

in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$141.3 million or more (as adjusted for inflation) in any one year, and if so, to take steps to minimize these unfunded mandates. This final rule does not impose unfunded mandates under the Unfunded Mandates Reform Act of 1995. It does not result in costs of \$141.3 million or more to either State, local, or tribal governments, in the aggregate, or to the private sector, and is the least burdensome alternative that achieves the objectives of the rule.

#### Regulation Identifier Number (RIN)

A regulation identifier number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN number contained in the heading of this document can be used to cross-reference this action with the Unified Agenda.

#### List of Subjects in 46 CFR Part 221

Administrative practice and procedure, Maritime carriers, Mortgages, Penalties, Reporting and recordkeeping requirements, Trusts and trustees.

Accordingly, MarAd amends 46 CFR part 221 as follows:

#### PART 221—REGULATED TRANSACTIONS INVOLVING DOCUMENTED VESSELS AND OTHER MARITIME INTERESTS

- 1. The authority citation for part 221 is revised to read as follows:

**Authority:** 46 U.S.C. chs. 301, 313, and 561; 49 CFR 1.93.

#### § 221.1 [Amended]

- 2. In § 221.1:
  - a. In paragraph (a)(1), remove “46 App. U.S.C. 808” and add, in its place, “46 U.S.C. 56101 and 56103”.
  - b. In paragraph (a)(2), remove “46 App. U.S.C. 835” and add, in its place, “46 U.S.C. 56102”.
- 3. In § 221.3:
  - a. In paragraph (a), remove “46 App. U.S.C. 883–1(a)–(e)” and add, in its place, “46 U.S.C. 12118”.
  - b. In paragraph (c) introductory text, remove “46 App. U.S.C. 803” and add, in its place, “46 U.S.C. 50502”.
  - c. In paragraph (d)(5), remove “46 App. U.S.C. 802” and add, in its place, “46 U.S.C. 50501”.
  - d. Revise paragraph (u).

The revision reads as follows:

#### § 221.3 Definitions.

\* \* \* \* \*

(u) *Vessel Transfer Officer* means the Maritime Administration’s Vessel Transfer and Disposal Officer, whose address is MAR–630, Maritime Administration, United States Department of Transportation, 1200 New Jersey Ave. SE., Washington, DC 20590, or that person’s delegate.

#### § 221.5 [Amended]

- 4. In § 221.5(a), remove “sections 9 or 37 of the Shipping Act of 1916 (46 App. U.S.C. 808 and 837)” and add, in its place, “46 U.S.C. 56101 and 56103”.

#### § 221.11 [Amended]

- 5. In § 221.11(a) introductory text, remove “12106(e)” and add, in its place, “12119”.

#### § 221.13 [Amended]

- 6. In § 221.13(a), remove “46 App. U.S.C. 808(c)(1)” and add, in its place, “46 U.S.C. 56101”.
- 7. In § 221.15:
  - a. In paragraph (a)(3), remove “section 37 of the Shipping Act, 1916, as amended (46 App. U.S.C. 835)” and add, in its place, “46 U.S.C. 56102”.
  - b. In paragraph (c)(2), remove “section 902 of the Merchant Marine Act, 1936, as amended (46 App. U.S.C. 1242)” and add, in its place, “46 U.S.C. chapters 563 and 565”.
  - c. In paragraph (c)(4), revise the second sentence.
  - d. In paragraph (f)(2), remove “App. U.S.C. 808, 835 and 839,” and add, in its place “U.S.C. chapter 561”.

The revision reads as follows:

#### § 221.15 Approval for transfer of registry or operation under authority of a foreign country or for scrapping in a foreign country.

\* \* \* \* \*

(c) \* \* \*

(4) \* \* \* Pursuant to 46 U.S.C.

56105, the Maritime Administrator may remit forfeiture of the vessel upon such conditions as may be required under the circumstances of the particular case, including the payment of a sum in lieu of forfeiture, and execution of a new agreement containing substantially the same conditions set forth above and such others as the Maritime Administrator may deem appropriate and which will be applicable to the vessel for the remaining period of the original agreement. \* \* \*

\* \* \* \* \*

- 8. In § 221.61, revise the introductory text to read as follows:

#### § 221.61 Purpose.

This subpart describes procedures for the administration of civil penalties that the Maritime Administration may assess

under 46 U.S.C. 31309 and 31330, and 46 U.S.C. 56101, pursuant to 49 U.S.C. 336.

\* \* \* \* \*

By Order of the Maritime Administrator.

**Julie Agarwal,**

*Secretary, Maritime Administration.*

[FR Doc. 2013–13992 Filed 6–13–13; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 121018563–3148–02]

RIN 0648–XC724

### Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Atka mackerel in the Central Aleutian district (CAI) of the Bering Sea and Aleutian Islands management area (BSAI) by vessels participating in the BSAI trawl limited access fishery. This action is necessary to prevent exceeding the 2013 total allowable catch (TAC) of Atka mackerel in this area allocated to vessels participating in the BSAI trawl limited access fishery.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), June 11, 2013, through 2400 hrs, A.l.t., December 31, 2013.

#### FOR FURTHER INFORMATION CONTACT:

Steve Whitney, 907–586–7269.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management 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 parts 600 and 679.

The 2013 TAC of Atka mackerel, in the CAI, allocated to vessels participating in the BSAI trawl limited access fishery was established as a directed fishing allowance of 664 metric tons by the final 2013 and 2014 harvest

specifications for groundfish in the BSAI (78 FR 13813, March 1, 2013).

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 Atka mackerel in the CAI by vessels participating in the BSAI trawl limited access fishery.

After the effective dates of this closure, the maximum retainable amounts at § 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 Acting 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 a 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 Atka mackerel directed fishery in the CAI for vessels participating in the BSAI trawl limited access fishery. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became

available as of June 10, 2013. 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: June 11, 2013.

**James P. Burgess,**

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

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