

§ 1.1210 Prohibition on solicitation of presentations.

No person shall solicit or encourage others to make any improper presentation under the provisions of this section.

[FR Doc. 99-31620 Filed 12-8-99; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 679**

[Docket No. 990304063-9063-01; I.D. 120299A]

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Hook-and-line or Pot Gear in the Bering Sea and Aleutian Islands

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

ACTION: Modification of a closure.

SUMMARY: NMFS is opening directed fishing for Pacific cod by vessels using hook-and-line or pot gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to fully utilize the portion of the 1999 total allowable catch (TAC) of Pacific cod allocated to these vessels in this area.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), December 6, 1999 until 2400 hrs, A.l.t., December 31, 1999.

FOR FURTHER INFORMATION CONTACT: Andrew Smoker, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The Final 1999 Harvest Specifications of Groundfish for the BSAI (64 FR 12103, March 11, 1999) established the portion of the TAC of Pacific cod allocated to vessels using hook-and-line or pot gear in the BSAI as 83,500 metric tons (mt) which was then modified by two reallocations of Pacific cod TAC (64 FR 52472, September 29, 1999; the

second document has just been submitted to the *Office of the Federal Register* and will be published in approximately the second week of December) to 95,300 mt. See § 679.20(c)(3)(iii) and § 679.20(a)(7).

The fishery for Pacific cod by vessels using hook-and-line or pot gear in the BSAI was closed to directed fishing under § 679.20(d)(1)(iii) on October 19, 1999 (64 FR 56475, October 20, 1999), in order to reserve amounts of Pacific cod anticipated to be needed for incidental catch in other fisheries.

NMFS has determined that, with the reallocation of Pacific cod from catcher/processors and catcher vessels using trawl gear to vessels using hook-and-line or pot gear, 2,000 mt remain in the portion of the TAC of Pacific cod allocated to vessels using hook-and-line or pot gear in the BSAI. Because this amount exceeds anticipated needs for incidental catch of Pacific cod in other fisheries, NMFS is terminating the previous closure and is opening directed fishing for Pacific cod by vessels using hook-and-line or pot gear in the BSAI.

All other closures remain in full force and effect. This action responds to the best available information recently obtained from the fishery. It must be implemented immediately in order to allow full utilization of the Pacific cod TAC. Providing prior notice and opportunity for public comment for this action is impracticable and contrary to the public interest. Further delay would only disrupt the FMP objective of providing the Pacific cod TAC for harvest. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.20 and is exempt from review under E.O. 12866.

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

Dated: December 3, 1999.

Richard W. Surdi,

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

[FR Doc. 99-31954 Filed 12-6-99; 3:58 pm]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 679**

[Docket No. 990304063-9063-01; I.D. 120299B]

Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod

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

ACTION: Reallocation.

SUMMARY: NMFS is reallocating projected unused amounts of Bering Sea and Aleutian Islands management area (BSAI) Pacific cod from trawl catcher/processors and trawl catcher vessels to vessels using hook-and-line or pot gear. This action is necessary to allow the 1999 total allowable catch (TAC) of Pacific cod to be harvested.

DATES: Effective December 6, 1999 through December 31, 1999.

FOR FURTHER INFORMATION CONTACT: Andrew Smoker, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

In accordance with § 679.20(c)(5), the Final 1999 Harvest Specifications for Groundfish for the BSAI (64 FR 12103, March 11, 1999) established the Pacific cod initial TAC for the BSAI as 163,725 metric tons (mt). Of this amount, 3,275 mt was allocated to vessels using jig gear, 38,475 mt to trawl catcher vessels, and 83,500 mt to vessels using hook-and-line or pot gear. Subsequently, 5,000 mt were reallocated from the trawl catcher/processors to vessels using hook-and-line or pot gear and 2,800 mt were reallocated from vessels using jig gear to vessels using hook-and-line or pot gear (64 FR 52472, September 29, 1999). That reallocation resulted in allocations of 475 mt to vessels using jig gear, 38,475 mt to trawl catcher vessels, 33,475 mt to trawl catcher/processors, and 91,300 mt to vessels using hook-and-line or pot gear.

As of November 20, 1999, the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that approximately 2,500 mt of Pacific cod remain in the trawl catcher/processor allocation and approximately 2,500 mt remain in the trawl catcher vessel allocation. Based on effort projections and recognizing that directed fishing for Pacific cod by trawl catcher/processors and trawl catcher vessels will be constrained by Pacific halibut bycatch restrictions, the Regional Administrator has determined that trawl catcher/processors will not be able to harvest 2,000 mt of Pacific cod and trawl catcher vessels will not be able to harvest 2,000 mt allocated to these sectors under § 679.20(a)(7)(i)(B).

Therefore, in accordance with § 679.20(a)(7)(ii)(B), NMFS is

apportioning the projected unused amount, 2,000 mt of Pacific cod from trawl catcher/processors and 2,000 mt of Pacific cod from trawl catcher vessels to vessels using hook-and-line or pot gear. The resulting apportionments of Pacific cod are 475 mt to vessels using jig gear, 36,475 mt to trawl catcher vessels, 31,475 mt to trawl catcher/processors, and 95,300 mt to vessels using hook-and-line or pot gear.

Classification

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately in order to allow full utilization of the Pacific cod TAC. A delay in the effective date is impracticable and contrary to the public interest. Further delay would only

disrupt the FMP's objective of providing a portion of the Pacific cod TAC for hook-and-line or pot gear in the BSAI. NMFS finds for good cause that the implementation of this action can not be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is taken under 50 CFR 679.20, and is exempt from OMB review under E.O. 12866.

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

Dated: December 3, 1999.

Richard W. Surdi,

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