

officer(s) in hearings required by statute, or member(s) of the staff in proceedings not required by statute.

Subpart U—[Removed]

7. In part 201, Subpart U—Charges for Orders, Notices, Rulings, Decisions, is removed.

Dated: February 18, 1998.

By Order of the Maritime Administration.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 98-4505 Filed 2-23-98; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF AGRICULTURE

Office of Procurement and Property Management

48 CFR Chapter 4

Use of Direct Final Rulemaking

AGENCY: Office of Procurement and Property Management, USDA.

ACTION: Policy Statement.

SUMMARY: The Office of Procurement and Property Management (OPPM) publishes rules governing USDA acquisition in 48 CFR chapter 4. OPPM also has proposed adding 7 CFR chapter XXXII to publish rules governing personal property management (63 FR 3481-3483, January 23, 1998). OPPM is implementing a new rulemaking procedure to expedite making noncontroversial changes to its regulations. Rules that the agency judges to be non-controversial and unlikely to result in adverse comments will be published as "direct final" rules. ("Adverse comments" are comments that suggest that a rule should not be adopted or suggest that a change should be made to the rule.) Each direct final rule will advise the public that no adverse comments are anticipated, and that unless written adverse comments or written notice of intent to submit adverse comments are received within 30 days, the revision made by the rule will be effective 60 days from the date the direct final rule is published in the **Federal Register**. This new policy should expedite the promulgation of routine or otherwise noncontroversial rules by reducing the time that would be required to develop, review, clear, and publish separate proposed and final rules.

EFFECTIVE DATE: February 24, 1998.

FOR FURTHER INFORMATION CONTACT: Joseph J. Daragan, U.S. Department of Agriculture, Office of Procurement and Property Management, Procurement

Policy Division, STOP 9303, 1400 Independence Avenue SW, Washington, DC 20250-9303, telephone (202) 720-5729.

SUPPLEMENTARY INFORMATION: OPPM is committed to improving the efficiency of its regulatory process. In pursuit of this goal, we plan to employ the rulemaking procedure known as "direct final rulemaking" to promulgate some of OPPM's rules.

OPPM Regulations

OPPM promulgates USDA-wide policies, standards, techniques and procedures pertaining to procurement (acquisition), property management, disaster management, and coordination of emergency programs. To accomplish this function, OPPM may publish rules governing USDA acquisition in 48 CFR chapter 4. In a notice of proposed rulemaking (63 FR 3481-3483, January 23, 1998) OPPM proposed to publish rules governing personal property management by adding 7 CFR chapter XXXII.

The Direct Final Rule Process

Rules that OPPM judges to be noncontroversial and unlikely to result in adverse comments will be published as direct final rules. Each direct final rule will advise the public that no adverse comments are anticipated, and that unless written adverse comments or written notice of intent to submit adverse comments are received within 30 days, the revision made by the direct final rule will be effective 60 days from the date the direct final rule is published in the **Federal Register**.

"Adverse comments" are comments that suggest that the rule should not be adopted, or that suggest that a change should be made to the rule. A comment expressing support for the rule as published will not be considered adverse. Further, a comment suggesting that requirements in the rule should, or should not, be employed by OPPM in other programs or situations outside the scope of the direct final rule will not be considered adverse.

In accordance with the rulemaking provisions of the Administrative Procedure Act (5 U.S.C. 553), the direct final rulemaking procedure gives the public general notice of OPPM's intent to adopt a rule, and gives interested persons an opportunity to participate in the rulemaking through submission of comments. The major feature of direct final rulemaking is that if OPPM receives no written adverse comments and no written notice of intent to submit adverse comments within 30 days of the publication of the direct final rule, the rule will become effective without the

need to publish a separate final rule. However, OPPM will publish a notice in the **Federal Register** stating that no adverse comments were received regarding the direct final rule, and confirming that the direct final rule is effective on the date stated in the direct final rule.

If OPPM receives written adverse comments or written notice of intent to submit adverse comments within 30 days of the publication of a direct final rule, a notice of withdrawal of the direct final rule will be published in the **Federal Register**. If OPPM intends to proceed with the rulemaking, the direct final rule will be republished as a proposed rule and we will proceed with the normal notice-and-comment rulemaking procedures.

Determining When to Use Direct Final Rulemaking

Not all OPPM rules are good candidates for direct final rulemaking. OPPM intends to use the direct final rulemaking procedure only for rules that we consider to be non-controversial and unlikely to generate adverse comments. The decision to use direct final rulemaking for a rule will be based on OPPM's experience with similar rules.

Electronic Access Address

You may request additional information by sending electronic mail (E-mail) to JDARAGAN@USDA.GOV, or via fax at (202) 720-8972.

Done in Washington, D.C., this 7th day of January, 1998.

W.R. Ashworth,

Director, Office of Procurement and Property Management.

[FR Doc. 98-919 Filed 2-23-98; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 970930235-8028-02; I.D. 021798E]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Fishery Openings

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

ACTION: Opening of Fisheries.

SUMMARY: NMFS announces openings of three fisheries for the Gulf migratory group of king mackerel in the exclusive economic zone (EEZ) of the eastern and western zones of the Gulf of Mexico. Two are in the Florida west coast subzone of the eastern zone, i.e., the run-around gillnet fishery and the hook-and-line fishery, and the third fishery is in the western zone. These openings result from implementation of a recent framework action that increased total allowable catch (TAC) and commercial quotas for Gulf group king mackerel for the 1997/98 fishing year.

DATES: Effective 12:01 a.m., local time, February 20, 1998.

FOR FURTHER INFORMATION CONTACT: Mark F. Godcharles, 813-570-5305.

SUPPLEMENTARY INFORMATION: The fishery for coastal migratory pelagic fish (king mackerel, Spanish mackerel, cero, cobia, little tunny, dolphin, and, in the Gulf of Mexico only, bluefish) is managed under the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (FMP). The FMP was prepared by the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils) and is implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act by regulations at 50 CFR part 622.

In accordance with the framework procedures of the FMP, the Councils recommended to increase TAC for Gulf group king mackerel from 7.8 to 10.6 million lb (3.54 to 4.81 million kg). NMFS published a proposed rule on October 14, 1997 (62 FR 53278) and a final rule on February 19, 1998, in the Federal Register. Accordingly, the commercial quota was increased from 2.50 million lb (1.13 million kg) to 3.39 million lb (1.54 million kg) with corresponding quota increases for the associated zones and subzones. Quotas for the eastern and western zones were increased from 1.73 million lb (0.78 million kg) to 2.34 million lb (1.06 million kg) and from 0.77 million lb

(0.35 million kg) to 1.05 million lb (0.48 million kg), respectively. The eastern zone quota is divided into equal quotas for the Florida west and east coast subzones that increased from 865,000 lb (392,357 kg) to 1.17 million lb (0.53 million kg). The quota for the Florida west coast subzone is further divided, based upon gear types, into two equal quotas that increased from 432,500 (196,179 kg) to 585,000 lb (265,352 kg) for vessels using run-around gillnets and those using hook-and-line gear (50 CFR 622.42(c)(1)(i)(A)(2)). These increased commercial quotas are applicable for the 1997/98 fishing year, which began on July 1, 1997.

Prior to implementing the increased quotas, NMFS, in accordance with 50 CFR 622.43(a)(3), closed three commercial fisheries for Gulf group king mackerel based on the former, lower quotas. NMFS closed the commercial fishery in the western zone on August 2, 1997 (62 FR 42417, August 7, 1997). Similarly, NMFS closed the two commercial fisheries in the Florida west coast subzone. The commercial hook-and-line fishery was closed January 7, 1998 (63 FR 1772, January 12, 1998) and the commercial run-around gillnet fishery was closed at 12:00 noon, local time, February 3, 1998 (63 FR 6109, February 6, 1998). All three fisheries were closed through June 30, 1998, the end of the fishing year.

As a result of implementing the increased quotas for Gulf group king mackerel, unharvested balances are available for all three of the previously closed fisheries for the 1997/98 fishing year. Therefore, NMFS opens the commercial fisheries for Gulf group king mackerel in the western zone and in the Florida west coast subzone effective 12:01 a.m., local time, February 20, 1998. The fisheries will remain open under applicable trip limits until NMFS determines that the quota balances have been taken and the increased quota levels have been reached.

During the opening, a vessel fishing in the Florida west coast subzone under

the run-around gillnet quota or hook-and-line quota may not exceed the commercial trip limits of 25,000 lb (11,340 kg) or 500 lb (227 kg) per day, respectively. A person who fishes in the EEZ may not combine these trip/possession limits with any trip or possession limit applicable to state waters. No trip limit is applicable for the western zone.

The 500-lb (227-kg) trip limit for hook-and-line vessels operating in the Florida west coast subzone is in accordance with 50 CFR 622.44(a)(2)(ii)(B) which specifies king mackerel may be possessed on board or landed from a permitted vessel in amounts not exceeding 500 lb (227 kg) per day from the date that 75 percent of the subzone's hook-and-line gear quota has been harvested. NMFS has determined that 75 percent of the hook-and-line quota for Gulf group king mackerel from the Florida west coast subzone has been reached.

The boundary between the eastern and western zones is 87°31'06" W. long., which is a line directly south from the Alabama/Florida boundary. The Florida west coast subzone extends from 87°31'06" W. long. (due south of the Alabama/Florida boundary) to: (1) 25°20.4' N. lat. (due east of the Dade/Monroe County, FL, boundary) through March 31, 1998; and (2) 25°48' N. lat. (due west of the Monroe/Collier County, FL, boundary) from April 1, 1998, through October 31, 1998.

Classification

This action is taken under 50 CFR 622.43(a)(3) and is exempt from review under E.O. 12866.

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

Dated: February 18, 1998.

Richard W. Surdi,

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