soliciting public comment to better inform the process. NMFS intends to clarify the requirements and procedures for responding to stranded marine mammals and for determining the disposition of rehabilitated marine mammals, which includes the procedures for the placement of non-releasable animals and for authorizing the retention of releasable rehabilitated marine mammals for scientific research, enhancement, or public display.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 216 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1379; 16 USC 1382; 16 USC 1421

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	01/31/2008	73 FR 5786
ANPRM	03/28/2008	73 FR 16617
ANPRM Comment Period End	03/31/2008	
ANPRM Comment Period End	04/30/2008	
NPRM	07/00/2008	

Regulatory Flexibility Analysis

Required: Governmental Jurisdictions;
 Organizations

Government Levels Affected: No

Federalism: Undetermined

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW24

 [View Related Documents](#)
Title: Revise Regulations Governing the North Pacific Groundfish Observer Program

Abstract: This rulemaking would revise Federal regulations relevant to numerous administrative and procedural requirements applicable to observer providers, observers, and industry participating in the North Pacific Groundfish Observer Program. Specifically, the proposed actions would: Modify the current permit issuance process so that observer and observer provider permit issuance is a discretionary NMFS decision; amend current Federal regulations addressing observer behavior involving drugs, alcohol, and physical sexual conduct to remove NMFS oversight of observer behavior that does not affect job performance; require that observer providers submit policies related to these activities and continue to notify NMFS upon learning of an incident; revise Federal regulations so that observer providers are allowed to provide observers or technical staff for purposes of exempted fishing permits, scientific research permits, or other scientific research activities; revise the definition of "fishing day" in Federal regulations; require observer providers to annually submit detailed economic information to NMFS; specify a date by which observers who have collected data in the previous fishing year would be required to be available for debriefing; and implement housekeeping issues related to errors or clarifications in existing regulations at 50 CFR 679.50.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 679.2; 50 CFR 679.5 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 118 Stat 110; 16 USC 773 et seq; 16 USC 1801 et seq; 16 USC 3631 et seq; PL 108-199**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** Federal**Federalism:** No**Energy Affected:** No**Agency Contact:** Robert D. Mecum

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW28

 [View Related Documents](#)
Title: Revise Regulations To Exempt Certain Groundfish Catcher-Processors and Motherships From Check-In Check-Out Requirements With Active Vessel Monitoring Systems (VMS)

Abstract: This regulatory amendment would exempt groundfish catcher-processors (CPs) and motherships carrying a transmitting vessel monitoring system (VMS) unit from check-in and check-out requirements in Alaska Region groundfish fishing regulations. The current check-in/out regulation requires CPs and motherships to submit check-in/out reports before they deploy gear in, or begin to process fish from, Federal management areas off Alaska. Additional reports are required for the use of additional gears, or for changes in the status (e.g., community development quota, exempted permit) of the fish being targeted. For many years the Alaska Region has required groundfish CPs and mothership vessels to file check-in check-out reports. This information was used for in-season management. However, in recent years new sources of information have become available, such as VMS, which make check in/out reports unnecessary.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 679.5 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis

Required: Business; Organizations

Government Levels Affected: Federal

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW29

 [View Related Documents](#)

Title: Amendment to Discharge Regulations in Gulf of the Farallones, Monterey Bay, and Cordell Banks National Marine Sanctuaries

Abstract: This rule, part of the Joint Management Plan Review for the three northern California sanctuaries, addresses the need to revise NOAA's discharge regulations for large vessels to be consistent with California law. The rule would prohibit discharge of treated waste from vessels 300 gross registered tons or more (that are not cruise ships) while within the sanctuaries. If the vessel does not have the capacity to hold the waste while in the sanctuaries, it can discharge sewage like any other vessel in the sanctuary other than cruise ships. The rule also prohibits discharge of graywater from vessels 300 gross registered tons or more (that are not cruise ships) while within the Monterey Bay National Marine Sanctuary (MBNMS). (The Gulf of the Farallones and Cordell Bank National Marine Sanctuaries already prohibit discharge of graywater.) If the vessel does not have the capacity to hold the waste while in the MBNMS, it can discharge graywater like any other vessel in the MBNMS other than cruise ships.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 922 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1434 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2008	
Final Action	01/00/2009	

Regulatory Flexibility Analysis**Required:** Business; Governmental Jurisdictions; Organizations **Government Levels Affected:** State**Federalism:** Yes**Energy Affected:** No**Related RINs:** Related to 0648-AT14; Related to 0648-AT15; Related to 0648-AT16**Agency Contact:** Sean Morton Department of Commerce
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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AW30 [View Related Documents](#)**Title:** Amendment 3 to the Northeast Skate Complex Fishery Management Plan**Abstract:** Amendment 3 is intended to address the overfished status of winter and thorny skates, and prevent other skate species in the complex from becoming overfished. It will establish a rebuilding program for winter skate, and modify the Skate FMP to reduce fishing mortality on the entire skate complex.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/00/2008	
NPRM Comment Period End	11/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** Undetermined**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW31

 [View Related Documents](#)

Title: Addition of Monkfish Incidental Catch Trip Limit to the Existing Scallop Dredge Exemption Areas

Abstract: NMFS proposes to modify the regulations implementing the Northeast (NE) Multispecies Fishery Management Plan (FMP) to create three Scallop Dredge Exemption Areas that are identical to the current exempted fisheries, except for the addition of an incidental monkfish catch limit. These new exempted fisheries would be restricted to vessels issued either a general category Atlantic sea scallop permit or a limited access sea scallop permit (when not fishing under a scallop days-at-sea limitation), when fishing for scallops with small dredges (combined width not to exceed 10.5 ft (3.2 m)). Vessels that land an incidental catch of monkfish within these new exempted fisheries would be required to obtain a monkfish incidental catch permit. This rule responds to a request from the fishing industry to add an incidental catch limit for monkfish, to these existing exempted fisheries, consistent with the monkfish regulations. Currently, within the three scallop dredge exempted fisheries, only Atlantic sea scallops may be landed. The intent of this action is to allow small scallop dredge vessels to land monkfish that they are currently discarding in a manner that is consistent with the bycatch reduction objectives of the FMP.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW35

 [View Related Documents](#)

Title: Fisheries in the Western Pacific; Western Pacific Pelagic Fisheries; Amendment 16 to the Pelagics Fishery Management Plan; Framework Process

Abstract: Amendment 16 would revise the management framework process to allow effective and timely implementation of fishing effort and harvest requirements for pelagic fisheries.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/28/2008	73 FR 16830
NPRM Comment Period End	05/15/2008	
Final Action	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Small Entities Affected: No

Federalism: No

Energy Affected: No

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National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW36

 [View Related Documents](#)

Title: Revision to Subsistence Halibut Fishing Regulations To Correct the Location of the Kanatak Tribal Headquarters

Abstract: This regulatory amendment revises subsistence halibut fishing regulations to correct the location of the Kanatak Tribal headquarters. This action aligns the tribe's actual place of tribal headquarters, Wasilla, with the closest proximate place with tribal headquarters in halibut regulatory area 3A. The change redistributes a very small amount of subsistence halibut fishing effort to a more spatially limited area.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 773 to 773k

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	

Regulatory Flexibility Analysis Required: No **Government Levels Affected:** Tribal
Small Entities Affected: No **Federalism:** No
Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW38

 [View Related Documents](#)

Title: NMFS Fisheries Disaster Assistance

Abstract: In accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended, and the Interjurisdictional Fisheries Act (IFA), the National Marine Fisheries Services (NMFS) proposes regulations to govern the application for and determination of commercial fishery failures as a basis for acquiring potential disaster assistance. The regulations would establish definitions, characteristics of commercial fishery failures and fishery resource disasters, requirements for initiating a review by NMFS, and the administrative process it will follow in processing such applications. The intended effect of these procedures and requirements is to clarify the fishery disaster assistance provisions of the MSA and the IFA through rulemaking and thereby facilitate the processing of requests.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 600 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1861; 16 USC 4107

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; Local; State

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW40

 [View Related Documents](#)

Title: Revise Maximum Retainable Amounts (MRA) of Groundfish in the Gulf of Alaska Arrowtooth Flounder Fishery

Abstract: This regulatory amendment would revise the maximum retainable amounts (MRAs) of groundfish using arrowtooth flounder as a basis species in the Gulf of Alaska. MRAs for deep-water flatfish, rex sole, flathead sole, shallow-water flatfish, Atka mackerel, and skates would be increased from 0 percent to 20 percent; the MRA for aggregated rockfish would be increased from 0 percent to 5 percent; and the MRA for sablefish would be increased from 0 percent to 1 percent for sablefish. This action would reduce regulatory discards of otherwise marketable groundfish in the arrowtooth flounder fishery.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW44

 [View Related Documents](#)

Title: Regulations Implementing International Maritime Organization Measures for the Papahānaumokuākea (Northwestern Hawaiian Islands) Marine National Monument

Abstract: These regulations would implement International Maritime Organization measures for the Papahānaumokuākea (Northwestern Hawaiian Islands) Marine National Monument. The measures consist of voluntary areas to be avoided and mandatory ship reporting requirements

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 404 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 431 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2008	

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

Small Entities Affected: No

Federalism: No

Energy Affected: No

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National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW45

 [View Related Documents](#)

Title: Amendment 26 to the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crabs

Abstract: Amendment 26 to the FMP would amend the FMP to exempt quota share issued to crew members, and the annual harvest privileges derived from that quota share, from requirements for: Delivery to specific processors; delivery within specific geographic regions; and participation in an arbitration system to resolve price disputes. This action is intended to promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act, the FMP, and other applicable law. This FMP has no implementing regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 680 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW46

 [View Related Documents](#)

Title: Atlantic Highly Migratory Species (HMS); Renewal of Atlantic Tunas Longline Limited Access Permits (LAPs); Atlantic Shark Identification Workshop Attendance Requirements

Abstract: This rule would amend the regulations governing the renewal of Atlantic tunas longline LAPs, and workshop attendance requirements for businesses issued Atlantic shark dealer permits. Specifically, these regulatory changes would allow for the renewal of Atlantic tunas longline LAPs that have been expired for more than one year, if an otherwise qualified permit holder has maintained their associated swordfish and shark LAPs through timely renewal. Also, the proposed rule would modify the Atlantic Shark Identification Workshop attendance requirements for businesses issued Atlantic shark dealer permits that have more than one dealer location listed on their permit. The regulations would specify that a dealer must submit an Atlantic Shark Identification Workshop certificate (dealer or proxy) for each place of business where Atlantic sharks are received, rather than from each location listed on their dealer permit.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 635 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/11/2008	73 FR 19795
NPRM Comment Period End	05/12/2008	
Final Action	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW47

 [View Related Documents](#)

Title: Protection of Striped Bass and Red Drum Fish Populations; Executive Order (E.O.) 13449

Abstract: This action would implement no-sale provisions of red drum and striped bass caught in the U. S. Exclusive Economic Zone (EEZ) contained in Executive Order (E.O.) 13449. This E.O. established a policy of the United States to conserve striped bass and red drum for the recreational, economic, and environmental benefit of present and future generations of Americans, based on sound science and in cooperation with State, territorial, local, and tribal governments, the private sector, and others, as appropriate. The E.O. encourages, as appropriate, management under Federal, State, territorial, tribal, and local laws that supports the policy of conserving striped bass and red drum, including State designation as gamefish where the State determines as designated appropriate under applicable law. The E.O. requires the Secretary of Commerce to periodically review the status of the striped bass and red drum populations within waters subject to the jurisdiction of the United States. Nothing in the E.O. precludes or restricts the production, possession, or sale of striped bass or red drum fish that have been produced by aquaculture.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 697 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: EO 13449

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW48

 [View Related Documents](#)

Title: List of Fisheries for 2009

Abstract: This action would publish the annual List of Fisheries (LOF), as required by section 118 of the Marine Mammal Protection Act (MMPA). The LOF for 2009 reflects new information on interactions between commercial fisheries and marine mammals. The National Marine Fisheries Service must categorize each commercial fishery on the LOF into one of three categories under the MMPA based upon the levels of mortality and serious injury of marine mammals that occurs within each fishery. The categorization of a fishery in the LOF determines whether participants in that fishery are subject to certain provisions of the MMPA, such as registration, observer coverage, and take reduction plan requirements.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 229 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1361 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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RIN: 0648-AW49

 [View Related Documents](#)

Title: Fisheries in the Western Pacific; Western Pacific Pelagic Fisheries; Amendment 18 to the Pelagics Fishery Management Plan; Shallow-Set Longline Swordfish Fishery

Abstract: The Hawaii-based shallow-set longline fishery currently operates under regulations that limit fishing effort and interactions with sea turtles. This action would increase fishing opportunities, while continuing to protect turtles and other protected resources.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 665 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/00/2008	
NPRM Comment Period End	10/00/2008	

Regulatory Flexibility Analysis

Required: Business; Organizations

Government Levels Affected: No

Federalism: No

Energy Affected: No

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RIN: 0648-AW50

 [View Related Documents](#)

Title: Establish a Permit Fee Collection Framework Under the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (HMS FMP)

Abstract: Development of a proposed rule to establish the authority to collect permit fees under the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species. This rule would amend the FMP regulations under 50 CFR 660.707 to establish a permit fee collection framework for HMS commercial and recreational charter vessels operating off the West Coast. The action is consistent with and implements elements of the NMFS Permit Fee National Policy Directive 30-120.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/00/2008	
NPRM Comment Period End	09/00/2008	

Regulatory Flexibility Analysis

Required: Business; Organizations

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW51

 [View Related Documents](#)

Title: Harbor Porpoise Take Reduction Plan Measures

Abstract: NMFS is preparing a rule to reduce the number of harbor porpoise taken in sink gillnet fisheries in the Gulf of Maine and Mid-Atlantic waters. The Harbor Porpoise Take Reduction Plan measures, published in 1998 and modified in 2001, reduced the incidental capture of harbor porpoise in sink gillnets to below the stock's Potential Biological Removal (PBR, or the number of human-caused mortality that a stock can withstand annually and still reach an optimum population level), as required by the 1994 Amendments to the Marine Mammal Protection Act. Take reduction measures included: Management areas within which deterrent devices, "pingers," were required on gillnets; gear modifications; and a number of seasonal closures. Between 2001 and 2005, incidental takes of harbor porpoise in these fisheries showed an increasing trend, and the most recent estimates of bycatch indicate that harbor porpoise takes are above PBR.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 229 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1361 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Patricia A. Kurkul

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AW52

 [View Related Documents](#)**Title:** Fisheries in the Western Pacific; Compensation to Northwestern Hawaiian Islands Bottomfish and Lobster Fishermen Due to Fishery Closure in the Papahānaumokuākea Marine National Monument**Abstract:** The Consolidated Appropriations Act of 2008 authorizes the Secretary of Commerce to provide compensation to bottomfish and lobster fishery participants who will be displaced by the 2011 fishery closure resulting from the establishment by Presidential Proclamation of the Papahānaumokuākea Marine National Monument, Northwestern Hawaiian Islands. NMFS (designee of the Secretary) is required to promulgate regulations to implement a voluntary capacity reduction program that: (1) Identifies eligible participants as those individuals holding Federal fishing permits for lobster or bottomfish in the designated waters within the monument, (2) provides a mechanism to compensate eligible participants for no more than the economic value of their permits, and (3) at the option of each eligible permit holder, provides an optional mechanism for additional compensation based on the value of the fishing vessel and gear of eligible participants who decide to receive these additional funds, provided that the vessels of such participants will not be used for fishing. For this purpose, \$6,697,500 is authorized to be appropriated to the NMFS for FY-2008.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 665 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** PL 110-161**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** Undetermined**Federalism:** No**Energy Affected:** No**Agency Contact:** Alvin Katekaru

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AW53 [View Related Documents](#)**Title:** Approval of Eliminator Trawl Gear for Special Management Programs: Northeast Multispecies Fishery

Abstract: The Northeast Multispecies Fishery Management Plan (FMP) specifies a procedure for approval of additional gear for two of the Special Management Programs (Eastern U.S./Canada Haddock Special Access Program and Regular B Days-at-Sea Program). At the request of the New England Fishery Management Council (Council), the Regional Administrator may authorize additional gear if, based upon an experiment, the gear satisfies existing standards. On February 13, 2008, the Council sent a letter to NMFS requesting that it authorize the proposed trawl gear. Based upon a preliminary review of the experimental data, the proposed eliminator trawl net meets one of the current gear standards. The implementation of new gear requirement would provide another option for vessels fishing in these Special Management Programs, which could provide additional flexibility for the industry. Further, authorization of the net would enhance industry and NMFS efforts to reduce bycatch in the FMP.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Patricia A. Kurkul

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW54

 [View Related Documents](#)
Title: Revisions to the Pollock Trip Limit Regulations in the Gulf of Alaska

Abstract: NMFS proposes to revise the current pollock trip limit regulation to prohibit a catcher vessel from retaining more than 136 mt (300,000 lb.) of unprocessed pollock during a calendar day, and landing more than 136 mt (300,000 lb.) of pollock during a fishing trip. NMFS also proposes to prohibit a vessel from landing a cumulative amount of unprocessed pollock from any Gulf of Alaska (GOA) reporting area that exceeds 136 mt (300,000 lb.) times the number of days the pollock fishery is open to directed fishing in a season. The objective of this proposed rule is to prevent certain pollock catch and delivery practices that allow some vessels to circumvent the intent of current trip limit regulations. These delivery practices have caused seasonal pollock quotas to be exceeded, and if allowed to continue could conflict with Steller sea lion protection measures under ESA that are intended to disperse pollock catches in the GOA. These delivery practices have caused seasonal pollock quotas to be exceeded, and if allowed to continue could conflict with Steller sea lion protection measures under ESA that are intended to disperse pollock catches in the GOA. Current regulations in the pollock directed fishery prohibit catcher vessels from exceeding a catch of 136 mt (300,000 lb.) of pollock in a fishing trip. Since trip limits were implemented in 1999, these regulations have become less effective, as multiple trips during a day and partial offloads of pollock product during a trip have allowed for increasing amounts of pollock to be caught in some areas of the GOA. Amending the current trip limit regulation to limit legal opportunities for a vessel to exceed 136 mt (300,000 lb.) of pollock caught in a day, would continue to disperse catches of pollock in a manner that is consistent with the intent of Steller sea lion protection measures in the GOA.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AH26

 [View Related Documents](#)

Title: Provide Regulations for Permits for Capture, Transport, Import, and Export of Protected Species for Public Display, and for Maintaining a Captive Marine Mammal Inventory

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.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 216 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1372(c)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/03/2001	66 FR 35209
NPRM Comment Period Extended	08/22/2001	66 FR 44109
NPRM Comment Period End	09/04/2001	
NPRM Comment Period Extended	11/02/2001	
Final Action	12/00/2008	

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AK26

 [View Related Documents](#)

Title: Require Mandatory Observer Coverage in the At-Sea Processing Sector of the Whiting Fishery

Abstract: This action amends the regulations implementing the Pacific Coast Groundfish Fishery Management Plan to provide for a mandatory, vessel-financed observer program on at-sea processing vessels.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline:

Action	Source	Date
Other	Statutory	05/00/2006

Timetable:

Action	Date	FR Cite
NPRM	09/10/2003	68 FR 53334
NPRM Comment Period End	10/10/2003	
Interim Final Rule	06/07/2004	69 FR 31751
Interim Final Rule Comment Period End	07/07/2004	
Final Action	10/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** D. Robert Lohn

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Government Levels Affected: Federal**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AO16 [View Related Documents](#)**Title:** Taking of the Cook Inlet, Alaska, Stock of Beluga Whales by Alaska Natives**Abstract:** The National Marine Fisheries Service 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.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 216 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1371**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/04/2000	65 FR 59164
NPRM Comment Period End	11/27/2000	
Final Rule	04/06/2004	69 FR 17973
Final Action	10/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal; Tribal**Small Entities Affected:** Governmental Jurisdictions; Organizations**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AR78

 [View Related Documents](#)

Title: Revisions to the Scientific Research Activity, Exempted Fishing, and Exempted Educational Activity Regulations

Abstract: The National Marine Fisheries Service amends the regulations at 50 CFR 600.745. The action is intended to provide clearer guidance to the public for obtaining appropriate acknowledgments and permits and to facilitate the timely conduct of research to address bycatch and habitat issues in the fisheries.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 600 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/18/2008	73 FR 14428
NPRM Comment Period End	04/04/2008	
Final Action	06/00/2008	

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AR99

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Title: Taking Marine Mammals Incidental to Navy Operations

Abstract: The National Marine Fisheries Service is amending its regulations governing the taking of marine mammals incidental to operations of the U.S. Navy's SURTASS LFA sonar to implement provisions of the National Defense Authorization Act of 2004 (NDAA). The President signed into law the NDAA (Pub. L. 108-136) on November 24, 2003. Included in this law were amendments to the Marine Mammal Protection Act (MMPA) that apply where a "military readiness activity" is concerned. NMFS and the Navy have determined that the Navy's SURTASS LFA sonar testing and training operations that are the subject of NMFS' July 16, 2002 (67 FR 46712), final rule constitute a military readiness activity because those activities constitute "training and operations of the Armed Forces that relate to combat" and constitute "adequate and realistic testing of military equipment, vehicles, weapons and sensors for proper operation and suitability for combat use."

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 216 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1371 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/29/2004	69 FR 38873
NPRM Comment Period End	07/29/2004	
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AS36

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Title: Right Whale Ship Strike Reduction

Abstract: These regulations would establish speed restrictions to reduce the number of deaths to North Atlantic right whales as a result of collisions with vessels, which account for more confirmed right whale deaths than any other anthropogenic cause. Speed restrictions would be limited to areas and times when North Atlantic right whales and ships overlap to reduce the likelihood of ship strikes to the extent practicable.

Priority: Economically Significant

Agenda Stage of Rulemaking: Final Rule

Major: Yes

Unfunded Mandates: No

CFR Citation: 50 CFR 224 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1361

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	06/01/2004	69 FR 30857
Commend Period Extended	07/09/2004	69 FR 41446
Commend Period Extended	09/13/2004	69 FR 55135
NPRM	06/26/2006	71 FR 36299
NPRM Comment Period Extended	08/14/2006	71 FR 46440
NPRM Comment Period End	08/25/2006	
NPRM Comment Period End	10/05/2006	
Final Action	11/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Small Entities Affected:** No**Energy Affected:** No**RIN Information URL:** www.nmfs.noaa.gov/pr/pr2

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Government Levels Affected: Federal**Federalism:** No**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AS96
 [View Related Documents](#)

Title: Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Amendment 14; Essential Fish Habitat (EFH) Descriptions for Pacific Salmon

Abstract: This action would implement Amendment 14 to the Pacific Salmon Fishery Management Plan (Salmon FMP) to identify and describe Essential Fish Habitat (EFH) for Pacific salmon. The intent of this rule is to codify the EFH identifications and descriptions for freshwater and marine habitats of Pacific salmon managed under the Salmon FMP, including chinook, coho, and pink salmon in Washington, Oregon, and California. In addition, the intent of this rule is to comply with the October 1, 2003, court order of the U.S. District Court for the District of Idaho, and to promote the conservation and enhancement of Pacific salmon EFH.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	04/20/2007	72 FR 19862
NPRM Comment Period End	07/19/2007	
Final Rule	06/00/2008	

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

Small Entities Affected: No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AT14
 [View Related Documents](#)
Title: Gulf of the Farallones National Marine Sanctuary Management Plan Review

Abstract: This action would amend the existing regulations and designation document, and add several new prohibitions to address specific resource management issues in the Gulf of the Farallones National Marine Sanctuary.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

CFR Citation: 15 CFR 922.80 to 922.84 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1434; 16 USC 1439**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/06/2006	71 FR 59337
NPRM Comment Period End	01/05/2007	
NPRM	03/27/2008	73 FR 16224
Final Action	08/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Maria Brown

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AT15

 [View Related Documents](#)

Title: Monterey Bay National Marine Sanctuary Management Plan Review

Abstract: This action would amend the existing regulations and designation document, and add several new prohibitions to address specific resource management issues in the Monterey Bay National Marine Sanctuary.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 922.130 to 922.134 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1434; 16 USC 1439

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/06/2006	71 FR 59050
NPRM Comment Period End	01/05/2007	
NPRM	03/27/2008	73 FR 16224
Final Action	08/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AT16

 [View Related Documents](#)

Title: Cordell Bank National Marine Sanctuary Management Plan Review

Abstract: This action would amend the existing regulations and designation document to address specific resource management issues in the Cordell Bank National Marine Sanctuary.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 922.110 to 922.112 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1434; 16 USC 1439

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/06/2006	71 FR 59039
NPRM Comment Period End	01/05/2007	
NPRM	03/27/2008	73 FR 16224
Final Action	08/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AT17

 [View Related Documents](#)

Title: Channel Islands National Marine Sanctuary Management Plan Review

Abstract: This action would amend the existing regulations and designation document to address specific resource management issues in the Channel Islands National Marine Sanctuary.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 922 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1434; 16 USC 1439

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/19/2006	71 FR 29096
NPRM Comment Period End	07/21/2006	
NPRM	03/28/2008	73 FR 16580
Final Action	08/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AT79

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Title: Taking and Importing of Marine Mammals; Taking Marine Mammals Incidental to the Explosive Removal of Offshore Structures in the Gulf of Mexico

Abstract: The National Marine Fisheries Service (NMFS) has received a request from the Minerals Management Service (MMS), U.S. Department of the Interior, on behalf of offshore operators, for authorization to harass marine mammals incidental to explosive severance activities at offshore oil and gas structures in the Gulf of Mexico outer continental shelf. In compliance with Outer Continental Shelf Lands Act regulations and MMS guidelines, operators are required to remove sea-floor obstructions from their leases within one year of lease termination or after a structure has been deemed obsolete or unusable. As a result of this request, NMFS is proposing regulations, that if implemented, would govern the incidental taking of marine mammals under individual Letters of Authorization (LOAs) issued to participants in this industry to take marine mammals by harassment and non-serious auditory impairment. In order to promulgate regulations and issue LOAs thereunder, NMFS must determine that these takings will have a negligible impact on the affected species and stocks of marine mammals.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 216.101 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1361 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/07/2006	71 FR 17790
NPRM Comment Period End	05/22/2006	
Final Action	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AT91

 [View Related Documents](#)**Title:** Interagency Electronic Reporting System (IERS)

Abstract: This rule would revise 50 CFR part 679.4--Permits by making technical edits, clarifying, and simplifying existing requirements. In addition, this rule would revise several sections of 50 CFR part 679.5--Reformatting recordkeeping and reporting regulations, to make room for new electronic reporting requirements; make technical edits; clarify and simplify existing requirements; and remove obsolete text. A new section will be added to describe requirements for a catcher vessel electronic logbook. The Shoreside processor electronic logbook report (SPELR) for groundfish at 679.5(e) will be replaced by the Interagency electronic reporting system (IERS) eLandings data entry for groundfish, crab, IFQ halibut, IFQ sablefish, and CDQ halibut. The IFQ Internet system described at 679.5(l) will be revised with an option to use eLandings. The mothership weekly accumulative ADF&G fish tickets described at 679.5(m) will be removed; this information will be sent through IERS eLandings. The revision of this rule is necessary to meet the statutory deadline for eLandings to be in place for groundfish data entry by January 1, 2007.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/29/2007	72 FR 35748
NPRM Comment Period End	07/30/2007	
Final Action	11/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Merge with 0648-AR30; Merge with 0648-AQ07

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AU01

 [View Related Documents](#)**Title:** Resource Agency Procedures for Conditions and Prescriptions in Hydropower Licenses

Abstract: Pursuant to the Energy Policy Act of 2005 (EPAAct), the Departments of Agriculture, Commerce, and Interior are establishing joint procedures for a new category of expedited trial-type hearings. The hearings will resolve disputed issues of material fact with respect to conditions or prescriptions that one or more of the Departments develop for inclusion in a hydropower license issued by the Federal Energy Regulatory Commission (FERC) under the Federal Power Act. The three Departments are also establishing procedures for the consideration of alternative conditions and prescriptions submitted by any party to a license proceeding, as provided in the EPAAct.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 221 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 797(e)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/17/2005	70 FR 69803
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 0648-AC42; Related to 0648-AS55

Related Agencies: Joint: DOI; Joint: USDA

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU05

 [View Related Documents](#)

Title: Fisheries of the Northeastern United States; Recordkeeping and Reporting Requirements; Regulatory Amendment To Modify Seafood Dealer Reporting Requirements; Correction

Abstract: The National Marine Fisheries Service (NMFS) published a document in the Federal Register on April 28, 2005, revising regulations for seafood dealer reporting requirements. That rule also contained a measure authorizing vessel operator permits issued by the NMFS Southeast (SE) Region under regulations governing the Fisheries of the Caribbean, Gulf, and South Atlantic to satisfy NMFS Northeast (NE) Region vessel operator permitting requirements. However, when amending the operator permit section of the regulations to reflect the reciprocal arrangement, NMFS inadvertently removed the summer flounder fishery from the list of fisheries requiring a NE operator permit. This document corrects the April 28, 2005, regulations by adding the summer flounder fishery to the list of fisheries requiring a NE operator permit.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 18 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	10/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 0648-AS87

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National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU34

 [View Related Documents](#)

Title: Framework 4 to the Fishery Management Plan for Monkfish

Abstract: This framework adjustment would establish target TACs of 5,000 mt and 5,100 mt for the Northern Fishery Management Area (NFMA) and Southern Fishery Management Area (SFMA), respectively, for the final 3 years of the rebuilding plan (FY 2007 to FY 2009), unless otherwise modified by the Monkfish Monitoring Committee (MFMC) during their annual review process. Essentially, this framework adjustment would remove the Framework 2 control rule and replace it with target TACs that were developed based upon an analysis conducted by the Monkfish Plan Development Team (PDT). This framework would also implement monkfish Days-at-Sea requirements for vessels fishing in the NFMA, and addresses other minor issues raised by industry.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Proposed Rule	03/20/2007	72 FR 13069
NPRM Comment Period End	04/19/2007	
Interim Final Rule	04/27/2007	72 FR 20952
Interim Final Rule	09/21/2007	72 FR 53942
Interim Final Rule Comment Period End	10/22/2007	
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: Business

Government Levels Affected: No

Federalism: No**Energy Affected:** No**Related RINs:** Merge with 0648-AU65

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AU81
 [View Related Documents](#)
Title: Authorize Observer Coverage of Fisheries To Monitor Sea Turtle Interactions

Abstract: The National Marine Fisheries Service (NMFS) amends its regulations to establish a requirement for state and federal fisheries that operate in areas where sea turtles may be present and likely to interact with such fishing operations to take an observer on board when requested to do so by NMFS. All sea turtles that occur in U.S. waters are listed as either endangered or threatened under the Endangered Species Act. Therefore, measures are necessary both to monitor the level of takes occurring as well as to reduce takes to recover sea turtle species. This measure is necessary to adequately document sea turtle interactions with fishing operations, to evaluate existing measures to reduce sea turtle takes, and to determine whether additional measures to address sea turtle takes may be necessary.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 223.206 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/20/2006	71 FR 76265
NPRM Comment Period End	02/20/2007	
Final Action	11/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal; State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU89

 [View Related Documents](#)
Title: Atlantic Highly Migratory Species; Atlantic Shark Management Measures

Abstract: This rule would reevaluate the management measures for large coastal sharks (LCS) and pelagic sharks based on the 2005/2006 LCS stock assessment, the 2006 dusky shark stock assessment, and the Canadian 2005 porbeagle shark stock assessment. This rulemaking could consider, among other things, changes to existing rebuilding plans for overfished species, commercial quotas and trip limits, recreational minimum size and bag limits, and the public display quota. In addition, this rule would likely reevaluate the Mid-Atlantic shark closure and its role in the rebuilding plan for LCS. This action is necessary in light of recent stock assessments, which have determined that dusky and sandbar sharks are overfished with overfishing occurring, the status is unknown for the Atlantic blacktip shark population, and porbeagle sharks are likely overfished. In addition, the 2005/2006 LCS stock assessment determined it is inappropriate to assess the LCS complex as a whole, which has been the basis of managing these species since 1993.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 635 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/27/2007	72 FR 41392
NPRM Comment Period Extended	10/03/2007	72 FR 56330
NPRM Comment Period End	10/10/2007	
Comment Period End	11/02/2007	
Final Action	08/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU98

 [View Related Documents](#)
Title: Virginia Modified Pound Net Leader Inspection Program

Abstract: With this action, NMFS issues a rule to implement an inspection program for modified pound net leaders in the Virginia waters of the mainstem Chesapeake Bay. Previous regulations (71 FR 36024, June 23, 2006) required modified pound net leaders in a portion of the Virginia Chesapeake Bay from May 6 to July 15 each year, and this action would ensure that leaders used in that area do in fact meet the definition of a modified pound net leader. To comply with the inspection program, a pound net fisherman intending to set a modified leader must call NMFS to arrange for an inspection meeting. Then, the fisherman must meet NMFS and allow for the inspection of his or her gear to ensure the modified leader meets the definition of a modified pound net leader, as described in the regulations. The purpose of this action is to help protect threatened and endangered sea turtles, while enabling fishermen to use leaders, an important component of pound net gear, during the regulated period.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 223 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/01/2007	72 FR 9297
NPRM Comment Period End	04/02/2007	
Final Action	06/00/2008	

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV18

 [View Related Documents](#)

Title: Puget Sound Steelhead Proposed Protective Regulations

Abstract: The Puget Sound steelhead was proposed for listing as threatened on March 29, 2006. In the event that this species is listed (due date, March 29, 2007), we would like to be in the position to finalize these proposed protective regulations so that the species is not listed without protections. These proposed protective regulations apply the same prohibitions that were applied to the other listed salmonid species.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 229 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/07/2007	72 FR 5648
NPRM Comment Period End	03/09/2007	
Final Action	06/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Marta Nammack

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AV19 [View Related Documents](#)**Title:** Amendment 25 to the Fishery Management Plan in the Bering Sea and Aleutian Islands King and Tanner Crab Fisheries Off Alaska**Abstract:** On January 12, 2007, the President signed the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, which requires the Secretary of Commerce (Secretary), not later than 90 days after the date of enactment of that Act, to amend the Fishery Management Plan for the Bering Sea/Aleutian Islands King and Tanner Crabs (FMP) to authorize conversion of catcher vessel owner quota shares and processor quota shares to newly created North Region catcher/processor owner quota shares. Proposed Amendment 25 to the FMP would satisfy this requirement. Proposed Amendment 25 to the Fishery Management Plan in the BSAI King and Tanner Crab Fisheries would promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the FMP, and other applicable laws.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 300; 50 CFR 679; 50 CFR 680 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 773 to 773k; 16 USC 1801; 16 USC 3631**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Notice	02/05/2007	72 FR 5255
NPRM	02/15/2008	73 FR 8838
NPRM Comment Period End	03/17/2008	
Final Action	06/00/2008	

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

Small Entities Affected: Business**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AV41
 [View Related Documents](#)
Title: 2008 Summer Flounder, Scup, and Black Sea Bass Recreational Fishery Management Measures

Abstract: This action would establish the recreational management measures (minimum fish size, possession limits, and fishing seasons) for the 2008 summer flounder, scup, and black sea bass recreational fisheries. The annual recreational management measures are considered to be annual specifications. This action was initially assigned to the 2008 fluke, scup, and BSB specifications; that action published under 0648-XC84 because the action contained no implementing regulations. This action was reassigned to the recreational management measures on January 23, 2008.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/21/2008	73 FR 15111
NPRM Comment Period End	04/21/2008	
Final Action	07/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AV64

 [View Related Documents](#)

Title: Individual Fishing Quota Omnibus V Action 2 and 4: Allow Longline Pot Gear in Bering Sea During June; Allow Mobilized Military Personnel To Make Temporary Individual Fishing Quota Transfers

Abstract: The regulatory action amends existing commercial fishing regulations at 50 CFR part 679. The amendment would enhance the management of the halibut and sablefish Individual Fishing Quota (IFQ) fisheries, as well as the sablefish Community Development Quota (CDQ) fishery. In June 2006, the North Pacific Fishery Management Council recommended a suite of four amendments to the halibut and sablefish IFQ fishery regulations, otherwise known as OMNI V. This proposed action addresses Action 2 and Action 4 of the Council's proposed regulatory amendments. The action would amend regulations to (1) Allow the use of longline pot gear in the Bering Sea sablefish IFQ and CDQ fisheries during the month of June; and (2) allow the temporary transfer of IFQ held by mobilized reservists and guardsmen.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/05/2008	73 FR 11851
NPRM Comment Period End	04/04/2008	
Final Action	06/00/2008	

Regulatory Flexibility Analysis

Required: Business; Organizations

Government Levels Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 0648-AU85

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV75

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Title: Emergency Action To Lower the Haddock Minimum Size Limit to 18 Inches To Reduce Regulatory Discarding

Abstract: Recent data on the haddock fishery indicate that there have been large amounts of regulatory discarding of haddock occurring because only a small fraction of the haddock have reached the current minimum size of 19 inches total length. The underlying reason for this situation is the very large 2003 year class of haddock, which is the largest year class of haddock since 1963, and is growing more slowly than previously anticipated (recent survey data indicated an average size of 16.6 inches). In order to reduce the large amount of discards that have been occurring, and enable such fish to be landed, the National Marine Fisheries Service (NMFS) is taking emergency action to reduce the haddock minimum size to 18 inches. A temporary 18 inch minimum size limit will enable a larger fraction of the haddock encountered to be landed, until a greater portion of the haddock population grows and reaches 19 inches. Although the discarding situation is principally on the Georges Bank stock of haddock, and the Gulf of Maine haddock appear to have a higher rate of growth than the Georges Bank haddock, NMFS is also decreasing the minimum size of Gulf of Maine haddock in order to achieve uniformity in regulations and enhance enforcement of the minimum size regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	08/10/2007	
Interim Final Rule	08/10/2007	72 FR 44979
Interim Final Rule	11/14/2007	72 FR 64000
Final Action	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV78

 [View Related Documents](#)

Title: General Provisions for Domestic Fisheries; Specifications for Boarding Ladders

Abstract: This regulation would require domestic fishing vessels to have a U.S. Coast Guard-approved pilot ladder on board as a safer means for authorized personnel to board the vessels in carrying out their duties under the Magnuson-Stevens Fishery Conservation and Management Act, the Atlantic Tunas Convention Act, and other applicable laws. This action is necessary to provide for the safety of personnel boarding domestic fishing vessels, as current standards have proven to be inadequate. This action would establish a safer and more enforceable national standard for ladders used by authorized officers for boarding domestic fishing vessels subject to Federal regulation.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300; 50 CFR 600 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq; 16 USC 2431 et seq; 16 USC 3636(b); 16 USC 5501 et seq; 16 USC 773 et seq; 16 USC 951 to 961; 16 USC 973 to 973r; 16 USC 971 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Proposed Rule	12/11/2007	72 FR 70286
NPRM Comment Period End	01/10/2008	
Second NPRM	01/25/2008	73 FR 4514
Second NPRM COmment Period End	02/25/2008	
Final Action	05/00/2008	

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV90

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Title: Framework Adjustment 19 to the Atlantic Sea Scallop Fishery Management Plan

Abstract: Framework 19 would establish management measures for the scallop fishery for the 2008 and 2009 fishing years. It will include measures to implement new management measures developed and implemented under Amendment 11 to the Scallop FMP, if approved. Management measures in Framework 19 would include scallop days-at-sea and trip allocations, new area closures and/or access areas, and allocations for scallop fishing in the groundfish closed areas. It would also include improvements to some current management measures to make management of the scallop fishery more efficient and effective.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/19/2008	73 FR 14748
NPRM Comment Period End	04/08/2008	
Final Action	07/00/2008	

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

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Government Levels Affected: Federal; State**Federalism:** No**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AW06
 [View Related Documents](#)

Title: Amendment 89 to the Fishery Management Plan for the Bering Sea; Bering Sea Habitat Conservation Measures

Abstract: This regulatory amendment would implement Amendment 89 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area. The regulations would prohibit nonpelagic trawling in certain areas of the Bering Sea subarea to protect bottom habitat and certain nearshore bottom habitat areas that provide subsistence resources. The amendment also would provide for a Northern Bering Sea research area where the effects of nonpelagic trawling may be studied.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/07/2008	73 FR 12357
NPRM Comment Period End	04/21/2008	
Final Action	06/00/2008	

Regulatory Flexibility Analysis**Required:** Business**Federalism:** No**Energy Affected:** No

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Government Levels Affected: Local; Tribal

Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW23

 [View Related Documents](#)

Title: Revisions to Regulations for the Guided Sport Charter Vessel Fishery for Halibut in Regulatory Area 2C

Abstract: The proposed action would implement management measures to reduce the charter halibut fishery harvest in Area 2C to the GHL.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 773 to 773k; 50 CFR 300

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Proposed Rule	12/31/2007	72 FR 74257
NPRM Comment Period End	01/30/2008	
Final Action	09/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW32

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Title: Endangered Status for Black Abalone

Abstract: The National Marine Fisheries Service has completed an Endangered Species Act (ESA) status review for black abalone (*Haliotis cracherodii*). After reviewing information on the status of black abalone, evaluating threats facing the species, and taking into account existing protective efforts for the species, we conclude that black abalone is in danger of extinction throughout all of its range. This conclusion is based on information confirming that: 1) The disease known as withering syndrome has spread to areas throughout the range of the species, has been responsible for local extirpation of the species throughout a large part of its range, and threatens to do the same in areas where black abalone still persist; 2) low adult densities below the critical threshold density required for successful spawning and recruitment exist throughout a large part of the species' range; and 3) a number of interacting factors (e.g., suboptimal water temperatures, reduced genetic diversity, and illegal harvest) may further hamper natural recovery of the species because of negative synergistic effects. This action would list black abalone as an endangered species under the ESA.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 224 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/11/2008	73 FR 1986
NPRM Comment Period End	04/10/2008	
Final Action	12/00/2008	
Final Action Effective	01/00/2009	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Marta Nammack

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E-Mail: marta.nammack@noaa.gov**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AW33 [View Related Documents](#)**Title:** Framework Adjustment 5 to the Monkfish Fishery Management Plan

Abstract: Framework Adjustment 5 to the Monkfish FMP will update the biological reference points in the Monkfish FMP to be consistent with the most recent monkfish stock assessment (i.e., July 2007 Northeast Data Poor Stocks working Group). In addition, this action will reduce carryover days-at-sea (DAS); eliminate a provision that allows gillnet vessels to land monkfish on trips less than 3 hours and only be charged for the actual time fished; establish a restrictive monkfish incidental catch limit for vessels that are fishing in the Southern New England Regulated Mesh Area (as defined under the Northeast Multispecies FMP) east of 72o30' W. long.; and eliminate the requirement to obtain a letter of authorization to fish in the Northern Fishery Management Area for vessels that are using a vessel monitoring system.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/04/2008	73 FR 11606
NPRM Comment Period End	03/25/2008	
Final Action	06/00/2008	

Regulatory Flexibility Analysis Required: No **Government Levels Affected:** No
Small Entities Affected: Business; Organizations **Federalism:** No
Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AF20

 [View Related Documents](#)

Title: Regional Marine Research Program

Abstract: Regulations will state Regional Boards structure, proposed review process for plans, and research proposals.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1447 et seq; PL 101-593

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No **Government Levels Affected:** No
Small Entities Affected: No **Federalism:** No
Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AP98

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Title: Procedural Changes to the Federal Consistency Process

Abstract: The National Oceanic and Atmospheric Administration 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).

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 930 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1463; 16 USC 1451 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Next Action Undetermined		
ANPRM	07/02/2002	67 FR 44407
ANPRM Comment Period End	09/03/2002	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AQ63

 [View Related Documents](#)

Title: Fisheries of the United States; National Standard 1

Abstract: The National Marine Fisheries Service (NMFS) is considering revisions to the national standard guidelines for National Standard 1 (NS1) that specify criteria for determining overfishing and establishing rebuilding schedules. There have been concerns expressed by the scientific community, fisheries managers, the fishing industry, and environmental groups regarding the appropriateness of some aspects of these guidelines.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 600 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	
ANPRM	02/14/2003	68 FR 7492
Commend Period Extended	03/03/2003	68 FR 9967
ANPRM Comment Period End	03/17/2003	
NPRM	06/22/2005	70 FR 36240
Commend Period Extended	08/15/2005	70 FR 47777
NPRM Comment Period End	08/22/2005	

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

Federalism: No

Energy Affected: No

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National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AR16

 [View Related Documents](#)

Title: Coastal Zone Management Act Federal Consistency Regulations

Abstract: The National Oceanic and Atmospheric Administration revises the Federal Consistency regulations under the Coastal Zone Management Act (CZMA). This rule addresses the CZMA-related recommendations of the Report of the National Energy Policy Development Group (Energy Report) as described in NOAA's July 2, 2002, Advanced Notice of Proposed Rulemaking (67 FR 44407). This rule seeks to make improvements to the Federal Consistency regulations to clarify some sections and to provide greater transparency and predictability to the Federal Consistency regulations.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 930 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1451

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	
NPRM	06/11/2003	68 FR 34851

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

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AS01

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Title: Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan Regulations

Abstract: This action would implement modifications of the Atlantic Large Whale Take Reduction Plan (ALWTRP). The ALWTRP was developed pursuant to section 118 of the Marine Mammal Protection Act. The commercial fishery requirements provided in this rule are intended to implement the additional requirements recommended by the Atlantic Large Whale Take Reduction Team and the National Marine Fisheries Service.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 224 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1361 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/21/2005	70 FR 35894
NPRM Comment Period Extended	07/13/2005	70 FR 40301
NPRM Comment Period End	07/21/2005	
Final Action	10/05/2007	72 FR 57134
Final Action	04/09/2008	73 FR 19171

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: Federal; State

Federalism: Yes

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AT71

 [View Related Documents](#)
Title: Amendment 68; Central Gulf of Alaska Rockfish Pilot Program

Abstract: This action would implement a pilot program that would recognize the historic participation of fishing vessels (1996 to 2002, best 5 of 7 years) and historic participation of fish processors (1996 to 2000, best 4 of 5 years) for Pacific ocean perch, northern rockfish, and pelagic shelf rockfish harvested in the Central Gulf of Alaska. This pilot program would: (1) Provide for a set-aside of up to 5 percent for the total allowable catch of such fisheries for catcher vessels not eligible to participate in the pilot program, which shall be delivered to shore-based fish processors not eligible to participate in the pilot program; (2) establish catch limits for non-rockfish species and non-target rockfish species currently harvested with Pacific Ocean perch, northern rockfish, and pelagic shelf rockfish, which shall be based on historical harvesting of such bycatch species. The pilot program would sunset when a Gulf of Alaska groundfish comprehensive rationalization plan is authorized by the Council and implemented by the Secretary, or 2 years from date of implementation, whichever is earlier.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Notice	05/15/2006	71 FR 27984
NPRM	06/07/2006	71 FR 33040
Comment Period End	07/14/2006	71 FR 27984
NPRM Comment Period End	07/24/2006	71 FR 33040
Final Rule	11/20/2006	71 FR 67210
NPRM	04/16/2007	72 FR 18943
NPRM Comment Period End	04/30/2007	
Final Action	07/11/2007	72 FR 37678

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AT87

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Title: Joint Amendment to the Fishery Management Plans for the Shrimp (Amendment 14) and Reef Fish Fisheries (Amendment 27) of the Gulf of Mexico

Abstract: Shrimp and reef fish in the Gulf of Mexico are managed under their respective FMPs. Both fisheries contribute to fishing mortality on reef fish, especially juvenile and undersized red snapper. Age-0 and Age-1 red snapper are taken by shrimp trawls, and Age-2 and older red snapper are caught in the directed commercial and recreational red snapper fishery. Red snapper is overfished and undergoing overfishing, and reducing fishing mortality on these younger age classes is needed to help rebuild the stock. Actions to reduce bycatch of red snapper are anticipated to reduce bycatch fishing mortality for other reef fish species as well. The Gulf Council began work on the joint amendment, which will consider a variety of harvesting and gear restrictions to further reduce fishing mortality and fishing effort in the shrimp and red snapper fisheries. In August 2006, the Gulf Council deferred working on this amendment until new information was available in January 2007. However, by postponing the development of a plan amendment, measures to address overfishing during the 2007 fishing season would not occur, further delaying progress in stock recovery. Thus, to address overfishing on the red snapper stock for 2007, NMFS is developing an interim rule.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/14/2006	71 FR 75220
NPRM Comment Period End	01/26/2007	
Interim Final Rule	04/02/2007	72 FR 15617
Interim Final Rule Effective	05/02/2007	
Interim Final Rule	09/24/2007	72 FR 54233
Second NPRM	10/23/2007	72 FR 59989
NPRM Comment Period End	12/07/2007	
Final Action	01/29/2008	73 FR 5117
Correction	02/29/2008	73 FR 11051

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

Related RINs: Merge with 0648-AT86

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AT93

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Title: Western Pacific Precious Corals FMP: Amendment To Manage Hawaii Black Coral Fishery

Abstract: The National Marine Fisheries Service is taking action to reduce fishing impacts on black coral in the Auau Channel, Hawaii. The biomass of black coral there has declined because of several factors, including fishing. This action would remove an exemption that allows the harvest of black corals with a minimum base diameter of 0.75 inch or minimum height of 36 inches by persons who reported harvest to the State of Hawaii within the 5 years prior to April 17, 2002. The current minimum base requirement of 1 inch and minimum height of 48 inches would remain in effect.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 665 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/07/2007	72 FR 44074
NPRM Comment Period End	09/06/2007	
Final Action	10/15/2007	72 FR 58259
Final Action Effective	11/14/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Merge with 0648-AS64

Agency Contact: Alvin Katekaru

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU07

 [View Related Documents](#)

Title: American Lobster Fishery: Broodstock Protection and Trap Effort Control Regulations for Offshore Area 3

Abstract: This rule would modify Federal American lobster regulations based on recommendations to the National Marine Fisheries Service (NMFS) by the Atlantic States Marine Fisheries Commission (Commission) as part of the Commission's Interstate Fishery Management Plan for American Lobster (ISFMP). The modifications to enhance protection to American lobster broodstock and control trap fishing effort would: Increase the minimum legal lobster size limit from 3 3/8 inches to 3 1/2 inches in Lobster Conservation Management Area (Area) 3; increase the size of rectangular and circular lobster trap escape vents by 1/16 inch effective July 1, 2010, in Area 3; and implement a 4 stage schedule of annual trap reductions that would reduce the amount of traps allocated in Area 3 by up to 15 percent.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 697 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 5101 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	12/13/2005	70 FR 73717
ANPRM Comment Period End	01/12/2006	
NPRM	06/20/2007	72 FR 33955
NPRM Comment Period End	08/06/2007	
Final Action	10/05/2007	72 FR 56935

Regulatory Flexibility Analysis

Required: Business

Federalism: No

Energy Affected: No

RIN Information URL: www.nero.noaa.gov/StateFedOff/

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Government Levels Affected: Federal; Local; State

Public Comment URL: www.nero.noaa.gov/nero/comments/index.htm

Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU08

 [View Related Documents](#)

Title: Expansion of the Pacific Coast Groundfish Fishery Vessel Monitoring System to the Open Access Fishery

Abstract: This action expands the current vessel monitoring system (VMS) program by requiring all vessels fishing pursuant to the harvest guidelines, quotas, and other management measures governing the open access groundfish fishery to provide declaration reports and to activate and use a VMS transceiver while fishing off the coasts of Washington, Oregon, and California. Any commercial fishing vessel that is not registered to a limited entry groundfish permit and that is used to take and retain groundfish in the Exclusive Economic Zone (EEZ) (3-200 nm from shore) that possesses groundfish while transiting the EEZ, or that lands groundfish taken in the EEZ is considered to be participating in the open access groundfish fishery. Vessel using non-groundfish trawl gear to fish in the EEZ will be included, whether or not groundfish is retained, for the purpose of monitoring vessel activity in relation to essential fish habitat.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1851, sec 301

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/08/2007	72 FR 44469
NPRM Comment Period End	09/07/2007	
Final Action	12/07/2007	72 FR 69162

Regulatory Flexibility Analysis**Required:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** D. Robert Lohn

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Government Levels Affected: No**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AU22 [View Related Documents](#)**Title:** Amendment 14 to the Bottomfish and Seamount Groundfish FMP: Measures To End Bottomfish Overfishing in the Hawaiian Archipelago**Abstract:** The Pacific Islands Regional Administrator notified the Western Pacific Council in May 2005 that the bottomfish species complex in the Hawaiian Archipelago is in a state of overfishing. This action would amend the fishery management plan to implement measures to end overfishing in the bottomfish complex.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 665 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Notice	12/27/2007	72 FR 73308
NPRM	02/01/2008	73 FR 6101
Comment Period End	02/25/2008	
NPRM Comment Period End	03/07/2008	
Final Action	04/04/2008	73 FR 18450

Regulatory Flexibility Analysis**Required:** Business**Federalism:** No**Energy Affected:** No**Government Levels Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU29

 [View Related Documents](#)

Title: Amendment 15A to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region

Abstract: Amendment 15A would: Establish biological reference points and status determination criteria for snowy grouper, black sea bass, and red porgy; and establish rebuilding schedules and strategies, where needed, for snowy grouper, black sea bass, and red porgy.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Notice	12/28/2007	72 FR 73747
Final Action	03/20/2008	73 FR 14942

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU32

 [View Related Documents](#)

Title: Amendment 11 to the Atlantic Sea Scallop Fishery Management Plan

Abstract: Amendment 11 would limit access and control effort in the General Category sector of the scallop fishery.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Notice	11/30/2007	72 FR 67691
NPRM	12/17/2007	72 FR 71315
Comment Period End	01/29/2008	
NPRM Comment Period End	01/31/2008	
Final Action	04/14/2008	73 FR 20090

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Patricia A. Kurkul

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AU48 [View Related Documents](#)**Title:** Amendment 85 to the Fishery Management Plan for the Groundfish of the Bering Sea and Aleutian Islands (BSAI) Management Area; Pacific Cod Allocations**Abstract:** This rulemaking would modify the current Bering Sea and Aleutian Island (BSAI) Pacific cod allocations among the jig, trawl, hook-and-line, and pot gear sectors. The current harvest patterns vary significantly from sector allocations that have been in place since 1997. This action is necessary to establish allocations that better reflect actual use by sector, while considering socio-economic and community factors.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Notice	12/07/2006	71 FR 70943
Comment Period End	02/05/2007	
Proposed Rule	02/07/2007	72 FR 5654
Comment Period End	03/26/2007	
Final Action	09/04/2007	72 FR 50788
Final Action	10/24/2007	72 FR 60285

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

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Government Levels Affected: No**Federalism:** No**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AU59

 [View Related Documents](#)

Title: Framework Adjustment to the Bycatch Reduction Criterion for the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico

Abstract: The Gulf of Mexico Fishery Management Council (Council) developed Amendment 9 to the Shrimp FMP, which established a requirement for the use of Bycatch Reduction Devices (BRDs) in the shrimp fishery of the western Gulf of Mexico. Amendment 9 also established criteria by which BRDs would be tested and certified for use in the shrimp fishery of the western Gulf of Mexico. Since that time, many changes have occurred in both the directed red snapper fishery and the shrimp fishery to affect the fishing mortality reduction requirements. Because of changes in the shrimp fishery, existing certified BRDs reduce fishing mortality by a lesser amount than originally documented, and no new BRDs have been developed for use in the shrimp fishery. NMFS is taking this action to modify the existing BRD certification criteria. The intent of this change is to better address reductions in bycatch of red snapper, and to better address National Standard 9 of the Magnuson-Stevens Fishery Conservation and Management Act.

Priority: Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/12/2007	72 FR 58031
NPRM Comment Period End	11/13/2007	
Final Action	02/13/2008	73 FR 8219

Regulatory Flexibility Analysis**Required:** Business**Small Entities Affected:** Business**Energy Affected:** No**Related RINs:** Related to 0648-AT86**Agency Contact:** Roy Crabtree

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Government Levels Affected: No**Federalism:** No**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AU69 [View Related Documents](#)**Title:** Amendment 15 to the Pacific Coast Salmon Fishery Management Plan

Abstract: Amendment 15 to the Pacific Coast Salmon Fishery Management Plan (FMP) would implement provisions that provide de minimis fishing opportunity during periods when the status of Klamath River fall Chinook is such that no fishing opportunities would be allowed under the current FMP without use of the emergency rule process, as was necessary for the 2006 salmon season. The conservation objective for Klamath River fall Chinook, which includes an annual natural spawning escapement floor of 35,000 adults, with respect to determining when stock status would trigger a Conservation Alert or an Overfishing Concern, will not change.

Priority: Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/20/2006	71 FR 76270
NPRM Comment Period End	02/20/2007	
Final Action	02/25/2008	73 FR 9960

Regulatory Flexibility Analysis**Required:** Business**Small Entities Affected:** No**Energy Affected:** No**Government Levels Affected:** No**Federalism:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU77

 [View Related Documents](#)

Title: Bag Limits for Tuna Species Taken in the Recreational Charter Fishery for the United States West Coast Fisheries for Highly Migratory Species

Abstract: This action implements bag limits for tuna species taken by West Coast recreational fisheries. This regulation will also institute a daily bag limit for albacore and bluefin tuna harvested in State and Federal waters off California, Oregon, and Washington. The bag limited is needed to address resource conservation efforts.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/27/2007	72 FR 35213
NPRM Comment Period End	07/27/2007	
Final Action	10/15/2007	72 FR 58258

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU85

 [View Related Documents](#)

Title: Individual Fishing Quota Processing Restriction Amendments: Processing of IFQ; Non-IFQ Species by Vessels Categories B, C, or D in the GOA, BSAI

Abstract: This action would modify the halibut and sablefish Individual Fishing Quota (IFQ) Program regulations to allow: (1) Processing of non-IFQ species on a vessel that is otherwise authorized to process non-IFQ species when any amount of IFQ halibut resulting from catcher vessel quota share (QS) is held by fishermen on board a vessel in the Bering Sea and Aleutian Islands and Gulf of Alaska; and (2) processing catcher/processor QS on board a vessel on which persons possess catcher vessel QS.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300; 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Proposed Rule	11/14/2007	72 FR 64034
Comment Period End	12/14/2007	
Final Action	02/15/2008	73 FR 9922

Additional Information: Action 0648-AU85 (previously OMNI V the original action) was split into three actions by the council Oct 2006. This action took the original RIN and the remaining two related actions will follow.

Regulatory Flexibility Analysis

Government Levels Affected: No

Required: Business

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AU93

 [View Related Documents](#)

Title: Vessel Monitoring System Revision for Bering Sea and Aleutian Islands and Gulf of Alaska Fisheries

Abstract: The regulatory amendment is necessary to clarify the requirements for vessel monitoring systems (VMS) for vessels operating in the fisheries of the Bering Sea and Aleutian Islands management area and Gulf of Alaska. The revision would require all federally permitted vessels to operate a VMS when the fishery is open for which the vessel is endorsed. In addition, the revision would require all federally permitted vessels to operate a VMS in State of Alaska waters when VMS operation is also required in Federal waters.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/19/2007	72 FR 33732
NPRM Comment Period End	07/19/2007	
NPRM Comment Period Extended	08/02/2007	72 FR 42369
NPRM Comment Period End	09/04/2007	
Final Action	11/09/2007	72 FR 63500

Regulatory Flexibility Analysis

Required: Business

Federalism: No

Energy Affected: No

Related RINs: Related to 0648-AT09

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Government Levels Affected: No

Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV10

 [View Related Documents](#)

Title: Atlantic Highly Migratory Species; North and South Atlantic Swordfish Commercial Management Measures

Abstract: This rule will modify the 2006 fishing season quotas for North and South Atlantic Swordfish based on recent updated landings information. This action will also establish initial North and South Atlantic quotas and seasons for 2007, and will implement recommendations from the 2006 meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT). This rule is necessary to ensure that current swordfish quotas account for underharvests from the 2005 fishing year, consistent with regulations at 50 CFR part 635, and implement ICCAT recommendations that establish the U.S. North and South Atlantic swordfish allocations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 635 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/18/2007	72 FR 33436
NPRM Comment Period End	07/18/2007	
Final Action	10/05/2007	72 FR 56929
Final Action Effective	11/05/2007	

Regulatory Flexibility Analysis**Required:** Business**Federalism:** No**Energy Affected:** No

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Government Levels Affected: No**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AV17
 [View Related Documents](#)

Title: Framework Adjustment to the Fishery Management Plan for the Coastal Migratory Pelagic Resources in the Gulf of Mexico and South Atlantic Region

Abstract: The regulatory amendment would adjust the trip limits for Atlantic migratory group Spanish mackerel to track the new fishing year (March 1 to end of February).

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/03/2008	73 FR 439
NPRM Comment Period End	02/04/2008	
Final Action	02/11/2008	73 FR 7676

Regulatory Flexibility Analysis**Required:** Business**Small Entities Affected:** Business**Energy Affected:** No**Government Levels Affected:** No**Federalism:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV27

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Title: Fishery Ecosystem Plans for the Western Pacific Region

Abstract: New Fishery Ecosystem Plans (FEPs) are being developed by the Western Pacific Fishery Management Council to employ ecosystem approaches to fishery management. The place-based FEPs--one for Pelagic fisheries, and for fisheries in the American Samoa Archipelago, the Hawaii Archipelago, the Marianas Archipelago, and the Pacific Remote Island Areas--will replace existing species-based fishery management plans (FMPs)--Bottomfish and Seamount Groundfish FMP, Crustaceans FMP, Precious Corals FMP, Coral Reef Ecosystems FMP and Pelagics FMP.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 665 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Merged with	01/17/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV38

 [View Related Documents](#)

Title: Alaska Groundfish Fisheries Seabird Avoidance Measures

Abstract: This regulatory amendment would revise Alaska groundfish fisheries regulations effecting seabird avoidance gear standards to hook-and-line vessels operating in the Exclusive Economic Zone and portions of inside waters where birds of concern occur. The revision would remove seabird avoidance gear requirements in portions of inside waters where birds of concern do not occur. A weather safety exemption would be added to the regulations for small vessels, and the Seabird Avoidance Plan requirement would be deleted because it was found to be an unnecessary measure to ensure the proper use of seabird avoidance gear.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/19/2007	72 FR 53516
NPRM Comment Period End	10/19/2007	
Final Action	12/18/2007	72 FR 71601

Regulatory Flexibility Analysis

Required: Business; Organizations

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV40

 [View Related Documents](#)

Title: Specifications for the 2008 Atlantic Mackerel, Squid, and Butterfish Fisheries

Abstract: This action would establish fishery specifications for the 2008 Atlantic mackerel, squid, and butterfish fisheries.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM Comment Period End	01/08/2007	
NPRM	12/28/2007	72 FR 73749
NPRM COmment Period Reopened	01/29/2008	73 FR 5153
Comment Period End	02/05/2008	
Final Action	04/04/2008	73 FR 18443

Regulatory Flexibility Analysis**Required:** Business**Small Entities Affected:** No**Energy Affected:** No**Agency Contact:** Patricia A. Kurkul

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Government Levels Affected: No**Federalism:** No**Department of Commerce (DOC)****National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AV42 [View Related Documents](#)**Title:** Specifications for the 2008 to 2010 Surfclam and Ocean Quahog Fisheries**Abstract:** This action would establish fishery specifications for the 2008 to 2010 surfclam and ocean quahog fisheries.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/15/2007	72 FR 64187
NPRM Comment Period End	12/17/2007	
Final Action	01/04/2008	73 FR 820

Regulatory Flexibility Analysis**Required:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Patricia A. Kurkul

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Government Levels Affected: No

Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV44

 [View Related Documents](#)

Title: Amendment 4 to the Atlantic States Marine Fisheries Commission's (Commission) Interstate Fisheries Management Plan (ISFMP) for Weakfish

Abstract: The National Marine Fisheries Service (NOAA Fisheries) amends its regulations to modify management restrictions in the Federal weakfish fishery in a manner consistent with the Commission's Weakfish Management Board's (Board) approved Addendum II to Amendment 4 to the ISFMP for Weakfish. In short, the Federal regulatory change would decrease the incidental catch allowance for weakfish in the EEZ in non-directed fisheries using smaller mesh sizes, from 300 pounds to no more than 150 pounds per day or trip, whichever is longer in duration. The Board's action was taken in response to a significant decline in stock abundance and increasing total mortality since 1999. As a result of the stock's overfished status, the Board was required under Amendment 4 to the ISFMP for Weakfish to adjust the management program to help rebuild spawning stock biomass. This issue is compounded by the fact that natural mortality, rather than fishing mortality, has been indicated as the lead cause for stock decline. This regulatory change would not increase or decrease the number of weakfish actually caught, but could reduce by up to 150 pounds the amount of bycatch that could be landed.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 697 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 5101 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/14/2007	72 FR 32830
NPRM Comment Period End	07/17/2007	
Final Action	03/04/2008	73 FR 11563

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV45

 [View Related Documents](#)

Title: Reef Fish Regulatory Amendment for Vermilion Snapper To Revise Management Measures

Abstract: The purpose of the regulatory amendment is to revise management measures implemented through Amendment 23 to the Fishery Management Plan for the Reef Fish Fishery of the Gulf of Mexico. These management measures need to be revised because a recent stock assessment resulted in a change of stock status to not overfished or undergoing overfishing. The regulatory amendment contains two management alternatives. Alternative 1 is the no action alternative and would maintain the regulations implemented by Amendment 23. Preferred Alternative 2 reverses management measures originally implemented by Amendment 23. Specifically, the actions in Preferred Alternative 2 include: Reducing the recreational and commercial minimum size limit from 11 to 10 inches total length; ending the April 22 to May 31 commercial seasonal closure; eliminating the 10 fish bag limit for vermilion snapper; and retaining vermilion snapper in the current 20-fish aggregate bag limit for those reef fish species without species-specific bag limits.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/22/2007	72 FR 20980
NPRM Comment Period End	05/14/2007	
Final Action	01/03/2008	73 FR 406

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV48

 [View Related Documents](#)

Title: Provide Guidance for the Limited Access Privilege Program Provisions of the Magnuson-Stevens Fishery Conservation Reauthorization Act of 2006

Abstract: This rule will provide regions with interpretive guidance on the use of Limited Access Privilege Programs as fishery management tools. The guidance is intended to assist the fishery management councils and NMFS regional offices in developing and implementing LAPPS.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 600 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
Withdrawn	08/08/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AV54

 [View Related Documents](#)
Title: List of Fisheries for 2008

Abstract: This action would publish the annual List of Fisheries (LOF), as required by section 118 of the Marine Mammal Protection Act (MMPA). The LOF for 2008 reflects new information on interactions between commercial fisheries and marine mammals. The National Marine Fisheries Service must categorize each commercial fishery on the LOF into one of three categories under the MMPA based upon the levels of mortality and serious injury of marine mammals that occurs within each fishery. The categorization of a fishery in the LOF determines whether participants in that fishery are subject to certain provisions of the MMPA, such as registration, observer coverage, and take reduction plan requirements.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 229 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1361**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/28/2007	72 FR 35393
NPRM Comment Period End	08/27/2007	
Final Action	11/27/2007	72 FR 66048

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV58

 [View Related Documents](#)

Title: Atlantic Highly Migratory Species (HMS); 2008 Bluefin Tuna Quota Specifications and Effort Controls

Abstract: Specifications for the Atlantic bluefin tuna (BFT) fishery to set BFT quotas, General category effort controls, and seasonal management measures for the 2008 fishing year (January 1, 2008 to December 31, 2008). This action will implement the U.S. annual BFT quota as recommended by the International Commission for the Conservation of Atlantic Tunas and allocate that quota among the domestic fishing categories. General category effort controls will allocate time-period subquotas and set certain restricted fishing days. The seasonal management measures would propose daily retention limits and their duration for both the General and Angling categories. The rulemaking process needs to be performed as expeditiously as possible in order to publish the measures prior to the start of the season on January 1. The annual specification process is set forth in current regulations implemented under the Consolidated Highly Migratory Species Fishery Management Plan.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 635 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 987; 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/02/2007	72 FR 56036
NPRM Comment Period End	11/01/2007	
Final Action	12/31/2007	72 FR 74193

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV59

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Title: Rule To Revise the Gulf of Mexico (Gulf) Reef Fish Vessel Monitoring System (VMS) Reporting Requirements, Power-Down Exemption, and Red Snapper Individual Fishing Quota (IFQ) 3-Hour Notification

Abstract: This action would revise NOAA Fisheries Service requirements applicable to the commercial reef fish fishery in the Gulf and to incorporate a minor revision to the 3-hour notification requirement in the Gulf red snapper IFQ program. Because some VMS units draw more power than anticipated, an unintended consequence of this action is that a vessel's battery can be drained while in port and not fishing, unless hooked up to an external power source. To alleviate this problem, NOAA Fisheries Service is proposing an in-port exemption allowing a VMS unit to send a position report once every 4 hours, rather than every hour. This would reduce the power requirements of the VMS unit and allow other important safety equipment (e.g., bilge pumps) on a vessel to operate. In addition, this problem would also be addressed by adding "in port" as a qualifier for the power-down exemption should a vessel be inactive for 72 consecutive hours or more. Thus the rule would revise current regulations to reflect revisions made in the NOAA Office of Law Enforcement's Vessel Monitoring System Requirements document to address this vessel power issue. The rule would clarify the requirements of VMS in the reef fish fishery. This includes requirements for owners/operators of qualified vessels to apply for and obtain a VMS power-down exemption and add a grandfather clause to address VMS units approved for use in the Gulf reef fish fishery. The rule would also expand the allowable methods for communicating the 3-hour advance notification of landing in the IFQ program. Currently, the 3-hour notification can only be conducted by phone, which has proven to be impracticable in some cases.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/06/2007	72 FR 43583
NPRM Comment Period End	08/21/2007	
Final Action	12/27/2007	72 FR 73270

Regulatory Flexibility Analysis

Required: Business

Federalism: No

Energy Affected: No

Related RINs: Related to 0648-AN09

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Government Levels Affected: No

Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV62

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Title: FMP Amendments BSAI 88, KTC 23, Scallop 12, and Salmon 9 for the Aleutian Islands Habitat Conservation Area Revision

Abstract: The fishery management plan amendments would revise the Aleutian Islands Habitat Conservation Area to ensure bottom trawling is prohibited in areas of known coral and sponge habitat and little fishing and allow for fishing in areas historically fished and not known to contain coral and sponge habitat. This action is necessary to ensure the North Pacific Fishery Management Council's intent for protection of sensitive habitat and to allow continued historical bottom trawl fishing is implemented.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/21/2007	72 FR 65539
NPRM Comment Period End	01/07/2008	
Final Action	02/19/2008	73 FR 9035

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV70

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Title: Northeast Region Standardized Bycatch Reporting Methodology Omnibus Amendment

Abstract: The action would implement the Northeast Region Standardized Bycatch Reporting Methodology (SBRM). This action would amend all 13 fishery management plans (FMPs) of the Mid-Atlantic and New England Fishery Management Councils, and the action was developed jointly by both Councils. This action is required pursuant to a Federal Court order directing the agency to correct a deficiency identified in the Sea Scallop and Northeast Multispecies FMPs. An SBRM is a required provision of all FMPs developed and submitted under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/21/2007	72 FR 46588
NPRM Comment Period End	09/20/2007	
Final Action	01/28/2008	73 FR 4736

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Patricia A. Kurkul

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AV73 [View Related Documents](#)**Title:** Endangered and Threatened Species; Designation of Critical Habitat for the North Pacific Right Whale (*Eubalaena japonica*)**Abstract:** The National Marine Fisheries Service (NMFS) completed a status review of the northern right whale and has determined that northern right whales in the North Pacific Ocean are a separate and distinct species from the northern right whales in the Atlantic or Southern Hemisphere. We also find the species to be described in the North Pacific Ocean, the North Pacific right whale (*Eubalaena japonica*), is in danger of extinction throughout its range. This action would list this species as endangered pursuant to the Endangered Species Act. Here we propose to designate critical habitat for this species. Two specific areas are proposed for designation: One in the Gulf of Alaska and another in the Bering Sea, comprising a total of approximately 93,600 square kilometers (36,600 square miles) of marine habitat.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 226 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 1533**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/29/2007	72 FR 61089
NPRM Comment Period End	12/13/2007	
Final Action	04/08/2008	73 FR 19000

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

Small Entities Affected: No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AV79
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Title: Regulatory Amendment To Correct and Clarify Framework Adjustment 42 to the Northeast Multispecies Fishery Management Plan

Abstract: This action to implement corrections to the final rule implementing FW 42 to the NE Multispecies FMP. Specifically, this action would: Define terms used in the DAS Leasing and Transfer Programs; add a specific prohibition for violating an in-season action; remove an unnecessary exemption; reinsert regulatory text specific to the DAS Leasing Program, U.S./Canada Management Area, and the Closed Area I Hook Gear Haddock Special Access Program; remove inaccurate VMS positional polling rates; clarify the review and approval of sector operations plans; clarify the applicability of the minimum fish size requirements for recreational vessels; reinsert revised monkfish trip limits; and correct inaccurate regulatory references.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/16/2007	72 FR 58622
NPRM Comment Period End	10/31/2007	
Final Action	12/27/2007	72 FR 73274

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** Business; Organizations**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV83

 [View Related Documents](#)

Title: Gear Standards for the Northeast Multispecies B Day-At-Sea Program and the U.S./Canada Haddock Special Access Program

Abstract: This action would implement performance standards to be used in evaluating fishing gear that may be used in the Northeast (NE) Multispecies Regular B Day-At-Sea (DAS) Program or the Eastern U.S./Canada Haddock Special Access Program (SAP). Currently, a properly configured haddock separator trawl is the only gear approved for use in the Eastern U.S./Canada Haddock SAP and the only trawl gear approved for use in the Northeast Multispecies Regular B DAS Program. If the standards are approved, the New England Fishery Management Council may propose specific gear types that meet the standard for the National Marine Fisheries Services to consider for use in these programs.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/15/2007	72 FR 58280
NPRM Comment Period End	11/14/2007	
Final Action	12/26/2007	72 FR 72965

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV84

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Title: Sea Turtle Conservation; Gear Requirements in the Atlantic Sea Scallop Dredge Fishery

Abstract: NMFS is preparing a proposed rule regarding the sea turtle conservation measures in the Atlantic sea scallop dredge fishery. This action is necessary to correct a procedural error in the original rulemaking, to clarify the regulatory text related to the chain-mat requirements, and to add a transiting provision. In addition, the action will request public comment on an emergency rule issued in November 2006. First, this action would address a procedural error regarding the timing of the signing of the National Environmental Policy Act (NEPA) document in the rulemaking that required chain mats on dredges in the Atlantic sea scallop fishery in 2006 (71 FR 50361, August 25, 2006) by ensuring that NMFS follows all of the NEPA procedures in the proper sequence. Second, this rule, if implemented, would add a transiting provision to allow vessels to be exempted from the requirements provided certain conditions are met. Third, the rule proposes to clarify the current regulatory text at 50 CFR 223.206 to make the intent of the regulation clearer. The revision would clarify that the U.S. Coast Guard and enforcement agents may board a vessel that has entered the waters described to check for compliance with the requirement to have a chain mat affixed to the dredge, regardless of whether that vessel is still in the waters described. Fourth, this action will request public comment on an emergency rulemaking completed in November 2006 (71 FR 66466, November 15, 2006). The emergency rulemaking was conducted to correct a discrepancy in the options included in the August 2006 rulemaking for configuring the gear. In that rulemaking, the Assistant Administrator for Fisheries found good cause under 5 U.S.C. 553(b)(B) to waive the requirement for prior notice and opportunity for public comment on the emergency regulation. This current rulemaking will specifically request public comment on the change made by the November 2006 emergency rule.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 223 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	04/08/2008	73 FR 18984

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: No

Federalism: No

Energy Affected: No

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RIN: 0648-AV91

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Title: Framework Adjustment 20 to the Atlantic Sea Scallop Fishery Management Plan To Extend Fishing Year 2007 Management Measures for the Elephant Trunk Access Area Through February 2008

Abstract: Framework 20 would extend the management measures of an interim action implemented in December of 2006. The interim action delayed the opening of the Elephant Trunk Sea Scallop Access Area (ETAA), reduced the number of ETAA trips per vessel, reduced the number of general category vessel trips, and prohibited vessels fishing in the ETAA from leaving the ETAA with more than 50 U.S. bu of in-shell scallops. The interim action expires on December 26, 2007, and Framework 20 would continue the measures through February 29, 2008.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/30/2007	72 FR 61320
NPRM Comment Period End	11/14/2007	
Final Action	12/21/2007	72 FR 72626

Regulatory Flexibility Analysis

Required: Business

Government Levels Affected: Federal; State

Federalism: No

Energy Affected: No

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National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV93

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Title: Atlantic Highly Migratory Species; Atlantic Shark Commercial Season Lengths

Abstract: This rule would adjust quotas and season lengths for the 2008 first trimester season for large coastal sharks (LCS), small coastal sharks (SCS), and pelagic sharks managed under the 2006 Final Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP). These measures are necessary to ensure that quotas are based upon the most recent landings information and to account for over- or underharvests from the 2007 first trimester season. These measures would also take into consideration the results of the 2005/2006 shark stock assessments, the current proposed rule (72 FR 41392; July 27, 2007), and draft Amendment 2 to the HMS FMP. The management measures in this action would remain effective until Amendment 2 to the HMS FMP is finalized and effective even if that date is after the start of the 2008 second trimester season. As such, there would be no rulemaking establishing LCS, SCS, and pelagic shark quotas and seasons for the 2008 second trimester.

Priority: Routine and Frequent

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 635 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/01/2007	72 FR 55729
NPRM Comment Period End	10/31/2007	
Final Action	11/29/2007	72 FR 67580
Final Action Effective	01/01/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AV96

 [View Related Documents](#)
Title: Vessel Incentive Program (VIP) Repeal

Abstract: This regulatory amendment would repeal regulations that authorize a Vessel Incentive Program to reduce bycatch rates of halibut and red king crab in trawl fisheries of the Bering Sea and Aleutian Islands and Gulf of Alaska.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 679 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/30/2007	72 FR 67692
NPRM Comment Period End	12/31/2007	
Final Rule	03/11/2008	73 FR 12898

Additional Information: VIP promulgated at 679.21(f)**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AV99

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Title: 2008 Summer Flounder Coastwide Recreational Interim Management Measures

Abstract: The action would implement coastwide management measures (i.e., minimum fish size, possession limit, and season) as the 2008 regulatory default for the recreational summer flounder fishery until new measures, either state-by-state conservation equivalency or different coastwide measures based on the updated 2007 assessment, are put in place in late spring/early summer 2008.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/28/2007	72 FR 55166
NPRM Comment Period End	10/15/2007	
Final Action	11/21/2007	72 FR 65466
Final Action Effective	12/18/2007	

Regulatory Flexibility Analysis

Required: Organizations

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 0648-AU60

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW04

 [View Related Documents](#)

Title: Correcting Amendment Pacific Halibut Fisheries; Subsistence Halibut

Abstract: This final rule corrects a typographical error in the name of an organized tribal entity published in a 2003 final rule to Pacific Halibut Fisheries (65 FR 18145). This final rule makes minor, non-substantive changes and does not change operating practices in the subsistence fishery or the rights and obligations of subsistence fisherman management under the subsistence halibut regulations

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300.65 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 773 to 773K

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	12/06/2007	72 FR 68762

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 0648-AQ09

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National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW07

 [View Related Documents](#)

Title: Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments

Abstract: On December 29, 2006, NMFS published a final rule to implement the 2007 to 2008 West Coast groundfish harvest specifications and management measures (71 FR 78638). This action takes routine and frequent management action to modify harvest specifications and management measures to meet the mandates outlined by the Magnuson Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	10/04/2007	72 FR 56664

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AW13

 [View Related Documents](#)

Title: Specification of Total Allowable Catch Levels for Georges Bank (GB) Yellowtail Flounder, Eastern GB Cod, and Eastern GB Haddock, for Fishing Year 2008

Abstract: Under the Northeast (NE) Multispecies Fishery Management Plan (FMP) and the U.S./Canada Resource Sharing Understanding, three Georges Bank (GB) stocks are managed in coordination with Canada: GB yellowtail flounder, Eastern GB cod, and Eastern GB haddock. For these three shared stocks, on an annual basis, the New England Fishery Management Council recommends Total Allowable Catch (TAC) levels for vessels fishing in the U.S./Canada Management Area. This action would implement U.S. TACs for the 2008 Fishing Year of 667 mt, 8,050 mt, and 1,950 mt (for Eastern GB cod, Eastern GB haddock, and GB yellowtail flounder, respectively). These TACs are based upon best available science (Transboundary Resource Assessment Committee (TRAC)), and the recommendations of the Transboundary Management Guidance Committee (TMGC).

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/03/2008	73 FR 441
NPRM Comment Period End	02/04/2008	
Final Action	03/28/2008	73 FR 16571

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

Agency Contact: Patricia A. Kurkul
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 Gloucester , MA 01930
 Phone: 978 281-9200

Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW14

 [View Related Documents](#)

Title: Correcting Amendment to Pacific Halibut Fisheries Regulatory Definitions, Catch Sharing Plan, and Domestic Management Measures

Abstract: This is a final rule amendment correcting typographical mistakes in the Pacific Halibut fisheries regulatory definitions, catch sharing plan, and domestic management measures in waters in and off Alaska and prohibitions, previously published in a 2003 final rule to Pacific Halibut Fisheries (65 FR 18145). This correcting amendment improves the accuracy of Pacific Halibut fisheries regulations, makes minor, non-substantive changes, and does not change operating practices in the halibut fisheries or the rights and obligations of fisherman managed under the halibut regulations.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 773 to 773k; North Pacific Halibut Act of 1982 (NPHA)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	11/30/2007	72 FR 67668

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 0648-AQ09

Agency Contact: Robert D. Mecum
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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW16

 [View Related Documents](#)

Title: Georges Bank Cod Hook Sector Operations Plan Approval and Allocation of Georges Bank Cod Total Allowable Catch for Fishing Year 2008

Abstract: Under the Northeast (NE) Multispecies Fishery Management Plan (FMP), the Georges Bank Cod Hook Sector must submit an annual Operations Plan in order to be allocated a Total Allowable Catch (TAC) of Georges Bank Cod, and in order to be exempted from certain requirements of the FMP. If approved by the Regional Administrator, the Sector would be allocated a GB cod TAC, and would be exempt from the GB cod trip limit; GB seasonal closure area; limits on the number of hooks; the Days-at-Sea (DAS) Leasing Program size restrictions; differential DAS counting (in the Gulf of Maine and Southern New England Differential DAS Areas); and the Western U.S./Canada Management Area 72-hour observer notification.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/03/2008	73 FR 11376
NPRM Comment Period End	03/18/2008	
Final Action	04/03/2008	73 FR 18215

Regulatory Flexibility Analysis

Required: Business

Federalism: No

Energy Affected: No

Agency Contact: Patricia A. Kurkul

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Government Levels Affected: No

Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW17

 [View Related Documents](#)

Title: Georges Bank Cod Fixed Gear Sector Operations Plan Approval and Allocation of Georges Bank Cod Total Allowable Catch for Fishing Year 2008

Abstract: Under the Northeast (NE) Multispecies Fishery Management Plan (FMP), the Georges Bank Cod Fixed Gear Sector must submit an annual Operations Plan in order to be allocated a Total Allowable Catch (TAC) of Georges Bank Cod, and in order to be exempted from certain requirements of the FMP. If approved by the Regional Administrator, the Sector would be allocated a GB cod total allowable catch (TAC), and would be exempt from the GB cod trip limit; GB seasonal closure area when fishing with hook gear; and limits on the number of hooks that may be fished.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/11/2008	73 FR 12941
NPRM Comment Period End	03/26/2008	
Final Action	04/10/2008	73 FR 19439

Regulatory Flexibility Analysis

Required: Business

Federalism: No

Energy Affected: No

Government Levels Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW20

 [View Related Documents](#)

Title: Fisheries of the Northwestern United States; Regulatory Amendment To Modify Recordkeeping and Reporting and Observer Requirements; Correction

Abstract: On April 23, 2007, NMFS published a final rule to implement measures to modify the existing reporting and recordkeeping requirements for federally permitted seafood dealers/processors, and the observer requirements for participating hagfish vessels in the Federal Register. On June 13, 2007, NMFS published a separate final rule that inadvertently deleted a portion of the regulations implemented in the April 23, 2007, rule. This correcting amendment corrects this error by reinstating the language regarding hagfish observer requirements.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 648 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	12/04/2007	72 FR 68096

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

Related RINs: Related to 0648-AU80

Agency Contact: Patricia A. Kurkul
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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW21

 [View Related Documents](#)

Title: Control Date for Commercial Dolphin/Wahoo Fishery of the South Atlantic

Abstract: At the September 2007 Council meeting, the South Atlantic Fishery Management Council (Council) voted to establish a control date effective upon publication in the Federal Register for all dolphin/wahoo permits issued in the south Atlantic exclusive economic zone. By setting a control date, the Council would be able to evaluate the level of participation in the dolphin/wahoo fishery and address any level of overcapacity.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 622 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	12/05/2007	72 FR 68551

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Roy Crabtree

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Department of Commerce (DOC)

National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW26

 [View Related Documents](#)

Title: Pacific Halibut Fisheries; Catch Sharing Plan

Abstract: NMFS proposes to approve and implement changes to the Pacific Halibut Catch Sharing Plan (Plan) for the International Pacific Halibut Commission's (IPHC or Commission) regulatory Area 2A off Washington, Oregon, and California (Area 2A). NMFS proposes to implement the portions of the Plan and management measures that are not implemented through the IPHC, which includes the sport fishery management measures for Area 2A. These actions are intended to enhance the conservation of Pacific halibut, to provide greater angler opportunity where available, and to protect yelloweye rockfish and other overfished groundfish species from incidental catch in the halibut fisheries.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Proposed Rule	01/02/2008	73 FR 140
NPRM Comment Period End	02/01/2008	
Final Action	03/07/2008	73 FR 12280

Regulatory Flexibility Analysis**Required:** Business**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jamie Goen Department of Commerce

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)****RIN:** 0648-AW27 [View Related Documents](#)**Title:** Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments**Abstract:** On December 29, 2006, NMFS published a rule to implement the 2007 to 2008 West Coast groundfish harvest specifications and management measures (71 FR 78638). This action takes routine and frequent management action to modify harvest specifications and management measures to meet the mandates outlined by the Magnuson Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	12/04/2007	72 FR 68097

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Frank Lockhart

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW34

 [View Related Documents](#)

Title: Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments

Abstract: On December 29, 2006, NMFS published a final rule to implement the 2007 to 2008 West Coast groundfish harvest specifications and management measures (71 FR 78638). This action takes routine and frequent management action to modify harvest specifications and management measures to meet the mandates outlined by the Magnuson Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 660 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1801

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	12/18/2007	72 FR 71583

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
National Oceanic and Atmospheric Administration (NOAA)

RIN: 0648-AW39

 [View Related Documents](#)

Title: Oregon Coho Salmon Critical Habitat Designation

Abstract: This rule would list the Oregon Coast coho salmon ESU as threatened under the Endangered Species Act (ESA), issue protective regulations under Section 4(d) of the ESA, and designate critical habitat.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 224 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 to 1543 and 16 USC 1361 et seq

Legal Deadline:

Action	Source	Date
Other	Judicial	02/04/2008

Timetable:

Action	Date	FR Cite
Final Rule	02/11/2008	73 FR 7816

Regulatory Flexibility Analysis

Required: Business; Governmental Jurisdictions; Organizations **Government Levels Affected:** No

Federalism: No

Energy Affected: No

Agency Contact: Marta Nammack

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Department of Commerce (DOC)**National Oceanic and Atmospheric Administration (NOAA)**

RIN: 0648-AW41

 [View Related Documents](#)

Title: Establishment of Limits on Entry or Effort in the Purse Seine Fishery in the Western and Central Pacific Ocean

Abstract: This rule would: (1) Establish a limit on entry and/or fishing effort in the U.S. purse seine fishery in the western and central Pacific Ocean (WCPO) that might be more limiting than the existing limit on the number of licenses available under the Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United States of America (Treaty); and/or (2) establish a mechanism to allocate the limited number of licenses and/or fishing effort available in the fishery. The WCPO purse seine fishery is regulated primarily under the authority of the South Pacific Tuna Act (16 U.S.C. 973 to 973r), which implements the Treaty, an agreement between the United States and 16 Pacific Island nations that authorizes, and regulates through a licensing system, U.S. purse seine vessels operations within all or part of the exclusive economic zones (EEZs) of the 16 Pacific Island parties to the Treaty, as well as on the high seas in the Treaty Area. The Treaty allows for a maximum of 45 licenses, of which 5 are reserved for joint venture arrangements. The WCPO purse seine fishery is also subject to, among other laws, the Western and Central Pacific Fisheries Convention Implementation Act (Pub. L. 109-479, sec. 501 to 511), which implements the provisions of the Western and Central Pacific Fisheries (WCPF) Convention and the decisions of the WCPF Commission, of which the United States is a member. The WCPF Commission has adopted several measures pertinent to the potentially allowable level of activity by U.S. purse seine vessels in the Convention Area (which encompasses most of the Treaty Area), including decisions related to fishing capacity and fishing effort.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 973 to 973r

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	03/28/2008	73 FR 16619

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

Agency Contact: Dr. Charles Karnella

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

RIN: 0651-AB55

 [View Related Documents](#)

Title: Changes to Representation of Others Before the U.S. Patent and Trademark Office

Abstract: The U.S. Patent and Trademark Office (USPTO) amends its regulations to update the procedures regarding enrollment and discipline. The office also replaces 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.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 1; 37 CFR 2; 37 CFR 10; 37 CFR 11 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC 500(a); 35 USC 2(b) 2(D)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	
NPRM	12/12/2003	68 FR 66648
NPRM Comment Period End	02/12/2004	
Notice	03/03/2004	69 FR 9986
Notice	06/11/2004	
Final Action	06/24/2004	69 FR 35428
Supplemental NPRM	02/28/2007	72 FR 9196
Supplemental NPRM	05/29/2007	
Supplemental NPRM	05/00/2008	
NPRM Comment Period End	08/00/2008	

Additional Information: See 69 FR 9986-9987.

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 0651-AB38

Agency Contact: Harry I. Moatz
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 Patent and Trademark Office
 Office of Enrollment and Discipline P. O. Box 1450
 Alexandria , VA 22313
 Phone: 571 272-4097

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

RIN: 0651-AB89

 [View Related Documents](#)

Title: Amendment of Trademark Rules of Practice

Abstract: The U.S. Patent and Trademark Office (USPTO) is amending its rules to simplify and clarify procedures for: (1) Registering trademarks, (2) maintaining trademark registrations, (3) processing petitions to the Director in trademark cases, and (4) filing applications for international trademark registration and other documents pertaining to international registrations under the Madrid Agreement Concerning the International Registration of Marks (Madrid Protocol) through the USPTO.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 2.6,; 37 CFR 2.21; 37 CFR 2.26; 37 CFR 2.32 to 2.34; 37 CFR 2.44 to 2.45; 37 CFR 2.47; 37 CFR 2.52 to 2.53; 37 CFR 2.56; 37 CFR 2.63; 37 CFR 2.65; 37 CFR 2.67; 37 CFR 2.74; 37 CFR 2.76 to 2.77; 37 CFR 2.85 to 2.89; 37 CFR 2.99; 37 CFR 2.145 to 2.146; 37 CFR 2.153; 37 CFR 2.161; 37 CFR 2.171 to 2.173; 37 CFR 2.175; 37 CFR 2.184; 37 CFR 2.198; 37 CFR 3.31; 37 CFR 3.85; 37 CFR 7.14; 37 CFR 7.25 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 15 USC 1123; 35 USC 2

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	08/00/2008	
Final Action	11/00/2008	
Final Action Effective	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0651-AC05

 [View Related Documents](#)

Title: Institution of a Fee To File on Paper a Request for Reconsideration of a Final Office Action in a Trademark Case

Abstract: The Office amends 37 CFR part 2.64 to require that a request for reconsideration of an examining attorney's final refusal or requirement be filed through TEAS within 3 months of the mailing date of the final action. The purpose of this rule is to streamline the processing of applications in which a final refusal has been issued, and to reduce pendency.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 2.64 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 15 USC 1123; 35 USC 2

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/14/2007	72 FR 6984
NPRM Comment Period End	04/16/2007	
Second NPRM	05/00/2008	
Second NPRM COmment Period End	07/00/2008	
Final Action	09/00/2008	
Final Action Effective	11/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Mary E. Hannon

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

RIN: 0651-AC13

 [View Related Documents](#)

Title: Changes to Rules of Practice Before the Board of Appeals and Interferences in Inter Partes Appeals

Abstract: The United States Patent and Trademark Office (USPTO) is revising the rules of practice with respect to inter partes appeals before the Board of Patent Appeals and Interferences. For example, (1) the requirements for filing appeal briefs are changed to reorganize the manner in which the appeal brief and reply brief are presented, (2) lengths of briefs would be established to shorten briefs, (3) times for taking action in an appeal would be reduced, and (4) authority to decide requests for extensions of time to file certain documents would be assigned to the Chief Administrative Patent Judge obtained by petition. The change is not related to the USPTO's Strategic Plan. The change is expected to have some positive impact on the USPTO's appeal backlog and pendency.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 1.959 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 35 USC 2(b)(2); 35 USC 6(b); 35 USC 132; 35 USC 133; 35 USC 134; 35 USC 315

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	
NPRM Comment Period End	02/00/2009	
Final Action	07/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Fred E. McKelvey

Senior Administrative Patent Judge

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

RIN: 0651-AC14

 [View Related Documents](#)

Title: Changes to Rules of Practice Before the Board of Appeals and Interferences in Interferences

Abstract: The United States Patent and Trademark Office (USPTO) is revising the rules of practice with respect to interferences before the Board of Patent Appeals and Interferences. For example, (1) the requirements for filing a motion are changed to reorganize the manner in which a motion is presented, (2) lengths of motions would be established to shorten motions, and (3) the required content of a motion would be changed. The change is not related to the USPTO's Strategic Plan.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 41 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 35 USC 2(b)(2); 35 USC 6(b); 35 USC 23; 35 USC 24; 35 USC 135

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	08/00/2008	
Final Action	09/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Fred E. McKelvey

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

RIN: 0651-AC16

 [View Related Documents](#)

Title: Changes to Practice For Patent-Related Correspondence

Abstract: The United States Patent and Trademark Office (Office) is revising the rules of practice concerning the filing of patent-related correspondence. The Office is proposing to provide that certain patent-related correspondence filed by the United States Postal Service (USPS) "Express Mail Post Office to Addressee" service (Express Mail) will no longer be considered to have been filed with the Office on the date of deposit with the Express Mail service of the USPS, but will be treated as filed on the date of its actual receipt in the Office. The Office is also proposing to eliminate the provisions for filing patent-related correspondence by facsimile.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 35 USC 22; 35 USC 21; 35 USC 2(b)(2)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0651-AC21

 [View Related Documents](#)

Title: Revision of Patent Fees for Fiscal Year 2009

Abstract: The United States Patent and Trademark Office (USPTO) (referred to as "Office" in this notice) proposes to adjust certain patent fee amounts to reflect fluctuations in the Consumer Price Index (CPI). Also, the Office is proposing to adjust, by a corresponding amount, a few patent fees that track the affected fees. The Director is authorized to adjust these fees annually by the CPI to recover the higher costs associated with doing business.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 1.20(c(3)); 37 CFR 1.16(a to e); 37 CFR 1.17(a); 37 CFR 1.492 (a); 37 CFR 41.20 (b) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 35 USC 41; PL 103-465; PL 105-358; PL 108-447; 35 USC 119; 35 USC 120; 35 USC 132(b); 35 USC 376

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
NPRM Comment Period End	06/00/2008	
Final Action	07/00/2008	
Final Action Effective	10/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0651-AC08

 [View Related Documents](#)

Title: Correspondence With the United States Patent and Trademark Office, Office of the General Counsel

Abstract: The United States Patent and Trademark Office, Office of the General Counsel, is revising the rules of practice to update the address for mail and service.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 102, 104 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 0651-AB86

Agency Contact: Kyu S. Lee

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

RIN: 0651-AC12

 [View Related Documents](#)

Title: Changes to Rules of Practice Before the Board of Appeals and Interferences in Ex Parte Appeals

Abstract: The United States Patent and Trademark Office (USPTO) is revising the rules of practice with respect to ex parte appeals before the Board of Patent Appeals and Interferences. For example, (1) the requirements for filing an appeal brief are changed to reorganize the manner in which the appeal brief and reply brief are presented, (2) lengths of briefs would be established to shorten briefs, (3) times for taking action in an appeal would be reduced, and (4) authority to decide requests for extensions of time to file certain documents would be assigned to the Chief Administrative Patent Judge obtained by petition. The change is not related to the USPTO's Strategic Plan. The change is expected to have some positive impact on the USPTO's appeal backlog and pendency.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 41 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 35 USC 132; 35 USC 133; 35 USC 134; 35 USC 2(b)(2); 35 USC 305; 35 USC 306; 35 USC 6(b)

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
NPRM	07/30/2007	72 FR 41472
NPRM Comment Period End	09/28/2007	
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Fred E. McKelvey

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**Department of Commerce (DOC)
Patent and Trademark Office (PTO)****RIN:** 0651-AC17 [View Related Documents](#)**Title:** Changes in the Requirement for a Description of the Mark in Trademark Applications**Abstract:** The Office amends 37 C.F.R. 2.37 to require trademark applicants to include a description of the mark for all marks not in standard characters, and to make Conforming amendments to 37 C.F.R. 2.32(a) and 2.52(b)(5).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 37 CFR 2.32(a); 37 CFR 2.37; 37 CFR 2.52(b)(5) (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 15 USC 1123; 35 USC 2**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/25/2007	72 FR 60609
NPRM Comment Period End	12/24/2007	
Final Action	05/00/2008	
Final Action Effective	07/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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

RIN: 0651-AC18

 [View Related Documents](#)

Title: Changes in Procedures for Filing Trademark Correspondence by Express Mail or Under a Certificate of Mailing or Transmission

Abstract: The United States Patent and Trademark Office amends the Trademark Rules of Practice to provide that the procedures for filing trademark correspondence by Express Mail or under a certificate of mailing or transmission do not apply to certain specified documents for which an electronic form is available in the Trademark Electronic Application System. The purpose of the rule change is to promote electronic filing.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 2.197; 37 CFR 2.198; 37 CFR 7.4 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 15 USC 1123; 35 USC 2

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/29/2008	73 FR 11079
NPRM Comment Period End	04/29/2008	
Final Action	10/00/2008	
Final Action Effective	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0651-AB91

 [View Related Documents](#)

Title: Acceptance, Processing, Use, and Dissemination of Chemical and Three-Dimensional Biological Structural Data in Electronic Format

Abstract: This action informs the public that the U.S. Patent and Trademark Office (USPTO) is considering amending its rules of practice to require submission of chemical and three-dimensional (3-D) biological structural data in electronic format. The USPTO anticipates that requiring submission of chemical and 3-D biological structural data in electronic format in patent applications will improve the processing and examination of patent applications that include such data, as well as the dissemination of such data to searchable public databases. The purpose of this notice is to encourage comments on this topic, in the form of responses to the questions posed in this action, from industry, academia, the patent bars, and members of the public.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	00/00/0000	
ANPRM	06/21/2005	70 FR 35573
ANPRM Comment Period End	08/22/2005	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0651-AB95

 [View Related Documents](#)

Title: Changes to Information Disclosure Statement Requirements and Other Related Matters

Abstract: The U.S. Patent and Trademark Office (Office) amends its regulations on information disclosure statement (IDS) requirements and other related matters to improve the quality and efficiency of the examination process. These changes would enable the examiner to focus in on the relevant portions of submitted prior art at the very beginning of the examination process, give higher quality first actions, and minimize wasted steps. This action would make the following changes relating to submissions of IDSs by applicants: impose a requirement for the personal review of, and to provide information about, certain citations; eliminate the fees for, but permit only timely, IDS submissions; and only permit the filing of an IDS after the mailing of a notice of allowance if a claim is admitted to be unpatentable and a narrowing amendment is also submitted. The Office would also permit third parties to submit prior art up until the mailing of a notice of allowance after application publication; to no longer permit an IDS to meet the submission requirement for a request for continued examination (RCE); to permit, after payment of the issue fee, certain amendments and petitions so applicants will not have to file a continuation application or an RCE for such items; and to revise the protest rule to better set forth options that applicants have for dealing with unsolicited information received from third parties.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	
NPRM	07/10/2006	71 FR 38808
NPRM Comment Period End	09/08/2006	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0651-AB98

 [View Related Documents](#)

Title: Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility

Abstract: The U.S. Patent and Trademark Office (USPTO) has, in response to recent case law, revised its guidelines to be used by USPTO personnel in their review of patent applications to determine whether the claims in a patent application are directed to patent-eligible subject matter. The USPTO is requesting comments from the public regarding these interim examination guidelines.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: None (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 35 USC 101; 35 USC 2(b)2

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	00/00/0000	
Notice	12/20/2005	70 FR 75451
Commend Period Extended	06/14/2006	71 FR 34307
Comment Period End	06/30/2006	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0651-AB99

 [View Related Documents](#)

Title: Revision to the Time for Filing of a Biological Deposit and the Date of Availability of a Biological Deposit

Abstract: This section changes the rules of practice to require that any deposit of biological material be made before publication of a patent application, and that all restrictions on access to the deposited material imposed by the depositor be removed upon publication. The changes will provide that the public has access to biological materials referenced in the disclosure of a patent application to the same extent that access to the remainder of the disclosure is available. When any item is referenced in the disclosure of a patent application publication or patent, then a special circumstance exists that warrants release of the referenced item. The public policy basis for allowing access to a referenced item is the same whether the item is another patent application or a deposited biological material.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 35 USC 122; 35 USC 2(b)(2)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	
NPRM	02/20/2008	73 FR 9254
NPRM Comment Period End	04/21/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0651-AC00

 [View Related Documents](#)

Title: Examination of Patent Applications That Include Claims Containing Alternative Language

Abstract: The U.S. Patent and Trademark Office (Office) is considering revising the rules of practice to address Markush-type and other claims written so as to claim an invention in the alternative. The search and examination of Markush-type and other claims written in the alternative generally consume a disproportionate amount of Office resources as compared to other types of claims, because these claims can encompass multiple independent and distinct inventions, and determining the patentability of such a claim may require a separate examination of each of the alternatives within the claim. The Office anticipates that requiring applicants who choose this claim-drafting format to ensure a certain degree of relatedness among the members of a Markush group or the alternatives presented in the claims will allow the Office to do a better, more thorough and reliable examination of Markush-type and other claims written in the alternative.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	
NPRM	08/10/2007	72 FR 44992
NPRM Comment Period End	10/09/2007	

Additional Information: Regulatory Flexibility Analysis Required: Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0651-AC03

 [View Related Documents](#)
Title: Changes To Implement Preexamination Search Reports

Abstract: The U.S. Patent and Trademark Office (Office) has established a 21st Century Strategic Plan to transform the Office into a quality-focused, highly productive, responsive organization supporting a market-driven intellectual property system. The 21st Century Strategic Plan addresses patent pendency through (inter alia) the continued aggressive hiring of examining staff and the exploitation of search reports from other intellectual property (IP) authorities and from commercial search contractors. The Office is concerned that the aggressive hiring of examining staff and exploitation of search reports from others may be insufficient to address patent pendency in the near future, for example, due to limits on the volume of new examiners that can realistically be absorbed and restrictions on the Office's ability to obtain search reports from commercial search contractors. Therefore, the Office is exploring requiring applicants to provide a preexamination search report. The Office anticipates that if applicants provide preexamination reports, the examination of applications will be better streamlined and more focused, thereby resulting in higher quality and more timely issued patents. Because applicants are, generally, in the unique position of possessing the greatest knowledge of their claimed invention and, in many instances, an extensive knowledge of the prior art most pertinent to their claimed invention, requiring applicants to share this knowledge and expertise with the Office is highly conducive to achieving the common goal of the Office and the public, namely high-quality patents. Further, the need to focus unduly broad claims will become apparent to the applicant through the process of providing a preexamination search report. In addition, with a preexamination search report, examiners will begin the examination process with a greater understanding of the claimed invention and with, perhaps, the best prior art already available.

Priority: Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 37 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 35 USC 2(b)(2)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	00/00/0000	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Robert W. Bahr

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

RIN: 0651-AC06

 [View Related Documents](#)

Title: Revisions to the Procedures for Deferral of Examination of an Application for Patent

Abstract: The United States Patent and Trademark Office (Office) rules of practice for the examination of patent applications currently have a procedure under which an applicant may request deferral of examination of a patent application. This deferral of examination procedure, however, was used in fewer than 200 patent applications in fiscal year 2005. Therefore, the Office is proposing to revise the deferral of examination procedure for patent applications to increase the attractiveness and usage of that procedure.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 35 USC 2(b)(2); 35 USC 131 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0651-AC19

 [View Related Documents](#)

Title: Changes To Implement Electronic Patent Publication

Abstract: The United States Patent and Trademark Office (Office) is proposing to revise the rules of practice to implement electronic patent publication. The electronic patent publication process would permit the Office to issue patents and reexamination certificates, and publish statutory invention registrations more quickly and to reduce the pendency of the application or reexamination proceeding by about two weeks. The electronic patent publication process would also increase the accessibility of patents and reexamination certificates. A copy of the patent including the cover sheet and the reexamination certificate(s), if applicable, would be electronically available upon the issuance. The patentees, the requesters, and any member of the public would be able to view and print a copy of the patent including the cover sheet in color, the reexamination certificate(s), and statutory invention registrations through the Patent Application Image Retrieval (PAIR) system. The Office would no longer provide a ribbon copy of the letters patent, paper copy of a reexamination certificate(s), paper copy of a statutory invention registration, or paper copy of a certificate of correction to the patentee or the requester. The Office is proposing to amend the rules to provide that patentees may request paper-bound copies of a patent including the cover sheet for a fee.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0651-AC22

 [View Related Documents](#)

Title: Revision of Patent Fees for Fiscal Year 2010

Abstract: The United States Patent and Trademark Office (USPTO)(referred to as "Office" in this notice) proposes to adjust certain patent fee amounts to reflect fluctuations in the Consumer Price Index (CPI). Also, the Office is proposing to adjust, by a corresponding amount, a few patent fees that track the affected fees. The Director is authorized to adjust these fees annually by the CPI to recover the higher costs associated with doing business.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 37 CFR 1.17(a(2 to 5));37 CFR 1.17(e); 37 CFR 1.17(l); 37 CFR 1.17(m); 37 CFR 1.17(r to t); 37 CFR 1.16(a to e); 37 CFR 1.16(h to s); 37 CFR 1.18(a to c); 37 CFR 1.20(c(3 to 4)); 37 CFR 1.20(e to g); 37 CFR 1.492(a); 37 CFR 1.492(b(2 to 4)); 37 CFR 1.492(c)(2); 37 CFR 1.492(d to f); 37 CFR 1.492(j); 37 CFR 41.20 (b(1 to 3)) (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 35 USC 41; 35 USC 119; 35 USC 120; 35 USC 132(b); 35 USC 376; PL 103-465; PL 108-447; PL 105-358

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2009	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0651-AB93

 [View Related Documents](#)

Title: Changes to Practice for Continuing Applications, Requests for Continued Examination Practice, and Applications Containing Patentably Indistinct Claims

Abstract: The Office revises the rules of practice to share the burden of examining an application if the applicant has filed multiple continuing applications or multiple requests for continued examination. The revised rules would require that second or subsequent continuation applications and second or subsequent requests for continued examination of an application include a showing as to why the amendment, argument, or evidence presented was not previously submitted. The revised rules would also ease the burden of examining multiple applications that have the same effective filing date, overlapping disclosure, a common inventor, and common assignee by requiring that all patentably indistinct claims in such applications be submitted in a single application absent good and sufficient reason. These changes would allow the Office to apply the patent examining resources currently absorbed by multiple continuing applications and requests for continued examination that simply recycle earlier applications to the examination of new applications and thus allow the Office to reduce the backlog of unexamined applications. This will mean faster, more efficient examination for the typical applicant without any additional work on the applicant's part but a small minority of applicants who consume a disproportionate share of Agency resources will be required to share the burden they place on the Agency.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/03/2006	71 FR 48
NPRM Comment Period End	05/03/2006	
Final Action	08/21/2007	72 FR 46716

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Merge with 0651-AB94

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

RIN: 0651-AB94

 [View Related Documents](#)

Title: Changes to Practice for the Examination of Claims in Patent Applications

Abstract: A small but significant minority of applications contain an excessive number of claims, which makes effective examination of such applications problematic. The U.S. Patent and Trademark Office (Office) revises the rules of practice to share the burden of examining applications containing an excessive number of claims. Specifically, the Office amends the rules to provide that if an application contains more than 10 independent claims, the applicant must provide a patentability report that covers all of the independent claims in the application. In addition, the Office amends the rules to provide that the Office will give a separate examination only to those dependent claims expressly elected for separate examination, and that the applicant must provide a patentability report that covers all of the independent claims and elected dependent claims in the application if the number of independent claims plus the number of dependent claims elected for examination is greater than 10. The changes would allow the Office to apply the patent examining resources currently absorbed by applications that contain an excessive number of claims to the examination of new applications, and thus allow the Office to reduce the backlog of unexamined applications. This would mean faster, more effective examination for the typical applicant without any additional work on the applicant's part, but a small minority of applicants who consume a disproportionate share of agency resources will be required to share the burden they place on the agency.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/03/2006	71 FR 61
NPRM Comment Period End	05/03/2006	
Final Action	08/21/2007	72 FR 46716

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Merge with 0651-AB93

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

RIN: 0651-AB96

 [View Related Documents](#)

Title: Pre-Brief Appeal Conference for Patent Applications Under Appeal to the Board of Patent Appeals and Interferences

Abstract: The U.S. Patent and Trademark Office (Office) has established a pilot pre-brief appeal conference program. This action would change the rules of practice to implement a more permanent pre-brief appeal conference program. The pre-brief appeal conference program offers patent applicants an avenue to request that a panel of examiners review the legal and factual basis of the rejections in their patent application prior to the filing of an appeal brief. The pre-brief appeal conference program is designed to spare applicants the added time and expense of preparing an appeal brief if a panel review determines that there is no legal or factual basis for the rejections in an application under appeal. Although the pre-brief appeal conference program would not be appropriate for every application under appeal, in proper situations it can save the resources of both the applicant and the Office. Applicants continue to have available to them the current practice and procedures for appeals before the Board of Patent Appeals and Interferences, regardless of whether the applicant requests a pre-brief appeal conference or the result of the pre-brief appeal conference.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 37 CFR 41 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Withdrawn	02/12/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0651-AB97

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Title: Changes to Examination Practice for Means- (or Step-) Plus-Function Claim Elements in Patent Applications

Abstract: The U.S. Patent and Trademark Office (Office) is revising the rules of practice to provide for the treatment of means- (or step-) plus-function claim elements under 35 U.S.C. 112, 6, in proceedings before the Office. The Office is proposing that an applicant must use the phrase "means for" or "step for" to have a claim element considered a means- (or step-) plus-function claim element under 35 U.S.C. 112, 6, during a proceeding before the Office. The Office also is proposing that the specification of a patent application that includes one or more means- (or step-) plus-function claim elements under 35 U.S.C. 112, 6, must contain or be amended to contain a separate section that specifies the structure, material, or acts that correspond to each such means- (or step-) plus-function claim element under 35 U.S.C. 112, 6. The Office is also proposing to provide for the conditions under which a prior art element may be presumed to be an equivalent of a means- (or step-) plus-function claim element under 35 U.S.C. 112, 6, and how an applicant must rebut a presumption that a prior art element is the equivalent of a means- (or step-) plus-function claim element under 35 U.S.C. 112, 6, during proceedings before the Office. These changes will reduce the burden of examining means- (or step-) plus-function claim elements under 35 U.S.C. 112, 6, and result in a clearer prosecution record in applications containing means- (or step-) plus-function claim elements under 35 U.S.C. 112, 6.

Priority: Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 37 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 35 USC 2(b)(2)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Withdrawn	02/15/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Robert W. Bahr

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

RIN: 0691-AA65

 [View Related Documents](#)

Title: Change in Reporting Requirements for the BE-15 Annual Survey of Foreign Direct Investment in the United States

Abstract: This action will amend existing rule 15 CFR 806.15 to raise the threshold for reporting on the BE-15 annual survey and to bring the survey into conformity with the 2007 BE-12 benchmark survey of foreign direct investment in the United States. It will also expand coverage of the survey to include data on foreign-owned U.S. banks.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 806.15 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 22 USC 3101 to 3108

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/00/2008	
NPRM Comment Period End	10/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0691-AA63

 [View Related Documents](#)

Title: Change in Reporting Requirements for BE-11, Annual Survey of U.S. Direct Investment Abroad

Abstract: This action amended existing rule 15 CFR 806.14 to change the reporting requirements for the BE-11, Annual Survey of U.S. Direct Investment Abroad, to require U.S. Reporters and foreign affiliates that are banks to be reported.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 806.14 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 22 USC 3101 to 3108

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/13/2007	72 FR 52316
NPRM Comment Period End	11/13/2007	
Final Action	12/17/2007	72 FR 71220
Final Action Effective	01/16/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
Bureau of Economic Analysis (BEA)
RIN: 0691-AA64
 [View Related Documents](#)

Title: Change in Reporting Requirements for BE-12, Benchmark Survey of Foreign Direct Investment in the United States--2007

Abstract: This action amended 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--2007, as required by 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 2002 which has been completed and which the new survey will update.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 806.17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 22 USC 3101 to 3108**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	09/21/2007	72 FR 53970
NPRM Comment Period End	11/20/2007	
Final Action	12/26/2007	72 FR 72917
Final Action Effective	01/25/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of Commerce (DOC)
National Institute of Standards and Technology (NIST)

RIN: 0693-AB59

 [View Related Documents](#)
Title: Technology Innovation Program

Abstract: The National Institute of Standards and Technology amends its regulations to implement the Technology Innovation Program (TIP). Section 3012 of the America COMPETES Act (Pub. L. 110-69) established TIP for the purpose of assisting U.S. businesses and institutions of higher education or other organizations, such as national laboratories and nonprofit research institutes, to support, promote, and accelerate innovation in the U.S. through high-risk, high-reward research in areas of critical national need. Section 3012(f) of the America COMPETES Act requires the NIST Director to promulgate regulations implementing the TIP.

Priority: Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 296 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** PL 110-69; 15 USC 278n**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/07/2008	73 FR 12305
NPRM Comment Period End	04/21/2008	
Final Rule	05/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michael R. Rubin

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

RIN: 0694-AD89

 [View Related Documents](#)

Title: Automated Export System and Shippers Export Declaration--Requirement To Show Paragraphs in Export Control Classification Numbers

Abstract: The Export Administration Regulations currently require that the Export Control Classification Number (ECCN) be entered for certain exports from the United States. The lists of items in some ECCNs is further broken down by paragraphs that describe the items covered by that ECCN with greater precision. In some instances, the export license requirements, availability of license exceptions, and license application review policy are affected by that paragraph designation. BIS is considering requiring that paragraph designations be included in the ECCN field on Automated Export System entries and on paper Shipper's Export Declarations. Requiring that additional information would, in some transactions, allow BIS to determine more quickly the accuracy of a claimed use of authority to ship without a license or pursuant to an license exception. In addition, this information would enable BIS to target its end-use checks of exports more effectively because it could select items of the greatest significance without extensive follow-up information from the exporter. By taking advantage of the additional information, BIS could make more effective use of its limited enforcement resources.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: PreRule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 15 CFR 758 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC app 2401 et seq; 50 USC 1701 et seq; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	08/00/2008	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AC47

 [View Related Documents](#)

Title: Administrative Action Providing for Order To Stop Specific Exports or Reexports Otherwise Eligible Under Designation NLR

Abstract: The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) by adding a new revocation and suspension order to part 750. This revocation and suspension order clarifies the authority of BIS to issue an order informing any person that a license is required for the export, reexport, or transfer (in-country) of a specific item or items subject to the EAR to a specific destination and/or consignee (ultimate or intermediate), that would otherwise be eligible for export, reexport, or transfer (in-country) under designation NLR, when BIS has reasonable grounds to believe a violation of the EAR has occurred, is about to occur, or is intended to occur in connection with the export, reexport, or transfer (in-country) in question. This rule also consolidates in that same section in part 750 the related administrative measure for the revision, suspension, or revocation of license exceptions that was formerly in section 740.2(b). In that same section of part 750, this rule clarifies that BIS may suspend, revise, or revoke a license for certain non-enforcement related reasons (e.g., administrative or procedural error). This rule also clarifies several provisions of the EAR to indicate that "No License Required" is not an authorization to export, but a designation that an export or reexport does not require a license from BIS.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 738; 15 CFR 750; 15 CFR 764; 15 CFR 732; 15 CFR 736; 15 CFR 740; 15 CFR 748; 15 CFR 758 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC app 2401; 50 USC 1701; 22 USC 2151; PL 108-175; EO 12938; EO 13020; 10 USC 7420; 10 USC 7430(e); 22 USC 2151 (note), PL 108-175; 22 USC 287c; 22 USC 3201 et seq; 22 USC 6004; 30 USC 185(s), 185(u); 42 USC 2139a; 42 USC 6212; 43 USC 1354; 46 USC app 466c; 50 USC 1701 et seq; 50 USC app 2401 et seq; 50 USC app. 5; EO 12938; EO 13020; EO 13026; EO 13222; EO 13338; PL 106-387; PL 107-56; PL 108-11,117; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AD26

 [View Related Documents](#)

Title: Additional Protocol Regulations

Abstract: Following ratification by the United States of the Protocol Additional to the Agreement Between the United States of America and the International Atomic Energy Agency for the Application of Safeguards in the United States of America (AP or Protocol), the Bureau of Industry and Security (BIS) proposes to establish the Additional Protocol Regulations (APR) to implement the provisions of the Protocol affecting U.S. industry and other U.S. persons. The model Additional Protocol requires enhanced information collection and access to provide IAEA inspectors with greater ability to detect clandestine nuclear activities in non-nuclear weapons states (NNWS), and covers almost all of a state's nuclear fuel cycle. The United States, as a nuclear weapons state (NWS) party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), is not obligated to accept IAEA safeguards on its nuclear activities. However, the United States voluntarily signed the U.S. Additional Protocol on June 12, 1998. In this U.S. Additional Protocol, the United States accepts all of the measures of the Model Protocol, except where their application would result in access by the IAEA to activities with direct national security significance to the United States or to locations or information associated with such activities. Declarations submitted under the U.S. Additional Protocol would provide the IAEA with information about additional aspects of the U.S. nuclear fuel cycle and other nuclear material activities not currently subject to the U.S. Safeguards Agreement. There are no routine inspections under the U.S. Additional Protocol, but IAEA inspectors may be provided access (referred to as "complementary access") to the U.S. nuclear fuel cycle to assure the absence of undeclared nuclear material and activities or where there is a question or an inconsistency about the completeness or correctness of the U.S. declaration, which could relate to declared or undeclared industrial locations.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 781; 15 CFR 782; 15 CFR 783; 15 CFR 784; 15 CFR 785; 15 CFR 786; 15 CFR 787; 15 CFR 788 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 22 USC 6701; 50 USC 1601; 50 USC 1701; EO 13128; EO 12938; EO 13094; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 0694-AD27

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

RIN: 0694-AD59

 [View Related Documents](#)

Title: Conforming Changes to Certain End-User/End-Use Based Controls in the EAR; Clarification of the Term "Transfer" and Related Terms as Used in the EAR

Abstract: The Bureau of Industry and Security (BIS) proposes to amend the Export Administration Regulations (EAR) by making conforming changes in certain end-user/end-use controls in the EAR to ensure that the terminology used to describe each type of end-user/end-use control is consistent, to the fullest extent possible, with the terminology in other such controls in the EAR. The proposed amendments would clarify that a party cannot proceed with an export, reexport, or transfer (in-country) that is in transit at the time the party is informed by BIS that a license is required (in accordance with certain end-user/end-use controls in the EAR), unless that party first obtains a license from BIS authorizing the completion of the transaction. These proposed changes to part 744 are intended to enhance the ability of BIS to stop items subject to the EAR, including items not on the Commerce Control List, from being exported, reexported, or transferred (in-country) when there is an unacceptable risk that such items will be used in, or diverted to, any of the proliferation activities specified in sections 744.2, 744.3, 744.4, and 744.6 of the EAR. This rule also proposes to amend the EAR by revising the definition of the term transfer and certain related terms, to provide greater clarity regarding these provisions.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 744; 15 CFR 758; 15 CFR 736; 15 CFR 740; 15 CFR 742; 15 CFR 748; 15 CFR 752; 15 CFR 760; 15 CFR 772 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC 2401; 50 USC 1701; 22 USC 3201; 42 USC 2139a; EO 12058; 22 USC 2151 (note), PL 108-175; 22 USC 3201 et seq; 42 USC 2139a; 50 USC 1701 et seq; 50 USC app 2401 et seq; EO 12058; EO 12851; EO 12938; EO 12947; EO 13020; EO 13026; EO 13099; EO 13222; EO 13224; EO 13338; PL 106-387; PL 107-56; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE09

 [View Related Documents](#)

Title: Removal of License Exception GBS and TSR Eligibility for Certain Microwave Monolithic Integrated Circuit Power Amplifiers and Related Software and Technology

Abstract: This rule would amend the Export Administration Regulations by removing License Exception GBS for certain microwave monolithic integrated circuit (MMICs) power amplifiers that can be used in phased array radar systems and TSR eligibility for related software and technology controlled on the Commerce Control List. License Exception GBS authorizes exports and reexports to Country Group B destinations when a commodity requires a license to such destinations for national security reasons only. License Exception TSR permits exports and reexports of technology and software to Group B destinations where the Commerce Country Chart (Supplement No. 1 to Part 738 of the EAR) indicates a license for national security reasons only.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 10 USC 7420; 50 USC 1701; 50 USC 2401; EO 13026

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Previously Reported as 0694-AD36

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Department of Commerce (DOC)

Bureau of Industry and Security (BIS)

RIN: 0694-AE21

 [View Related Documents](#)

Title: Export Administration Regulations: Establishment of License Exception Intra-Company Transfer (ICT)

Abstract: This rule amends the Export Administration Regulations (EAR) to establish a new license exception entitled "Intra-Company Transfer (ICT)." This license exception allows a parent company and its wholly owned or controlled in fact entities to export, reexport, or transfer (in-country) many items on the Commerce Control List (CCL) among themselves for internal company use. Prior authorization from the Bureau of Industry and Security (BIS) is required to use this license exception. This rule describes the criteria pursuant to which entities are eligible to use License Exception ICT and the procedure by which they must apply for such authorization.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 740; 15 CFR 772 (To search for a specific CFR, visit the [Code of Federal Regulations](#) .)

Legal Authority: 50 USC 1701 et seq; 50 USC app 2401 et seq; EO 13026; EO 13222; PL 106-387

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	

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

Small Entities Affected: No **Federalism:** No

Energy Affected: No

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

RIN: 0694-AC33

 [View Related Documents](#)

Title: License Exception AVS: Clarifications

Abstract: The Bureau of Industry and Security is amending the Export Administration Regulations to clarify the scope of certain License Exception registered aircraft subject (AVS) provisions.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 740 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/2008	

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

Small Entities Affected: No **Federalism:** No

Energy Affected: No

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

RIN: 0694-AC34

 [View Related Documents](#)

Title: Clarifications to Part 752: Special Comprehensive License Requirements

Abstract: The Bureau of Industry and Security administers the Special Comprehensive License (SCL) program to provide an effective export control mechanism for exporters who routinely ship to multiple end-users. This rule amends the SCL provisions of the Export Administration Regulations (EAR) to conform with changes in the SCL licensing process and to provide SCL applicants and consignees with additional guidance on how to fill out the forms required to submit a license application or to request changes in their SCLs. This rule also creates two new elements for SCL internal control programs. These new elements require the establishment of procedures for screening customers and items to ensure that SCL transactions conform with the antiboycott provisions of the EAR and with EAR provisions concerning entities involved in weapons of mass destruction activities.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

CFR Citation: 15 CFR 700 to 799 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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; ...

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Willard Fisher

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Department of Commerce (DOC)**Bureau of Industry and Security (BIS)****RIN:** 0694-AD54
 [View Related Documents](#)
Title: Technical Amendments to the Export Administration Regulations

Abstract: This Bureau of Industry and Security (BIS) amends its regulations to remove an obsolete in-transit license requirement, makes BIS policy regarding certain exceptions to export and reexport license requirements more explicit, corrects some omissions in two sections that summarize license requirements regarding Iran, removes two instances of two Export Control Classification Numbers (ECCNs) applying to a single commodity, conforms some software and technology ECCNs, more closely to their related commodity ECCNs and makes technical changes.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

CFR Citation: 15 CFR 732; 15 CFR 736; 15 CFR 740; 15 CFR 746; 15 CFR 748; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 2151 (note); PL 108-175; EO 12938; EO 13020; EO 13026; EO 13222; EO 13338

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

Bureau of Industry and Security (BIS)

RIN: 0694-AD55

 [View Related Documents](#)

Title: Revisions and Clarifications to the Export Administration Regulations

Abstract: This rule removes reference to "Advisory Notes" from the Export Administration Regulations (EAR). This rule also removes the Advisory Note from the entry on the Commerce Control List (CCL) that controls specialized machinery, equipment, gear, and specially designed parts and for the examination, manufacture, testing, and checking of arms, appliances, machines, and implements of war. In addition, it revises License Exceptions GBS and CIV in that CCL entry to include certain equipment used to determine the safety data of explosives. Finally, it revises certain ECCN headings to reflect the current name of the Wassenaar Arrangement Munitions List.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 742; 15 CFR 748; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 50 USC app 2401 et seq; 50 USC 1701 et seq; 18 USC 2510 et seq; 22 USC 3201 et seq; 50 USC app 5; PL 106-387, sec 901 to 911; PL 107-56, sec 221; PL 108-11, sec 1503; EO 12058; EO 12851; EO 12938; EO 13026; EO 13222; 50 USC app 2401 et seq; 50 USC 1701 et seq; 10 USC 7420; 10 USC 7430(e); 22 USC 287c; 22 USC 6004; 30 USC 185(s); 30 USC 185(u); 42 USC 2139a; 42 USC 6212; 43 USC 1354; 46 USC app 466c; PL 106-387; PL 107-56; PL 108-11

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AD58

 [View Related Documents](#)

Title: Implementation of the Understandings Reached at the 2004 Gotenberg and 2005 Oslo Nuclear Supplier Group (NSG) Plenary Meetings

Abstract: The Bureau of Industry and Security (BIS) is publishing this rule to amend the Export Administration Regulations (EAR) to implement the understandings reached at the 2004 Gotenberg and 2005 Oslo Nuclear Supplier Group (NSG) Plenary Meetings.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 742; 15 CFR 772; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC app 2401 et seq; 50 USC 1701 et seq; 18 USC 2510 et seq; 22 USC 3201 et seq; 42 USC 2139a; PL 106-387; PL 107-56; PL 108-11,117 Stat 559; EO 12058; EO 12851; EO 1293; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AD71

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Title: Revisions to License Requirements for Certain Thermal Imaging Cameras Incorporating Focal Plane Arrays

Abstract: This rule revises license requirements for certain thermal imaging cameras that incorporate focal plane arrays. The changes will reduce the number of destinations to which export or reexport licenses are required based on camera performance levels. This rule imposes a semi-annual post shipment reporting requirement for the exports from which it removes license requirements. The Bureau of Industry and Security is making these changes in recognition of availability of similar cameras in a variety of destinations and to more closely align license requirements with overall U.S. national security concerns.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 742; 15 CFR 744 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 50 USC app 2401 et seq; 50 USC 1701 et seq; 18 USC 2510 et seq; 22 USC 3201 et seq; 42 USC 2139a; PL 106-387; PL 107-56; PL 108-11; EO 12058; EO 12851; EO 12938; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AD80

 [View Related Documents](#)

Title: Revision to General Restriction on All License Exceptions: Availability of Certain License Exceptions for Lightweight Aircraft Engines

Abstract: The Bureau of Industry and Security amends the general restriction on using license exceptions for MT-controlled items, by adding one additional Export Control Classification Number (ECCN) 9A101.a to the list of ECCNs for which certain license exceptions are available. Specifically, that the commodities described in ECCN 9A101.a, may be exported as part of a manned aircraft, land vehicle, or marine vehicle or in quantities appropriate for replacement parts for such applications under section 740.9(a)(2)(ii) (License Exception TMP for kits consisting of replacement parts), section 740.10 (License Exception RPL), or section 740.15(c) (License Exception AVS for equipment and spare parts for permanent use on an aircraft).

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 740 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 50 USC app 2401 et seq; 50 USC 1701 et seq; PL 106-387; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	09/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Timothy Mooney

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

RIN: 0694-AD82

 [View Related Documents](#)**Title:** Authorization To Impose License Requirements for Exports and Reexports to Entities Acting Contrary to the United States' National Security or Foreign Policy Interests**Abstract:** This rule revises section 744.20 to authorize the Bureau of Industry and Security (BIS) to add to the Entity List entities that BIS has reasonable cause to believe, based on specific and articulable facts, are or have been involved in activities that are contrary to the national security or foreign policy interests of the United States or to those acting on behalf of such entities. With this rule, the United States government would be able to conduct prior review of proposed exports and reexports to such recipients to the degree necessary to protect its interests. BIS would be able to tailor license requirements and availability of license exceptions for exports and reexports to parties who have taken or who are taking actions that are contrary to United States national security or foreign policy interests without imposing additional license requirements that apply broadly to entire destinations or items. BIS believes that such selective application of license requirements and exceptions will provide the flexibility to deter use of items that are subject to the Export Administration Regulations in ways that are inimical to the interests of the United States with minimal costs to and disruption of legitimate trade. This rule also would provide a procedure for parties on the Entity List to request that their entries be removed or modified.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 15 CFR 744; 15 CFR 772 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; PL 106-387; PL 107-56; EO 12058; EO 12851; EO 12938; EO 12947; EO 13026; EO 13099; EO 13222; EO 13224**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/05/2007	72 FR 31005
NPRM Comment Period End	08/06/2007	
Final Action	05/00/2008	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** William Arvin Department of Commerce

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Department of Commerce (DOC)**Bureau of Industry and Security (BIS)****RIN:** 0694-AD87
 [View Related Documents](#)

Title: Revised Export License Application Review Policy and End-Use Verification Policy To Implement the July 2006 Recommendations of the Commission for Assistance to a Free Cuba

Abstract: This rule revises export and reexport license application review policy toward Cuba with respect to vessels and aircraft on temporary sojourn, and medical devices and medical equipment. It also makes clear that licenses for export or reexport of medical devices, medical equipment, and certain aircraft on temporary sojourn to Cuba will be issued with conditions imposing verification and reporting requirements. This rule implements recommendations and policy objectives of section VI of the July 2006 report to the president of the Commission for Assistance to a Free Cuba. Section VI of that report addressed the topic of denying revenue to the Castro regime and emphasized the need to maintain economic pressure on the regime. Generally, the changes made by this rule favor the use of regular commercial carriers to carry lawful exports and travelers to Cuba as opposed to non-commercial aircraft or boats in order to limit the landing, docking, or other fees that the Cuban government can collect. The verification and reporting requirements that will be imposed by licenses for medical devices and equipment are to make sure that such devices and equipment are used for the benefit of the Cuban people.

Priority: Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 746 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 287c; PL 108-11; PL 106-387; EO 12854; EO 12918; EO 13222**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	06/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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

RIN: 0694-AD94

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Title: Mandatory Electronic Filing of Export and Reexport License Applications, Classification Requests, Encryption Review Requests and Notifications, and License Exception AGR Notifications

Abstract: This rule would require that export and reexport license applications, classification requests, encryption review requests, License Exception AGR notifications, and related documents be submitted to the Bureau of Industry and Security (BIS) via its Simplified Network Application Process (SNAP-R) system. This requirement would not apply to applications for Special Comprehensive Licenses or certain situations in which BIS would authorize paper submissions.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 740; 15 CFR 742; 15 CFR 748; 15 CFR 754; 15 CFR 764; 15 CFR 772 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; PL 106-387; PL 107-56; PL 108-11; EO 12058; EO 12851; EO 12983; EO 13206; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/19/2007	72 FR 59231
NPRM Comment Period End	12/18/2007	
Final Action	08/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business; Organizations

Federalism: No

Energy Affected: No

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

RIN: 0694-AE10

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Title: Export and Reexport License Requirements for Non-Space-Qualified Focal Plane Arrays Incorporating Electron-Multiplying Charge-Coupled Devices (EMCCD)

Abstract: This rule imposes export and reexport license requirements for regional stability and anti-terrorism reasons on non-space-qualified focal plane arrays based on electron-multiplying charge-coupled device elements. These arrays can be configured to have capabilities comparable to those of other devices on the Commerce Control List. This rule lists these arrays on the Commerce Control List for the first time. The Bureau of Industry and Security is publishing this rule to apply similar licensing requirements to devices with similar potential capabilities and uses.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 738; 15 CFR 742; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 10 USC 7420; 42 USC 6212; 10 USC 7430(e); 22 USC 287c; 22 USC 3201 et seq; 22 USC 6004; 30 USC 185(s); 30 USC 185(u); 42 USC 2139a; 43 USC 1354; 46 USC app 466c; 50 USC 1701 et seq; 50 USC app 2401 et seq; 50 USC app 5; EO 13026; EO 13222; PL 106-387; PL 107-56

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE14

 [View Related Documents](#)

Title: Revisions to License Exception GOV for Support of Civil Aviation Authorities Responsible for Safety of Flight; and Revisions to General Restriction on All License Exceptions

Abstract: The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations to add new provisions to License Exception GOV (Governments, international organizations, and international inspections under the Chemical Weapons Convention) to authorize the export or reexport of certain "use" technology for the support of civil aviation authorities responsible for safety of flight under the International Civil Aviation Organization (ICAO) Convention. This rule also makes revisions to the general restriction placed on the use of all license exceptions to make certain provisions of License Exception GOV, exempt from the general restriction placed on using license exceptions for Missile Technology (MT) controlled items.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 740 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 22 USC 3201; 42 USC 2139a; 50 USC 1701; 50 USC app 2401; EO 12851; EO 12938; EO 12947; EO 13026; EO 13099; EO 13222; EO 13224; EO12058; PL 106-387; PL 107-56

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	09/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

Bureau of Industry and Security (BIS)

RIN: 0694-AE16

 [View Related Documents](#)

Title: Revision to the Entity List: Change of License Review Policy for One Listed Entity and Its Subordinates

Abstract: The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) to revise the license review policy for EAR99 items for one (1) entity and its subordinate entities located in Pakistan that are listed on the Entity List. This rule notifies the public that the license review policy for the export or reexport of all items subject to the EAR to the Pakistan Atomic Energy Commission (PAEC) and its subordinate entities listed on the Entity List will be reviewed on a case-by-case basis. Prior to publication of this rule, license applications for EAR 99 items were reviewed with a presumption of approval, while items listed on the CCL were reviewed on a case-by-case basis. The Entity List is a compilation of end-users that present an unacceptable risk of diverting certain items to activities related to weapons of mass destruction. BIS requires a license for most exports or reexports to these entities and maintains the Entity List to inform the public of these license requirements.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 744 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 22 USC 3201 et seq; 42 USC 2139a; 50 USC 1701 et seq; 50 USC app 2401 et seq; EO 12058; EO 12851; EO 12938; EO 12947; EO 13026; EO 13099; EO 13222; EO 13224; PL 106-387; PL 107-56

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE18

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Title: Revision of the Export Administration Regulations: Encryption

Abstract: This interim rule amends the Export Administration Regulations to make the treatment of encryption items more consistent with the treatment of other items subject to the EAR, as well as to simplify and clarify regulations pertaining to encryption items. The restrictions pertaining to technical assistance by U.S. persons with respect to encryption items are removed, because the current export and reexport restrictions set forth in the EAR for technology already include technical assistance. This rule removes License Exception KMI as it has become obsolete because of the advancement of encryption technology. This rule also removes semi-annual reporting requirements for encryption commodities and software under License Exception ENC, except for the most sensitive. In addition, this rule removes the notification and review requirements for encryption items that do not have an "encryption item (EI)" reason for control. This rule also adds Argentina, Bulgaria, Canada, Czech Republic, Hungary, Poland, Romania, South Korea, and Turkey to the list of countries that receive favorable treatment under License Exception ENC. This rule also clarifies the license requirements under Export Control Classification Numbers (ECCNs) 5A002, 5D002, and 5E002 of the Commerce Control List.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 732; 15 CFR 734; 15 CFR 738; 15 CFR 740; 15 CFR 742; 15 CFR 744; 15 CFR 746; 15 CFR 748; 15 CFR 750; 15 CFR 762; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 10 USC 7420; 22 USC 2151; 22 USC 287c; 22 USC 3201; 22 USC 6004; 22 USC 7210; 30 USC 185s; 30 USC 185u; 42 USC 2139a; 42 USC 6212; 43 USC 1354; 46 USC 466c; 50 USC 1701; 50 USC 2401; 50 USC app 5; EO 12938; EO 13020; EO 13222; EO 13338; EO 13026

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE22

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Title: Revision to the Commerce Control List: Addition of Certain Engines, Specially Designed or Modified to Propel Unmanned Aerial Vehicles (UAVs) at High Altitudes

Abstract: This rule amends the Export Administration Regulations (EAR) to add air breathing reciprocating or rotary internal combustion type engines, specially designed or modified to propel Unmanned Aerial Vehicles (UAVs) at altitudes above 50,000 feet (15,240 meters) to the List of Items controlled under Export Control Classification Number (ECCN) 9A991 on the Commerce Control List. This rule adds this control parameter to the Items paragraph under the List of Items Controlled section of ECCN 9A991. Under the License Requirements section of that ECCN, this rule adds a Regional Stability (RS) control on engines that meet this new control parameter in ECCN 9A991.d.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 10 USC 7420; 10 USC 7430(e); 22 USC 287c; 22 USC 3201; 22 USC 6004; 22 USC 7201; 22 USC 7210; 30 USC 185(s); 42 USC 2139a; 42 USC 6212; 43 USC 1354; 46 USC 466c; 50 USC 1701; 50 USC 2401; 50 USC 5; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE23

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Title: Revisions to the Export Administration Regulations Based on the 2007 Missile Technology Control Regime Plenary Agreements

Abstract: The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) to reflect changes to the Missile Technology Control Regime (MTCR) Annex that were agreed to by MTCR member countries at the November 2007 Plenary in Athens, Greece.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 772; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 10 USC 7420; 10 USC 7430(e); 2 USC 6004; 22 USC 3201; 22 USC 7210; 30 USC 185(s); 42 USC 2139a; 42 USC 6212; 43 USC 1354; 46 USC 466c; 50 USC 1701; 50 USC 2401; 50 USC 5; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE24

 [View Related Documents](#)

Title: Classification of Crew Protection Kits on the Commerce Control List

Abstract: The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) to expressly include crew protection kits used as protective cabs on construction equipment on the Commerce Control List under the classification of an item on the Wassenaar Munitions List.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 10 USC 7420; 10 USC 7430(e); 22 USC 287c; 22 USC 3201 et seq; 22 USC 6004; 30 USC 185(s), 185(u); 42 USC 2139a; 42 USC 6212; 43 USC 1354; 46 USC app 466c; 50 USC 1701 et seq; 50 USC app 2401 et seq; 50 USC app 5; EO 13026; EO 13222; PL 106-387; PL 107-56

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	07/00/2008	

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

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE25

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Title: License Exception ENC: Expansion of Scope of Countries and End-Use; Revision of Review Request Requirements; and Clarifications

Abstract: The Bureau of Industry and Security is revising the Export Administration Regulations (EAR) to expand the country scope of License Exception ENC, as well as the end-use scope. In addition, this rule revises License Exception ENC by removing text that is no longer necessary and by making some revisions for clarification of understanding. These revisions are made in response to requests from industry and do not pose a national security risk to the United States. The revisions in this rule expand the end-use from only development to development and manufacturing of foreign products for private sector end-users. In addition, it expands the country scope from a select number of countries to all countries, with the exception of the terrorist supporting countries. The national security of the United States is maintained by making all foreign-produced or developed items that contain controlled U.S.-origin items subject to the EAR, as well as all foreign-produced or developed items produced from controlled U.S.-origin technology or source code. This rule also revises the waiting period after the submission of a review request to BIS for transactions for other types of end-uses to end-users. In addition, this rule expands the country scope for the export or reexport of certain listed encryption commodities and software under License Exception ENC to non-government end-users. The country scope is expanded from a certain number of countries eligible for License Exception ENC to any country, except terrorist supporting countries. This rule will provide industry greater flexibility to manufacture and develop encryption products abroad, as well as reduce the number of license applications submitted to BIS, while maintaining the national security of the United States.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 740 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 22 USC 7201; 50 USC 1701 et seq; 50 USC app 2401 et seq; EO 13222; EO 13026

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE26

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Title: Deletion of Statement of Understanding Regarding Source Code

Abstract: On November 5, 2007 (72 FR 62524), the Bureau of Industry and Security published a final rule that amended the Export Administration Regulations (EAR) to implement the agreement reached at the December 2006 plenary meeting of the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies. Included in this publication was the addition of the Statement of Understanding (SOU) regarding source code. This rule removes this SOU, because the EAR presently controls "source code" by way of "software" controls, not by way of "technology" controls. Therefore, this language is inconsistent with the current scheme for the control of exports of "source code" as set forth in the EAR. The addition of this language to supplement No. 3 to part 774 of the EAR has led to confusion within industry regarding whether BIS currently controls source code by way of "software" controls, "technology" controls, or both.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 10 USC 7420; 10 USC 7430; 22 USC 287; 22 USC 3201; 22 USC 6004; 30 USC 185; 42 USC 2139; 42 USC 6212; 43 USC 1354; 46 USC 466; 50 USC 1701; 50 USC 2401; 50 USC 5; EO 13222; EO13026

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE27

 [View Related Documents](#)
Title: Foreign Direct Products of U.S. Technology

Abstract: The Bureau of Industry and Security is revising the Export Administration Regulations (EAR) to expand the scope of controls over foreign-produced items that are the direct product of U.S.-origin technology, colloquially known as the "direct product rule." The direct product rule makes certain foreign-produced direct products of U.S.-origin technology subject to the EAR. Prior to publication of this rule, such direct products were subject to the EAR when destined to Cuba or a country with which the U.S. has national security concerns. This rule expands the country scope to include all countries designated by the U.S. Department of State as countries whose governments have repeatedly provided support for acts of international terrorism, namely, Cuba, Iran, North Korea, Sudan, and Syria. These expansions support the national security objectives of the U.S. by restricting the export, reexport, and transfer of foreign-produced direct products of national security controlled U.S.-origin technology and foreign-produced direct products of foreign plants or manufacturing equipment produced from national security controlled U.S.-origin technology to terrorism supporting countries. This rule also makes parallel revisions to written assurances, information required on the license application for national security controlled technology, and the instructional steps in the EAR that provide guidance on how to apply the direct product rule.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 732; 15 CFR 736; 15 CFR 740; 15 CFR 748 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 22 USC 2151; 22 USC 7201; 50 USC 1701; 50 USC 2401; 50 USC 2401; EO 12938; EO 13026; EO 13222**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Sharron Cook

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

RIN: 0694-AE28

 [View Related Documents](#)
Title: December 2006 Wassenaar Arrangement Plenary Agreement Implementation Regarding Solar Cells

Abstract: The Bureau of Industry and Security (BIS) maintains the Commerce Control List (CCL), which identifies items subject to Department of Commerce export controls. This final rule revises the Export Administration Regulations (EAR) to implement changes made to the Wassenaar Arrangement's List of Dual Use Goods and Technologies (Wassenaar List) with regard to the transfer of solar cells from the Wassenaar Arrangement Munitions List to the Wassenaar Arrangement Dual Use Goods and Technologies List. This transfer involves revisions to Export Control Classification Numbers (ECCNs) 3A001 and 3A991, and indirectly affects related software and technology controls in 3D001, 3E001, 3D991, and 3E991.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 10 USC 7420; 10 USC 7430; 22 USC 287; 22 USC 3201; 30 USC 185; 42 USC 2139; 42 USC 6212; 43 USC 1354; 46 USC 6004; 50 USC 1701; 50 USC 2401; 50 USC 5; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE29

 [View Related Documents](#)

Title: December 2007 Wassenaar Arrangement Plenary Agreement Implementation: Categories 1, 2, 3, 5; Parts I and II, 6, 7, and 9 of the Commerce Control List; Definitions

Abstract: The Bureau of Industry and Security (BIS) maintains the Commerce Control List (CCL), which identifies items subject to Department of Commerce export controls. This final rule revises the Export Administration Regulations (EAR) to implement changes made to the Wassenaar Arrangement's List of Dual Use Goods and Technologies (Wassenaar List), and Statements of Understanding 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, or WA). The Wassenaar Arrangement advocates implementation of effective export controls on strategic items with the objective of improving regional and international security and stability. To harmonize with the changes to the Wassenaar List, this rule revises the EAR by amending certain entries that are controlled for national security reasons in Categories 1, 2, 3, 5 part I (telecommunications), 5 part II (information security), 6, 7, and 9; and adding new entries to the Commerce Control List (CCL), amending EAR Definitions, as well as adding definitions. The purpose of this final rule is to make the necessary changes to the CCL and definitions of terms used in the EAR to implement Wassenaar List revisions that were agreed upon in the December 2007 Wassenaar Arrangement Plenary Meeting. This rule also adds or expands unilateral U.S. export controls and national security export controls on certain items to make them consistent with the amendments made to implement the Wassenaar Arrangement's decisions.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 740; 15 CFR 772; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 10 USC 7420; 10 USC 7430; 22 USC 287; 22 USC 3201; 22 USC 6004; 22 USC 7201; 30 USC 185; 42 USC 2139; 42 USC 6212; 46 USC 466; 50 USC 1701; 50 USC 2401; 50 USC 5; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE30

 [View Related Documents](#)

Title: December 2007 Wassenaar Arrangement Plenary Agreement Implementation: Category 6 (Cameras and Optical Sensors) of the Commerce Control List; Wassenaar Reporting Requirements

Abstract: The Bureau of Industry and Security (BIS) maintains the Commerce Control List (CCL), which identifies items subject to Department of Commerce export controls. This final rule revises the Export Administration Regulations (EAR) to implement changes made to the Wassenaar Arrangement's List of Dual Use Goods and Technologies (Wassenaar List) with regard to Optical Sensors and Cameras 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, or WA). The Wassenaar Arrangement advocates implementation of effective export controls on strategic items with the objective of improving regional and international security and stability. To harmonize with the changes to the Wassenaar List, this rule revises the EAR by amending certain entries that are controlled for national security reasons in Category 6, specifically Export Control Classification Numbers (ECCNs) 6A002 and 6A003. This rule also modifies regional stability controls, license exception eligibility, and reporting requirements for these ECCNs. The purpose of this final rule is to make the necessary changes to the CCL and Wassenaar reporting requirements to implement Wassenaar List revisions that were agreed upon in the December 2007 Wassenaar Arrangement Plenary Meeting with regard to optical sensors and cameras.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 742; 15 CFR 743; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 10 USC 7420; 10 USC 7430; 22 USC 287; 22 USC 3201; 22 USC 6004; 22 USC 7201; 22 USC 7210; 30 USC 185; 42 USC 2139; 42 USC 6212; 43 USC 1354; 46 USC 466; 50 USC 1701; 50 USC 2401; 50 USC 5; EO 12058; EO 12851; EO 12938; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE31

 [View Related Documents](#)

Title: Clarification of Export Control Jurisdiction for Civil Aircraft and Civil Aircraft Equipment Under the Export Administration Regulations

Abstract: This rule amends the Export Administration Regulations (EAR) to clarify how section 17(c) of the Export Administration Act of 1979 (EAA) is implemented in the EAR. This EAR rule is being published concurrently with a Department of State interim final rule amending the International Traffic in Arms Regulations (ITAR), part 121. This EAR rule, in addition to the Department of State rule, provides guidance to the regulated public to help them better determine what civil aircraft and civil aircraft equipment including parts, accessories, attachments, components, and related technical data and software) is subject to the EAR based upon meeting the criteria of this statutory provision of the EAA (i. e., sec. 17(c)).

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 15 CFR 770 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC 1701; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

Bureau of Industry and Security (BIS)

RIN: 0694-AE32

 [View Related Documents](#)

Title: Technical Corrections to the Export Administration Regulations Based Upon a Systematic Review of the Commerce Control List

Abstract: This rule amends the Export Administration Regulations (EAR) to make various technical corrections to the EAR as a result of a systematic review of the Commerce Control List (CCL) that was conducted by the Bureau of Industry and Security. This rule is the first phase of the regulatory implementation of the results of that systematic review of the CCL that was conducted by BIS that was started in 2007. The BIS CCL review benefited from input received from BIS's Technical Advisory Committees (TACs) and comments that were received by BIS from the interested public, as a result of the publication of a notice of inquiry on July 17, 2007 (72 FR 39052) that invited interested members of the public to submit comments regarding the CCL, as a part of this CCL review process.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 770; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC 2401; 50 USC 1701; 10 USC 7420; 10 USC 7430; 22 USC 3201; 22 USC 6004; 30 USC 185; 42 USC 2139; 42 USC 1354; 46 USC 466; 50 USC 5; 22 USC 7201; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 0694-AE33

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Department of Commerce (DOC)

Bureau of Industry and Security (BIS)

RIN: 0694-AE33

 [View Related Documents](#)

Title: Revisions to the Export Administration Regulations Based Upon a Systematic Review of the Commerce Control List

Abstract: This final rule amends the Export Administration Regulations (EAR) to make various revisions to the EAR as a result of a systematic review of the Commerce Control List (CCL) that was conducted by the Bureau of Industry and Security (BIS). This rule is the second phase of the regulatory implementation of the results of that systematic review of the CCL that was conducted by BIS that was started in 2007. The BIS CCL review benefitted from input received from BIS's Technical Advisory Committees (TACs) and comments that were received by BIS from the interested public, as a result of the publication of a notice of inquiry on July 17, 2007 (72 FR 39052), that invited interested members of the public to submit comments regarding the CCL, as a part of this CCL review process.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC 2401; 50 USC 1701; 10 USC 7420; 10 USC 7430; 22 USC 287c; 22 USC 3201; 22 USC 6004; 30 USC 185(s); 42 USC 2139a; 42 USC 6212; 43 USC 1354; 46 USC 466c; 50 USC 5; 22 USC 7210; EO 13026

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No**Related RINs:** Related to 0694-AE32**Agency Contact:** Timothy Mooney

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Department of Commerce (DOC)**Bureau of Industry and Security (BIS)****RIN:** 0694-AC04 [View Related Documents](#)**Title:** Export Administration Regulations: Support Documentation Consolidation and Reorganization**Abstract:** This rule amends the Export Administration Regulations (EAR), to consolidate and reorganize the support documentation requirements.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 748 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 50 USC app 2401 et seq; 50 USC 1701 et seq; EO 13026; EO 13222; 50 USC 1701 et seq; 50 USC app 2401 et seq; EO 13026; EO 13222**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	00/00/0000	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Timothy Mooney

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Department of Commerce (DOC)**Bureau of Industry and Security (BIS)****RIN:** 0694-AC15 [View Related Documents](#)**Title:** Expansion of License Exception GOV; Exports and Reexports to International Organizations**Abstract:** The Bureau of Industry and Security maintains the Export Administration Regulations. This rule expands availability of License Exception GOV to allow certain exports and reexports to the North Atlantic Treaty Organization and to the United Nations for those organizations' official use.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 730 to 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**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; ...**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	00/00/0000	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Sheila Quarterman

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E-Mail: squarterm@bis.doc.gov**Department of Commerce (DOC)****Bureau of Industry and Security (BIS)****RIN:** 0694-AC17 [View Related Documents](#)**Title:** De Minimis U.S. Content in Foreign Made Items**Abstract:** The Department of Commerce is revising the provisions of the Export Administration Regulations (EAR) that pertain to foreign-made items that incorporate controlled U.S.-origin items, i.e., the EAR's "de minimis" rules. This rule amends the EAR to change the de minimis calculation for foreign produced hardware that is bundled with U.S.-origin software. This rule also revises the definition of 'incorporate' as it is applied to the de minimis rules and to the medical statement of understanding. This rule also removes the requirement to submit a one-time report to the Bureau of Industry and Security for foreign-made software that incorporates U.S.-origin software. In addition, this rule revises the "Steps for Using the EAR" and General Prohibition Two with regard to the de minimis rules in order to reduce redundancies in the EAR and harmonize the provisions with other revisions made by this rule.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 730 to 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**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; ...**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	00/00/0000	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Sharron Cook

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Department of Commerce (DOC)**Bureau of Industry and Security (BIS)****RIN:** 0694-AC23 [View Related Documents](#)**Title:** Revision to the Export Administration Regulations: Replacement Licenses

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

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 748 to 750 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**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; ...**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	00/00/0000	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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

RIN: 0694-AC25

 [View Related Documents](#)

Title: Short Supply Controls: Crude Oil Exports

Abstract: The Bureau of Industry and Security is amending the short-supply provisions of the Export Administration Regulations to revise the restrictions on exports of crude oil.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 750; 15 CFR 754 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 10 USC 7420, 7430(e); 30 USC 185(s), 185(u); 42 USC 6212; 43 USC 1354

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AC35

 [View Related Documents](#)

Title: Chemical Weapons Convention: Revisions to the Export Administration Regulations

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 BIS licensing requirements and policies for chemicals and precursors controlled for chemical weapons reasons.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 700 to 799 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AC48

 [View Related Documents](#)

Title: Imposition of License Requirement for Exports and Reexports of Missile Technology (MT)--Controlled Items to Canada

Abstract: This rule revises the existing license exemption in the Export Administration Regulations for the export of missile technology controlled items to Canada. It implements recommendations contained in the General Accounting Office report entitled Export Controls: Regulatory Change Needed to Comply with Missile Technology Licensing Requirements (GA-01-530).

Priority: Economically Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Yes

Unfunded Mandates: No

CFR Citation: 15 CFR 738; 15 CFR 742 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Rule	00/00/0000	
ANPRM	12/20/2001	66 FR 65666
NPRM	05/24/2005	70 FR 29660
NPRM Comment Period End	06/23/2005	

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

Small Entities Affected: No **Federalism:** No

Energy Affected: No

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

RIN: 0694-AC74

 [View Related Documents](#)

Title: Revisions of Aircraft Export Licensing Jurisdiction Based on Review of the U.S. Munitions List

Abstract: This rule amends the Export Administration Regulations to implement decisions to move export licensing jurisdiction for certain jet trainer aircraft and specially designed component parts from the Bureau of Industry and Security to Defense Trade Controls.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 748; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC app 2401; 50 USC 1701; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Rule	00/00/0000	

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

Small Entities Affected: No **Federalism:** No

Energy Affected: No

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

RIN: 0694-AC84

 [View Related Documents](#)
Title: Export and Reexport Controls on Iraq**Abstract:** This rule establishes new Export Control Policy for exports to Iraq under the licensing responsibility of the Bureau of Industry and Security. The new export control policy reflects the changed circumstances in Iraq and is consistent with changes in U.S. legal authorities concerning Iraq and actions taken by the United Nations Security Council with respect to the embargo against Iraq.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 732; 15 CFR 738; 15 CFR 740; 15 CFR 742; 15 CFR 744; 15 CFR 746; 15 CFR 750; 15 CFR 752; 15 CFR 758; 15 CFR 762; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 50 USC app 2401; 50 USC 1701; 10 USC 7420; 10 USC 7430; 18 USC 2510; 22 USC 287; 22 USC 3201; 22 USC 6004; 30 USC 185; 42 USC 2139; 42 USC 6212; 43 USC 1354; 46 USC 466; 50 USC app 5; PL 106-387; PL 107-56; EO 13026; EO 13222**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	00/00/0000	
Interim Final Rule	07/30/2004	69 FR 46060

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Sheila Quarterman

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

RIN: 0694-AD07

 [View Related Documents](#)
Title: Clarification of "Space-Qualified" Parts, Components, and Technology Subject to the Export Administration Regulations**Abstract:** The Bureau of Industry and Security rule amends the Export Administration Regulations (EAR), Commerce Control List entry for space launch vehicles and "spacecraft" to remove outdated notes and to clarify that "space qualified" parts, components, and technology subject to the EAR are controlled under other entries.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 744 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 50 USC app 2401 et seq; 50 USC 1701 et seq; 10 USC 7420; 10 USC 7430(e); 18 USC 2510 et seq; 22 USC 287c; 22 USC 3201 et seq; 22 USC 6004; 30 USC 185(s) and 185(u); 42 USC 2139a; 42 USC 6212; 43 USC 1354; 46 USC app 466c; 50 USC app 5; PL 106-387; PL 107-56; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

Bureau of Industry and Security (BIS)

RIN: 0694-AD09

 [View Related Documents](#)

Title: Export Administration Regulations: Removal of Country Groups

Abstract: This action removes the country groups from supplement No. 1 to part 740 of the Export Administration Regulations (15 CFR part 740, supp. No. 1) and replaces references to the country groups with references to the country chart found at supplement No. 1 to part 738 of the Export Administration Regulations (15 CFR part 738, supp. No. 1).

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 732; 15 CFR 724; 15 CFR 736; 15 CFR 738; 15 CFR 740; 15 CFR 742; 15 CFR 744; 15 CFR 748; 15 CFR 750; 15 CFR 752; 15 CFR 758; 15 CFR 770; 15 CFR 772; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)
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RIN: 0694-AD10

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Title: Implementation of the Wassenaar Arrangement Statement of Understanding on the Control of Non-Listed Dual-Use Items

Abstract: This rule imposes a license requirement for the export or reexport of certain items subject to the Export Administration Regulations (EAR) to a destination subject to a binding United Nations Security Council arms embargo, or to a destination subject to a regional arms embargo either binding on the United States or to which the United States has voluntarily consented to adhere, when the exporter or reexporter has knowledge at the time of export or reexport, or is informed by the Bureau of Industry and Security, that the items are or may be intended, entirely or in part, for a military end-use.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 740; 15 CFR 744; 15 CFR 746; 15 CFR 748 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 50 USC app 2401 et seq; 50 USC 1701 et seq; 22 USC 3201 et seq; 42 USC 2139a; PL 106-387; PL 107-56; EO 12058; EO 12851; EO 12938; EO 12947; EO 13026; EO 13099; EO 13222; EO 13224

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AD27

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Title: License Exception GOV Exports and Reexports for Official IAEA International Inspection and Verification Use in Accordance With the U.S.-IAEA Safeguards Agreement, as Amended by the Additional Protocol

Abstract: This rule amends the License Exception GOV provisions in the Export Administration Regulations (EAR) to authorize exports and reexports of certain items for official International Atomic Energy Agency (IAEA) inspection and verification use in accordance with the terms of the Agreement Between the United States of America and the International Atomic Energy Agency for the Application of Safeguards in the United States, and Protocol Thereto (U.S.-IAEA Safeguards Agreement), as amended by the U.S.-IAEA Additional Protocol (Additional Protocol). These new License Exception GOV provisions authorize exports and reexports of a broader range of items than those currently eligible under the IAEA-Euratom provisions of License Exception GOV, because exports and reexports under these new License Exception GOV provisions are authorized only in connection with official international inspection and verification activities by the IAEA under the terms of the U.S.-IAEA Safeguards Agreement, as amended by the Additional Protocol.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 740 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC 2401; 50 USC 1701; EO 13026; EO 13222; PL 106-387; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 0694-AD26

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

RIN: 0694-AD69

 [View Related Documents](#)

Title: Revisions to the DPAS Regulation and Associated Notices

Abstract: The Bureau of Industry and Security (BIS) is reviewing and revising the Defense Priorities and Allocations Systems regulation to streamline the provisions of the regulation and remove outdated or obsolete sections. To ascertain the impact of possible deletions and amendments, BIS may be issuing notices of inquiry and requests for public comment, in addition to regulations in proposed form.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 700 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 50 USC app. 2061 et seq; 42 USC 5195 et seq; 10 USC 2538; 50 USC 82; EO 12919; EO 13286; EO 12742; EO 12656

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; Local; State; Tribal

Small Entities Affected: No

Federalism: Undetermined

Energy Affected: No

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

RIN: 0694-AD81

 [View Related Documents](#)

Title: Implementation in the Export Administration Regulations of the United States' Rescission of Libya's Designation as a State Sponsor of Terrorism and Revisions Applicable to Iraq

Abstract: The Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) to implement the decision of the United States on June 29, 2006, to rescind Libya's designation as a state sponsor of terrorism. To implement that change, BIS amends the EAR by removing Libya from the list of terrorist supporting countries in Country Group E:1, and by making other conforming amendments and related revisions throughout the EAR. In particular, Libya is added to Country Group D:1 but remains in Country Groups D:2, D:3, and D:4. This rule is consistent with the President's May 12, 2006, report to Congress certifying that Libya did not provide any support for international terrorism during the preceding 6 months and that Libya has provided assurances that it will not support future acts of international terrorism. This rule also revises the EAR to reflect the fact that, in October 2004, the United States rescinded Iraq's designation as a state sponsor of terrorism. As a result of the rescission of this designation, BIS may no longer control for anti-terrorism (AT) reasons items for which BIS previously required a license for export or reexport to Iraq, or for transfer within Iraq. Note that BIS now controls these items for regional stability (RS) reasons and continues to require a license for their export or reexport to Iraq, or transfer within Iraq. This rule also amends the EAR to delete all references to Iraq's status as a Designated State Sponsor of Terrorism.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 734; 15 CFR 738; 15 CFR 740; 15 CFR 742 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 50 USC 2401; 50 USC 1701; EO 12938; EO 13026; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Rule	00/00/0000	
Interim Final Rule	08/31/2006	71 FR 51714
Interim Final Rule Comment Period End	10/02/2006	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

Bureau of Industry and Security (BIS)

RIN: 0694-AD93

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Title: Country Group C: Destinations of Diversion Concern

Abstract: The Bureau of Industry and Security is amending the Export Administration Regulations (EAR) to further the national security interests of the United States by adding the title "Destinations of Diversion Concern" to Country Group C in anticipation of adding destinations that support the diversion of items subject to the EAR and implementing restrictions on exports to these destinations.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 740 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC 2401; 50 USC 1701; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE04

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Title: Revision of the Regional Stability and Chemical and Biological Export Controls in the Export Administration Regulations

Abstract: This final rule amends the Export Administration Regulations to revise the Regional Stability and Chemical and Biological export controls for a number of countries. This rule removes certain export license requirements based on regional stability controls for Austria, Finland, India, Ireland, South Korea, Sweden, and Switzerland, because these countries are either members of or adhere to most if not all of the multilateral export control regimes, e.g., Wassenaar Arrangement, Nuclear Suppliers Group, Missile Technology Control Regime, and the Australia Group. In addition, this rule removes certain export license requirements based on chemical and biological controls for India, because it is a signatory to the Chemical Weapons Convention and the Biological Weapons Convention and does not pose a proliferation risk. This rule also makes editorial corrections and harmonizing revisions to the sections of the EAR that describe regional stability and chemical and biological controls, as well as making a license requirement correction to Export Control Classification Number (ECCN) 0A018.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 738; 15 CFR 742; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 10 USC 7420; 22 USC 3201; 22 USC 6004; 30 USC 185

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Bureau of Industry and Security (BIS)

RIN: 0694-AC05

 [View Related Documents](#)

Title: Exports and Reexports to Sudan

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.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 732; 15 CFR 738; 15 CFR 742; 15 CFR 746; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Withdrawn	07/25/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AD36

 [View Related Documents](#)

Title: Removal of License Exception GBS and TSR Eligibility for Certain Microwave Monolithic Integrated Circuit Power Amplifiers and Related Software and Technology

Abstract: This rule would amend the Export Administration Regulations by removing License Exception GBS for certain microwave monolithic integrated circuit (MMICs) power amplifiers that can be used in phased array radar systems and TSR eligibility for related software and technology controlled on the Commerce Control List. License Exception GBS authorizes exports and reexports to Country Group B destinations when a commodity requires a license to such destinations for national security reasons only. License Exception TSR permits exports and reexports of technology and software to Group B destinations where the Commerce Country Chart (Supplement No. 1 to part 738 of the EAR) indicates a license for national security reasons only.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 50 USC 2401; 50 USC 1701; 10 USC 7420; EO 13026; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Withdrawn	02/15/2007	

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

Small Entities Affected: No **Federalism:** No

Energy Affected: No

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

RIN: 0694-AD72

 [View Related Documents](#)

Title: Revisions to License Exceptions TMP and BAG: Expansion of Eligible Items

Abstract: This rule amends the Export Administration Regulations (EAR) to expand the availability of License Exceptions Temporary Imports, Exports, and Reexport (TMP) and Baggage (BAG) to allow for certain temporary exports and reexports of technology (including technical data) by U.S. persons to U.S. persons or their employees traveling or temporarily assigned abroad.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 740 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC app 2401 et seq; 50 USC 1701 et seq; PL 106-387; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	12/12/2007	72 FR 70509

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

Small Entities Affected: No **Federalism:** No

Energy Affected: No

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

RIN: 0694-AD92

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Title: Expanded Licensing Jurisdiction for QRS 11 Micromachined Angular Rate Sensor

Abstract: This final rule amends the Export Administration Regulations (EAR) to transfer licensing jurisdiction for QRS11-00100-100/101 and the QRS11-00050-443/569 Micromachined Angular Rate Sensors from the Department of State to the Department of Commerce when the QRS11-00100-100/101 is integrated into a primary instrument system for use on civil aircraft or is exported solely for integration into such a system, or when the QRS11-00050-443/569 is integrated into a KRG333 multi-axis rate gyro used in an automatic flight control system of the type described in ECCN 7A994 or aircraft of the type described in ECCN 9A991 that incorporates such systems, or are exported solely for integration into such a system. Prior to publication of this rule, the transfer of jurisdiction applied only to QRS11-00100-100/101 sensors integrated into or destined for standby instrument systems.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 734; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 10 USC 7420; 10 USC 7430(e); 22 USC 287c; 22 USC 3201 et seq; 22 USC 6004; 30 USC 185(s); 30 USC 185(u); 42 USC 2139a; 42 USC 6212; 43 USC 1354; 46 USC app 466c; 50 USC 1701 et seq; 50 USC app 2401 et seq; 50 USC app 5; EO 13026; EO 13222; PL 106-387; PL 107-56

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	11/07/2007	72 FR 62768

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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RIN: 0694-AD95

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Title: Dec. 2006 Wassenaar Arrangement Plenary Agreement Implementation: CCL Cats. 1, 2, 3, 5 Pt I, 6, 7, 8, and 9; Wassenaar Report Requirements; Definitions; and Statements of Understanding on Source Code

Abstract: The Bureau of Industry and Security (BIS) maintains the Commerce Control List (CCL), which identifies items subject to Department of Commerce export controls. This final rule revises the Export Administration Regulations (EAR) to implement changes made to the Wassenaar Arrangement's List of Dual Use Goods and Technologies (Wassenaar List), and Statements of Understanding 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, or WA). The Wassenaar Arrangement advocates implementation of effective export controls on strategic items with the objective of improving regional and international security and stability. To harmonize with the changes to the Wassenaar List, this rule revises the EAR by amending certain entries that are controlled for national security reasons in Categories 1, 2, 3, 5 part I (telecommunications), 6, 7, 8, and 9; and adding new entries to the Commerce Control List (CCL), amending EAR Definitions and reporting requirements, as well as adding new definitions and reporting requirements to the EAR, and adding a new Statement of Understanding on source code. The purpose of this final rule is to make the necessary changes to the CCL, definitions of terms used in the EAR, and Wassenaar reporting requirements to implement Wassenaar List revisions that were agreed upon in the December 2006 Wassenaar Arrangement Plenary Meeting. This rule also adds or expands unilateral U.S. controls and national security controls on certain items to make them consistent with the amendments made to implement the Wassenaar Arrangement's decisions.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 742; 15 CFR 743; 15 CFR 744; 15 CFR 772; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 10 USC 7420; 10 USC 7430(e); 18 USC 2510 et seq; 22 USC 287c; 22 USC 3201 et seq; 22 USC 6004; 30 USC 185(s), 30 USC 185(u); 42 USC 2139a; 42 USC 6212; 43 USC 1354; 46 USC app 466c; 50 USC 1701 et seq; 50 USC app 2401 et seq; PL 106-508; 50 USC app 5; sec 901 to 911, PL 106-387; EO 12058, 43 FR 20947, 3 CFR, 1978 Comp, p 179; EO 12851, 58 FR 33181, 3 CFR, 1993 Comp, p 608; EO 12938, 59 FR 59099, 3 CFR, 1994 Comp, p 950; EO 12947, 60 FR 5079, 3 CFR, 1995 Comp, p 356; EO 13026, 61 FR 58767, 3 CFR, 1996 Comp, p 228; EO 13099, 63 FR 45167, 3 CFR, 1998 Comp, p 208; EO 13222, 66 FR 44025, 3 CFR, 2001 Comp, p 783; EO 13224, 66 FR 49079, 3 CFR, 2001 Comp, p 786; Notice of August 3, 2006, 71 FR 44551 (August 7, 2006); Notice of October 27, 2006, 71 FR 64109 (October 31, 2006); PL 107-56; PL 106-387

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	11/05/2007	72 FR 62524
Final Rule	02/05/2008	73 FR 6603

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE07

 [View Related Documents](#)
Title: Technical Corrections to the Export Administration Regulations

Abstract: This rule amends the Export Administration Regulations (EAR) by making the following technical changes: correcting citations in several sections of the EAR, removing an endnote to the Entity List, reinserting the grace period provision for support documents, clarifying when an Automated Export System or Shipper's Export Declaration record must be filed, adding omitted information to certain Export Control Classification Numbers (ECCNs), removing references to the International Munitions List, and removing or editing references to ECCNs that have either changed or do not exist.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No

CFR Citation: 15 CFR 740; 15 CFR 744; 15 CFR 748; 15 CFR 752; 15 CFR 758; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 10 USC 7420; 10 USC 7430(e); 22 USC 287c; 22 USC 3201 et seq; 22 USC 6004; 30 USC 185(s), 185(u); 42 USC 2139a; 42 USC 6212; 43 USC 1354; 46 USC app 466c; 50 USC 1701 et seq; 50 USC app 2401 et seq; 50 USC app 5; EO 12058; EO 12851; EO 12938; EO 12947; EO 13020; EO 13026; EO 13099; EO 13222; EO 13224; PL 106-387; PL 107-56

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
Final Action	08/06/2007	72 FR 43529

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Steven Emme Department of Commerce

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Department of Commerce (DOC)
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RIN: 0694-AE08

 [View Related Documents](#)

Title: Implementation of the Understandings Reached at the June 2007 Australia Group (AG) Plenary Meeting; Addition to the List of States Parties to the Chemical Weapons Convention (CWC)

Abstract: This rule amends the Export Administration Regulations (EAR) to implement the understandings reached at the June 2007 plenary meeting of the Australia Group (AG). Specifically, this rule amends the EAR to reflect changes to the AG "Control List of Biological Agents" by revising Export Control Classification Number (ECCN) 1C352 on the Commerce Control List (CCL), which controls certain animal pathogens, to include only the specific subspecies and strains of mycoplasma mycoides that are of most concern as the causative agents of disease in animals. This rule also amends the EAR to reflect the addition of "Croatia" to the AG. In addition, this rule updates a reference to the World Health Organization (WHO) "Laboratory Biosafety Manual" in ECCN 2B352, which controls certain equipment capable of use in handling biological materials. Finally, this rule amends the list of countries that are States Parties to the Chemical Weapons Convention (CWC) by adding "Barbados" and revising the footnote to the entry for "China" to indicate that, for CWC purposes only, China includes "Macau," as well as "Hong Kong."

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 738; 15 CFR 740; 15 CFR 745; 15 CFR 772; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 10 USC 7420; 10 USC 7430(e); 22 USC 287c; 22 USC 3201; 30 USC 185(s); 50 USC 1701; 50 USC 2401; EO 13026; EO 13222; 30 USC 185(u)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	09/12/2007	72 FR 52000

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 0694-AE11

 [View Related Documents](#)

Title: Approved End-Users and Respective Eligible Items Under Authorization Validated End-User for the People's Republic of China

Abstract: This rule would amend the Export Administration Regulations (EAR) to list the end-users and respective items under authorization validated end-user for the People's Republic of China. The authorization was established under the EAR in a Bureau of Industry and Security final rule published in the Federal Register on June 19, 2007.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 748 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC 1701 et seq; 50 USC app 2401 et seq; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	10/19/2007	72 FR 59164

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of Commerce (DOC)

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RIN: 0694-AE15

 [View Related Documents](#)

Title: Revisions and Technical Corrections to the Export Administration Regulations and the Defense Priorities and Allocations System Regulation

Abstract: This rule amends the Export Administration Regulations (EAR) by making the following changes: removing the post office box address for the Bureau of Industry and Security (BIS), reinserting missing footnotes in part 740, removing certain non-Country Group D countries from Country Group D, correcting formatting in supplement No. 2 to part 744, removing a reference to Libya in part 746, adding fax information for submitting a request for approval to submit applications electronically, clarifying the requirements for obtaining an Import Certificate or an End-User Statement, changing Validated End-User report requirements, amending the contact information for the Ministry of Commerce of the People's Republic of China, making a technical correction to shipping tolerances, and removing references to certain entries on the Commerce Control List. In addition, this rule amends the Defense Priorities and Allocations System (DPAS) Regulation by updating an office name and by removing a reference to a form.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 700; 15 CFR 730; 15 CFR 740; 15 CFR 743; 15 CFR 744; 15 CFR 746; 15 CFR 748; 15 CFR 750; 15 CFR 752; 15 CFR 754; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 10 USC 7420; 10 USC 2538; 10 USC 7430(e); 22 USC 2151 note, PL 108-175; 22 USC 287c; 22 USC 3201 et seq; 22 USC 6004; 30 USC 185(s), 185(u); 42 USC 2139a; 42 USC 5195 et seq; 42 USC 6212; 43 USC 1354; 46 USC app 466c; 50 USC 1701 et seq; 50 USC 82; 50 USC app 2061 et seq; 50 USC app 2401 et seq; 50 USC app 468; 50 USC app 5; EO 11912; EO 12002; EO 12058; EO 12214; EO 12656; EO 12742; EO 12851; EO 12854; EO 12918; EO 12919; EO 12938; EO 12947; EO 12981; EO 13020; EO 13026; EO 13099; EO 13222; EO 13224; EO 13286; EO 13338; PL 106-387; PL 106-508; PL 107-56; PL 108-11

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	01/02/2008	73 FR 32

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

Small Entities Affected: No **Federalism:** No

Energy Affected: No

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

RIN: 0694-AE17

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Title: Burma: Revision of the Export Administration Regulations

Abstract: This rule amends the Export Administration Regulations (EAR) to move Burma into more restrictive country groupings and impose a license requirement for exports, reexports, or transfers of items subject to the EAR to certain persons.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 740; 15 CFR 744 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 22 USC 3201 et seq; 2401 et seq; 42 USC 2139a; 50 USC 1701 et seq; 50 USC 1701 et seq; 50 USC app; 50 USC app 2401 et seq; EO 12058; EO 12851; EO 12938; EO 12947; EO 13026; EO 13026; EO 13099; EO 13222; EO 13222; EO 13224; PL 106-387; PL 106-387; PL 107-56

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	10/24/2007	72 FR 60248

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

Small Entities Affected: No **Federalism:** No

Energy Affected: No

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Department of Commerce (DOC)
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RIN: 0694-AE19

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Title: Updated Statement of Legal Authority for the Export Administration Regulations**Abstract:** This rule would update the statements of legal authority in the Export Administration Regulations to include the authority provided by the president's notice extending the emergency noted in Executive Order 12938 (weapons of mass destruction) for one year from November 14, 2007.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 15 CFR 730; 15 CFR 732; 15 CFR 734; 15 CFR 736; 15 CFR 738; 15 CFR 740; 15 CFR 742; 15 CFR 743; 15 CFR 744; 15 CFR 745; 15 CFR 746; 15 CFR 747; 15 CFR 748; 15 CFR 750; 15 CFR 752; 15 CFR 754; 15 CFR 756; 15 CFR 758; 15 CFR 760; 15 CFR 762; 15 CFR 764; 15 CFR 766; 15 CFR 768; 15 CFR 770; 15 CFR 772; 15 CFR 774 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 10 USC 7420; 10 USC 7430(e); 22 USC 2151; 22 USC 287c; 22 USC 3201 et seq; 22 USC 6004; 22 USC 7201 et seq; 50 USC 1701 et seq; 50 USC app 2401 et seq; EO 11912; EO 12002; EO 12058; EO 12214; EO 12851; EO 12854; EO 12918; EO 12938; EO 12947; EO 12981; EO 13020; EO 13026; EO 13099; EO 13222; EO 13224; EO 13338; PL 107-56**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	11/30/2007	72 FR 67636

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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

RIN: 0694-AE20

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Title: Expanded Authorization for Temporary Exports and Reexports to Sudan

Abstract: This rule expands the scope of items and end uses that would be authorized by a license exception for temporary export to Sudan as "tools of trade" by organizations doing humanitarian and development work in that country. This rule is needed because the increased capacity of personal computers in recent years make the kinds of computers that the current rule would allow for such treatment are no longer widely available. The rule also makes some peripheral equipment such as displays and printers eligible for this treatment. The Darfur Peace Agreement, the Comprehensive Peace Agreement, and the Darfur Peace and Accountability Act have changed the scope of activities undertaken for humanitarian reasons in Sudan, and this rule authorizes temporary exports and reexports in support of some of those activities. The rule also makes reexports eligible for this license exception treatment and allows unaccompanied shipment so that the organizations affected can purchase the items authorized by this rule abroad rather than incur the expense of sending everything from the United States.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 15 CFR 740 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 USC app 2401 et seq; 50 USC 1701 et seq; PL 106-387; EO 13026; EO 13222

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	02/28/2008	73 FR 10668

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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