

(d)(3)(B) and (d)(3)(C) are redesignated (d)(3)(A) and (d)(3)(B), and the sentence, "These items are not to be discussed with, or proposed to, other offerors," is removed from redesignated paragraph (d)(3)(B).

1815.307 [Amended]

10. In section 1815.307, paragraph (b)(i)(A) is removed, and paragraphs (b)(i)(B) through (b)(i)(E) are redesignated as paragraphs (b)(i)(A) through (b)(i)(D).

11. In section 1815.370, paragraph (g)(3) is revised to read as follows:

1815.370 NASA source evaluation boards.

* * * * *

(g) Evaluation. * * *

(3) The SEB process must be adequately documented. Clear traceability must exist at all levels of the SEB process. All reports submitted by committees or panels will be retained as part of the SEB records.

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1815.403-3 [Amended]

12. In paragraph (b) of section 1815.403-3, the phrase "firm-fixed-price acquisitions" in the last sentence is revised to read "firm-fixed-price competitions."

1815.604 [Amended]

13. In paragraph (a) of section 1815.604 the URL "http://procure.msfc.nasa.gov/nashdbk.html" is revised to read "http://ec.msfc.nasa.gov/msfc/nasahdbk.html".

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 1819

Mentor-Protégé

AGENCY: National Aeronautics and Space Administration (NASA)

ACTION: Final rule.

SUMMARY: This is a final rule amending the NASA FAR Supplement (NFS) to extend the NASA Mentor-Protégé Program to complete a comprehensive evaluation of it.

EFFECTIVE DATE: August 19, 1998.

FOR FURTHER INFORMATION CONTACT: Christopher T. Jedrey, NASA Office of Procurement, Contract Management Division (Code HK), (202) 358-0483.

SUPPLEMENTARY INFORMATION:

Background

The NASA Mentor-Protégé Program began on March 24, 1995.

The Program is designed to incentivize NASA prime contractors to assist small disadvantaged business concerns, Historically Black Colleges and Universities, minority institutions, and women-owned small business concerns. The NASA Mentor-Protégé Program is fully described in NFS Subpart 1819.72, including the criteria for Program success. NASA is currently in the midst of the required Program evaluation which it expects to complete by approximately September 30, 1998. The duration of the program is being extended to March 31, 1999 to allow for this comprehensive evaluation to be completed, proposed changes or recommendations evaluated, and any resulting program changes codified.

Impact

NASA certifies that this regulation will not have a significant economic impact on a substantial number of small business entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) since it is only extending an existing program to allow for a comprehensive evaluation; no new requirements are imposed on offerors or contractors. This final rule does not impose any reporting or recordkeeping requirements subject to the Paperwork Reduction Act.

List of Subjects in 48 CFR Part 1819

Government procurement.

Tom Luedtke,

Acting Associate Administrator for Procurement.

Accordingly, 48 CFR Part 1819 is amended as follows:

1. The authority citation for 48 CFR Part 1819 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1)

PART 1819—SMALL BUSINESS PROGRAMS

1819.7205 [amended]

2. In section 1819.7205, the reference to "three" in the first sentence of paragraph (b) is revised to read "four".

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 980806211-8211-01; I.D. 071598I]

RIN 0648-AK24

Fisheries off West Coast States and in the Western Pacific; Northern Anchovy Fishery; Quotas for the 1998-99 Fishing Year

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

ACTION: Final quotas.

SUMMARY: NMFS announces the estimated spawning biomass and final harvest quotas for the northern anchovy fishery in the exclusive economic zone south of Point Reyes, CA, for the 1998-99 fishing year. These quotas may only be adjusted if inaccurate data were used or if errors were made in the calculations. Comments on these two points are invited. We will revise the quotas by a subsequent rulemaking if the comments warrant it. The intended effect of this action is to establish allowable harvest levels for the central subpopulation of Pacific anchovy.

DATES: Effective on August 15, 1998. Comments will be accepted until September 17, 1998.

ADDRESSES: Submit comments on the final quotas to Dr. William T. Hogarth, Administrator, Southwest Region, (Regional Administrator), NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213. Administrative Reports LJ-95-11 and LJ-97-08 are available from this same address.

FOR FURTHER INFORMATION CONTACT: Mr. James J. Morgan, Southwest Region, NMFS, (562) 980-4030.

SUPPLEMENTARY INFORMATION: In consultation with the California Department of Fish and Game and with the NMFS Southwest Fisheries Science Center, the Administrator, Southwest Region, NMFS, has decided to use the 1995 estimate of 388,000 metric tons (mt) spawning biomass for the central subpopulation of northern anchovy, *Engraulis mordax*, to set harvest limits for the 1998-99 fishing year. This is the same biomass estimate that was used for the 1995-96, 1996-97, and 1997-98 fishing years, and is being used because no new assessment has been made. Indices of relative abundance from fish-spotter logs and egg production from research cruises in 1997 indicated that

the current biomass remained at or above that estimated in 1995.

The biomass estimate was derived from a stock assessment model using spawning biomass estimated by five indices of abundance. Documentation of the spawning biomass is contained in Administrative Report LJ-95-11, published by the Southwest Fisheries Science Center, NMFS (see **ADDRESSES**). Information on the status of the resource was provided at a public meeting of the Pacific Fishery Management Council's (Council) Coastal Pelagic Species Plan Development Team (Planning Team) and Advisory Subpanel in Long Beach, CA, on June 11, 1998. At that time, a review of the status of the anchovy resource was presented by the Planning Team, and NMFS requested estimates of domestic processing needs from the fishing industry so that a basis could be established for setting annual quotas. As was the case in 1997, the industry estimated that 13,000 mt would meet the needs of the reduction industry.

Reports of the Planning Team and the Advisory Subpanel were then presented to the Council at its June 22-26 meeting in Seattle, WA. The Council reviewed the quotas for the 1998-99 fishing year and recommended that they be approved.

There is some uncertainty with regard to what the domestic fishery will harvest, and there is always great uncertainty with regard to what Mexico will harvest. Nevertheless, the U.S. harvest has remained low. The Mexican harvest increased significantly in 1995, but dropped to a moderate level in 1996 and 1997. With the information available, the best estimate of domestic harvest for reduction is 13,000 mt.

According to the formula in the Northern Anchovy Fishery Management Plan (FMP), the U.S. optimum yield (OY) is 66,500 mt (70 percent of the 95,000 mt international OY). The U.S. OY includes 61,600 mt, which is allocated to reduction fisheries, plus 4,900 mt for non-reduction fisheries. There is no agreement with Mexico on the management of northern anchovy; a

portion of the biomass (30 percent) above 300,000 mt is designated as the amount to account for this unregulated harvest.

Any portion of U.S. OY that will not be used by U.S. fishermen, minus the amount of harvest by Mexican vessels that is in excess of that allocated to Mexico according to the formula in the FMP, is identified as total allowable level of foreign fishing (TALFF) and is available to foreign fishing.

The estimate of Mexican excess harvest is based on the largest harvest in the last 3 years; however, the biomass has been so low during this time that there was no significant fishery off Mexico until 1995, and there has been no excess Mexican harvest as defined in the FMP.

After considering the above, the Regional Administrator has made the following determinations for the 1998-99 fishing year by applying the formulas in the FMP and in 50 CFR 660.509(b).

1. The total U.S. OY for northern anchovy is 66,500 mt, plus an unspecified amount for use as live bait.

2. The total U.S. harvest quota for reduction purposes is 13,000 mt.

a. Of the total reduction harvest quota, 1,300 mt is reserved for the reduction fishery in Subarea A (north of Pt. Buchon). The FMP requires that 10 percent of the U.S. reduction quota or 9,072 mt, whichever is less, be reserved for the northern fishery. This is not a special quota, but only a reduction in the amount allocated to the southern fishery south of Pt. Buchon (Subarea B). After the northern fishery has harvested 1,300 mt, any unused portion of the Subarea B allocation may also be harvested north of Pt. Buchon.

b. The reduction quota for subarea B (south of Pt. Buchon) is 11,700 mt.

3. The U.S. harvest quota for non-reduction fishing (i.e., fishing for anchovy for use as dead bait or human consumption) is 4,900 mt (as set by § 660.509(b)).

4. There is no U.S. harvest limit for the live bait fishery.

5. The domestic annual processing capacity (DAP) is 13,000 mt.

6. The amount allocated to joint venture processing (JVP) is zero, because there is no history of, nor are there applications for, joint ventures.

7. Domestic annual harvest capacity (DAH) is 13,000 mt. DAH is the sum of DAP and JVP.

8. The TALFF is 48,600 mt.

The fishery will be monitored during the year and evaluated with respect to the OY and the estimated needs of the fishing industry. Adjustments may be made to comply with the requirements of the FMP and its implementing regulations.

This action is authorized by 50 CFR 660.509 and is exempt from review under E.O. 12866.

The Assistant Administrator for Fisheries, NOAA (AA) finds for good cause under 5 U.S.C. 553(b)(B) that providing prior notice and an opportunity for public comment on this action is unnecessary because establishing the quota is a ministerial act, determined by applying a formula in the FMP. Accordingly, providing prior notice and an opportunity for public comment would serve no useful purpose.

Because this rule merely establishes a quota and does not require any participants in the fishery to take action or to come into compliance, the AA finds for good cause under 5 U.S.C. 553(d)(3) that delaying the effective date of this rule for 30 days is unnecessary. Further, because establishing a quota allows the opening of the fishery, it relieves a restriction, and under 5 U.S.C. 553(d)(1), is not subject to a delay in effective date. Accordingly, the AA makes the quota effective upon the date of filing for public inspection with the Office of the Federal Register.

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

Dated: August 13, 1998.

Roland A. Schmitten,

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

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