

removing Part 1871, MidRange Procurement Procedures. The FAR provides contracting officers with broad discretion and flexibility in the source selection process in order to achieve a best value outcome. A separate NASA MidRange process is no longer necessary.

**EFFECTIVE DATE:** September 2, 2004.

**ADDRESSES:** Interested parties may submit comments, identified by RIN number 2700-AD02, via the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments. Comments may also be submitted to Celeste Dalton, NASA, Office of Procurement, Contract Management Division (Code HK), Washington, DC 20546. Comments can also be submitted by e-mail to: [Celeste.M.Dalton@nasa.gov](mailto:Celeste.M.Dalton@nasa.gov).

**FOR FURTHER INFORMATION CONTACT:** Celeste Dalton, NASA, Office of Procurement, Contract Management Division (Code HK); (202) 358-1645; e-mail: [Celeste.M.Dalton@nasa.gov](mailto:Celeste.M.Dalton@nasa.gov).

**SUPPLEMENTARY INFORMATION:** The Office of Federal Procurement Policy approved a test of NASA's MidRange Procurement Procedures in 1993. The objective of the test was to reduce the leadtime and effort associated with the conduct of acquisitions between \$25,000 (the small purchase threshold at that time) and \$500,000. OFPP test approval was needed to utilize electronic commerce to publicize and post solicitations along with a waiver to the publicizing/response times required by the FAR. Subsequent changes increased the threshold to \$10,000,000 for non-commercial items and \$25,000,000 for commercial items. The test portion of MidRange procedures (waiver of publicizing/response times) expired in 1997. The MidRange procedures are no longer unique and all the source selection methodologies under NFS Part 1871, MidRange, are directly traceable to FAR Parts 12, 14, and 15. Therefore, retaining a separate NASA MidRange process is no longer necessary.

#### A. Regulatory Flexibility Act

Removing Part 1871—Midrange Procurement Procedures does not have an impact beyond the internal operating procedures of NASA. The FAR provides contracting officers with broad discretion and the flexibility in the source selection process needed to achieve a best value outcome. The current Midrange Procurement procedure is now redundant of the flexibilities provided by the FAR. Therefore, this final rule does not constitute a significant revision within

the meaning of FAR 1.501 and Public Law 98-577, and publication for public comment is not required. However, NASA will consider comments from small entities concerning the affected NFS Part 1871 in accordance with 5 U.S.C. 610.

#### B. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes do not impose recordkeeping or information collection requirements which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

#### List of Subjects in 48 CFR Part 1871

Government procurement.

**Tom Luedtke,**

*Assistant Administrator for Procurement.*

#### PART 1871—MIDRANGE PROCUREMENT PROCEDURES

■ Accordingly, under the authority of The National Aeronautics and Space Act of 1958 (Pub. L. 85-568; 42 U.S.C. 2451 *et seq.*), remove 48 CFR Part 1871.

[FR Doc. 04-20074 Filed 9-1-04; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 679

[Docket No. 031125292-4061-02; I.D. 082704D]

##### Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska

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

**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting directed fishing for pollock in Statistical Area 610 of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the C season pollock total allowable catch (TAC) for Statistical Area 610 of the GOA.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), August 30, 2004, through 1200 hrs, A.l.t., October 1, 2004.

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

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management

Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The C season allowance of the pollock TAC in Statistical Area 610 of the GOA is 7,717 metric tons (mt) as established by the final 2004 harvest specifications for groundfish of the GOA (69 FR 9261, February 27, 2004).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS, has determined that the C season allowance of the pollock TAC in Statistical Area 610 will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 7,667 mt, and is setting aside the remaining 50 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for pollock in Statistical Area 610 of the GOA.

After the effective date of this closure the maximum retainable amounts at 50 CFR 679.20(e) and (f) apply at any time during a trip.

#### Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of the C season pollock TAC in Statistical Area 610.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

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

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

Dated: August 27, 2004.

**Alan D. Risenhoover,**

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

[FR Doc. 04-20053 Filed 8-30-04; 2:21 pm]

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