

This proposed rule is a result of the DFARS Transformation initiative. The proposed DFARS changes—

- Update requirements for DoD processing of requests for extraordinary contract adjustments; and
- Delete procedures for preparation of records and submittal of requests to a contract adjustment board. Text on this subject will be relocated to the new DFARS companion resource, Procedures, Guidance, and Information (PGI), available at <http://www.acq.osd.mil/dpap/dars/pgi>.

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

## B. Regulatory Flexibility Act

DoD does not expect this rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule addresses internal administrative DoD procedures for processing requests for extraordinary contract adjustments. Therefore, DoD has not performed an initial regulatory flexibility analysis. DoD invites comments from small businesses and other interested parties. DoD also will consider comments from small entities concerning the affected DFARS subparts in accordance with 5 U.S.C. 610. Such comments should be submitted separately and should cite DFARS Case 2003–D048.

## C. Paperwork Reduction Act

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

## List of Subjects in 48 CFR Part 250

Government procurement.

**Michele P. Peterson,**

*Editor, Defense Acquisition Regulations System.*

Therefore, DoD proposes to amend 48 CFR Part 250 as follows:

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

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

## PART 250—EXTRAORDINARY CONTRACTUAL ACTIONS

2. Section 250.105 is revised to read as follows:

### 250.105 Records.

Follow the procedures at PGI 250.105 for preparation of records.

3. Section 250.201–70 is amended by revising paragraph (a) and the last sentence of paragraph (b) introductory text to read as follows:

### 250.201–70 Delegations.

(a) *Military Departments.* The Departments of the Army, Navy and Air Force will specify delegations and levels of authority for actions under the Act and the Executive Order in departmental supplements or agency acquisition guidance.

(b) \* \* \* The agency supplements or agency acquisition guidance shall specify the delegations and levels of authority.

\* \* \* \* \*

4. Subpart 250.3 is revised to read as follows:

### Subpart 250.3—Contract Adjustments

Sec.

250.303–1 Contractor requests.

250.305 Processing cases.

250.306 Disposition.

### 250.303–1 Contractor requests.

Requests should be filed with the procuring contracting officer (PCO). However, if filing with the PCO is impractical, requests may be filed with an authorized representative, an administrative contracting officer, or the Office of General Counsel of the applicable department or agency, for forwarding to the cognizant PCO.

### 250.305 Processing cases.

(1) At the time the request is filed, the activity shall prepare the record described at PGI 250.105(1)(i) and forward it to the appropriate official within 30 days after the close of the month in which the record is prepared.

(2) The officer or official responsible for the case shall forward to the contract adjustment board, through departmental channels, the documentation described at PGI 250.305.

(3) Contract adjustment boards will render decisions as expeditiously as practicable. The Chair shall sign a memorandum of decision disposing of the case. The decision shall be dated and shall contain the information required by FAR 50.306. The memorandum of decision shall not contain any information classified “Confidential” or higher. The board’s decision will be sent to the appropriate official for implementation.

### 250.306 Disposition.

For requests denied or approved below the Secretarial level, follow the disposition procedures at PGI 250.306.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

### 50 CFR Part 226

[Docket Nos. 030716175–4327–03, 041123329–4329–01; I.D. Nos. 070303A, 110904F]

RIN 0648–AQ77, 0648–AO04

### Endangered and Threatened Species; Extension of Public Comment Period on Proposed Critical Habitat Designations for West Coast Salmonids

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

**ACTION:** Proposed rule; extension of public comment period.

**SUMMARY:** We, the National Marine Fisheries Service (NMFS), are extending the comment period on proposed critical habitat designations for 20 Evolutionarily Significant Units (ESUs) of Pacific salmon and *O. mykiss* (inclusive of anadromous steelhead and resident rainbow trout) listed under the Endangered Species Act of 1973, as amended (ESA). The proposed designations include habitat areas in California, Oregon, Washington, and Idaho. A recent court-approved Amendment to the Consent Decree, that established the schedule for completing these designations, extends the comment period until March 14, 2005, and the date to submit final rules until August 15, 2005. These extensions will allow the public additional time to provide information related to the proposed designations and will provide NMFS with the time needed to review, consider, and respond to comments. We are soliciting information and comments from the public on all aspects of the proposals, including information on the economic, national security, and other relevant impacts of the proposed designations.

**DATES:** Written comments are due by 5 p.m. Pacific Standard Time on March 14, 2005.

**ADDRESSES:** Comments pertaining to California ESUs must include reference to docket number [041123329–4329–01] and RIN number [0648–AO04]. Comments pertaining to ESUs in Washington, Oregon, or Idaho must include reference to docket number [030716175–4327–03] and RIN number [0648–AQ77]. You may submit comments by any of the following methods:

- E-mail: For California ESUs, send e-mail comments to critical.habitat.swr@noaa.gov. For ESUs in Washington, Oregon, or Idaho, send e-mail comments to critical.habitat.nwr@noaa.gov. In the subject line of your e-mail please include the pertinent docket and RIN numbers specified above.

- Federal e-Rulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

- Agency Web Site: <http://ocio.nmfs.noaa.gov/ibrm-ssi/index.shtml>. Follow the instructions for submitting comments at <http://ocio.nmfs.noaa.gov/ibrm-ssi/process.shtml>.

- Mail: For California ESUs, submit written comments and information to: Assistant Regional Administrator, Protected Resources Division, NMFS, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213. For ESUs in Washington, Oregon, or Idaho, submit written comments and information to: Chief, NMFS, Protected Resources Division, 525 NE Oregon Street, Suite 500, Portland, OR 97232-2737. You may hand-deliver written comments to our offices during normal business hours at the addresses given above (although after February 18, 2005, the Portland address will change to 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232).

- Fax: Submit fax comments to the NMFS Southwest Regional Office at 562-980-4027, or the NMFS Northwest Regional Office at 503-230-5441.

**FOR FURTHER INFORMATION CONTACT:** In California, contact Craig Wingert at the address above or at 562-980-4021. In Washington, Oregon, and Idaho, contact Steve Stone at the above address or at 503-231-2317. The proposed rules, maps, and other materials relating to these proposals can be found on the agency's Southwest Region website at <http://swr.nmfs.noaa.gov/salmon.htm> and the Northwest Region website at <http://www.nwr.noaa.gov/1salmon/salmesa/crithab/CHsite.htm>.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On December 10 and 14, 2004, NMFS published separate critical habitat proposed rules addressing 20 ESUs of Pacific salmon and *O. mykiss* (inclusive of anadromous steelhead and resident rainbow trout) listed under the ESA. The first proposed rule (69 FR 71880, December 10, 2004) addressed 7 ESUs in California and announced a public comment period extending through February 8, 2005. The second proposed rule (69 FR 74572, December 14, 2004) addressed 13 ESUs in Washington,

Oregon, and Idaho, and announced a public comment period extending through February 14, 2005. The timeline for completion of these proposed rules was established pursuant to litigation between NMFS and the Pacific Coast Federation of Fishermen's Associations, Institute for Fisheries Resources, the Center for Biological Diversity, the Oregon Natural Resources Council, the Pacific Rivers Council, and the Environmental Protection Information Center (PCFFA *et al.*) and are subject to a Consent Decree and Stipulated Order of Dismissal (Consent Decree) approved by the D.C. District Court.

We received several requests, including a request from PCFFA *et al.*, to extend the public comment period. We recently submitted to the D.C. District Court a joint request with PCFFA *et al.* to extend the comment period and to modify the schedule for submission of final rules designating critical habitat for the 20 ESUs to the **Federal Register** established in the Consent Decree. The court approved the joint request on January 26, 2005. Pursuant to that approval we are extending the deadline for accepting public comments on both proposed rules until March 14, 2005. Also, on or before August 15, 2005, we will complete both rulemakings by submitting to the **Federal Register** for publication the final rules designating critical habitat for those of the 20 ESUs that are included on the lists of threatened and endangered species as of August 15, 2005. These extensions will allow the public additional time to provide information related to the proposed designations and will provide us with the time needed to review, consider, and respond to comments.

**Authority:** 16 U.S.C. 1531 *et seq.*

Dated: January 1, 2005.

**William T. Hogarth,**

*Assistant Administrator, National Marine Fisheries Service.*

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## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

#### **50 CFR Part 300**

[Docket No. 050125016-5016-01; I.D. 011805C]

**RIN 0648-AS61**

#### **Pacific Halibut Fisheries; Catch Sharing Plan**

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

**ACTION:** Proposed rule.

**SUMMARY:** NMFS proposes to approve and implement changes to the International Pacific Halibut Commission's (IPHC) regulatory Area 2A off Washington, Oregon, and California (Area 2A) Pacific Halibut Catch Sharing Plan (Plan) to: allow remaining quota from Washington's south coast subarea to be used to accommodate incidental catch in the south coast nearshore fishery; allow quota projected to be unused to be transferred from Oregon's central coast subarea to another subarea south of Leadbetter Point, WA; revise the season structure for Oregon's all-depth spring and summer sport fisheries; provide more flexibility for Oregon's inseason sport fishery management (triggers for additional fishery openings and bag limits in the all-depth summer fishery); revise the public announcement process for Oregon's all-depth summer sport fishery; revise the Columbia River subarea quota contributions from Oregon/California; remove the minimum length requirement in all subareas south of Leadbetter Point, WA; prohibit retention of all groundfish, except sablefish, in Oregon's and possibly Washington's Columbia River fishery on all days and in the Central Coast fisheries on "all-depth" days; implement a closed area off Oregon's coast; and revise all coordinates from degrees minutes seconds to degrees decimal minutes. NMFS also proposes to revise the coordinates for the closed area to Oregon's central coast recreational fishery and to non-treaty commercial halibut fishing in Area 2A. NMFS is also proposing 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, the flexible inseason management provisions in Area 2A, fishery election in Area 2A,