

and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities."

This rule is not subject to E.O. 13084 because it does not significantly or uniquely affect the communities of Indian tribal governments. Georgia is not authorized to implement the RCRA hazardous waste program in Indian country. This action has no effect on the hazardous waste program that EPA implements in Indian country within the State.

#### Paperwork Reduction Act

Under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, Federal agencies must consider the paperwork burden imposed by any information request contained in a proposed rule or a final rule. This rule will not impose any information requirements upon the regulated community.

#### National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 ("NTTAA"), Public Law 104-113, section 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

This action does not involve technical standards. Therefore, EPA did not consider the use of any voluntary consensus standards.

#### List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Incorporation by reference, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

**Authority:** This action is issued under the authority of sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act as amended 42 U.S.C. 6912(a), 6926, 6974(b).

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

[FR Doc. 99-26191 Filed 10-13-99; 8:45 am]

BILLING CODE 6560-50-P

## DEPARTMENT OF DEFENSE

### 48 CFR Part 209

[DFARS Case 98-D304]

#### Defense Federal Acquisition Regulation Supplement; Congressional Medal of Honor

**AGENCY:** Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** The Director of Defense Procurement is adopting as final, without change, an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS). The rule implements Section 8118 of the National Defense Appropriations Act for Fiscal Year 1999. Section 8118 prohibits the award of a contract to, extension of a contract with, or approval of the award of a subcontract to any entity that, within the past 15 years, has been convicted of the unlawful manufacture or sale of the Congressional Medal of Honor.

**EFFECTIVE DATE:** October 14, 1999.

**FOR FURTHER INFORMATION CONTACT:** Ms. Amy Williams, Defense Acquisition Regulations Council, PDUSD (A&T) DP(DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-0288; telefax (703) 602-0350. Please cite DFARS Case 98-D304.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

DoD published an interim rule at 64 FR 31732 on June 14, 1999, to implement Section 8118 of the National Defense Appropriations Act for Fiscal Year 1999 (Public Law 105-262). DoD received no public comments on the interim rule. The interim rule is converted to a final rule without change.

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 certifies that this final rule will not 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 applies only to entities that have been convicted of the unlawful manufacture or sale of the Congressional Medal of Honor.

#### 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 209

Government procurement.

**Michele P. Peterson,**

*Executive Editor, Defense Acquisition Regulations Council.*

#### Interim Rule Adopted as Final Without Change

Accordingly, the interim rule amending 48 CFR part 209, which was published at 64 FR 31732 on June 14, 1999, is adopted as a final rule without change.

[FR Doc. 99-26642 Filed 10-13-99; 8:45 am]

BILLING CODE 5000-04-M

## DEPARTMENT OF DEFENSE

### 48 CFR Parts 211, 214, and 252

[DFARS Case 99-D023]

#### Defense Federal Acquisition Regulation Supplement; Brand Name or Equal Purchase Descriptions

**AGENCY:** Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** The Director of Defense Procurement has issued a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to remove policy pertaining to use of brand name purchase descriptions. Policy on this subject has been incorporated into the Federal Acquisition Regulation (FAR).

**EFFECTIVE DATE:** October 14, 1999.

**FOR FURTHER INFORMATION CONTACT:** Ms. Melissa Rider, Defense Acquisition Regulations Council, PDUSD (A&T) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-4245; telefax (703) 602-0350. Please cite DFARS Case 99-D023.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

This final rule removes the policy at DFARS 211.207-1 and 211.270-2, and the solicitation provision at DFARS 252.211-7003, pertaining to use of "brand name or equal" purchase

descriptions. Similar policy on this subject was incorporated into FAR on August 16, 1999 (64 FR 32741, June 17, 1999; Federal Acquisition Circular 97-12, Item II).

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

### B. Regulatory Flexibility Act

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, DoD will consider comments from small entities concerning the affected DFARS subparts in accordance with 5 U.S.C. 610. Such comments should cite DFARS Case 99-D023.

### 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 Parts 211, 214, and 252

Government procurement.

#### Michele P. Peterson

*Executive Editor, Defense Acquisition Regulations Council.*

Therefore, 48 CFR parts 211, 214, and 252 are amended as follows:

1. The authority citation for 48 CFR parts 211, 214, and 252 continues to read as follows:

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

#### PART 211—DESCRIBING AGENCY NEEDS

##### 211.270 [Removed and Reserved]

2. Section 211.270 is removed and reserved.

##### 211.270-1 and 211.270-2 [Removed]

3. Sections 211.270-1 and 211.270-2 are removed.

#### PART 214—SEALED BIDDING

##### 214.202-5 [Amended]

4. Section 214.202-5 is amended in paragraph (d) by removing the reference "252.211-7003" and adding in its place the reference "FAR 52.211-6".

#### PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

##### 252.211-7003 [Removed and Reserved]

5. Section 252.211-7003 is removed and reserved.

[FR Doc. 99-26641 Filed 10-13-99; 8:45 am]

BILLING CODE 5000-04-M

#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

##### 50 CFR Part 635

[Docket No. I.D. 071698B]

RIN 0648-AJ67

#### Atlantic Highly Migratory Species (HMS) Fisheries; Vessel Monitoring Systems

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

**ACTION:** Delay of effectiveness.

**SUMMARY:** NMFS further delays the effective date of a final rule which required vessel owner/operators to install a NMFS-approved vessel monitoring system (VMS) by January 1, 2000. This document delays the effective date until June 1, 2000.

**DATES:** On May 28, 1999, NMFS published a final rule amending § 635.69, which established an effective date of September 1, 1999. On August 9, 1999, NMFS delayed the effective date of this final rule until January 1, 2000 (64 FR 43101). This document further delays the effective date until June 1, 2000. The effectiveness of an amendment to §635.69 published July 13, 1999 (64 FR 37705) is also delayed until June 1, 2000.

**ADDRESSES:** Copies of the Highly Migratory Species Fishery Management Plan (HMS FMP), the final rule and supporting documents can be obtained from Rebecca Lent, Chief, Highly Migratory Species Division, Office of Sustainable Fisheries, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Jill Stevenson, NMFS, (301) 713-2347, or Buck Sutter (727) 570-5447.

**SUPPLEMENTARY INFORMATION:** The final regulations to implement the HMS FMP, and Amendment 1 to the Atlantic Billfish Fishery Management Plan included a provision requiring an owner or operator of a commercial vessel permitted to fish for Atlantic HMS under § 635.4 and that fishes with a pelagic longline to install a NMFS-approved VMS unit on board the vessel and operate the VMS unit whenever the vessel leaves port with pelagic longline gear on board. The VMS requirement of the final rule was to be effective September 1, 1999.

At the time of publication of the final rule (May 28, 1999), NMFS indicated that a **Federal Register** announcement would be forthcoming listing the hardware specifications for approved VMS units. Due to unforeseen circumstances, NMFS experienced a delay in type-approving suitable units and service providers. Once the type approval process was completed, NMFS published a **Federal Register** document (September 9, 1999, 64 FR 48988) listing NMFS-approved VMS units and communication service providers. In order to allow affected Atlantic HMS pelagic longline fishermen an opportunity to receive adequate notification of approved VMS units, as well as time to purchase and properly install a VMS unit for operation consistent with provisions provided under § 635.69, NMFS delayed until January 1, 2000, the effective date of the final rule (August 9, 1999, 64 FR 43101).

Since that time, NMFS has been developing additional time/area closures to reduce the incidental catch of fish, marine mammals, and other species in the pelagic longline fishery. It is unlikely that such new time/area closures will be implemented prior to June 2000. Therefore, NMFS delays the effective date of the VMS requirements until June 1, 2000, consistent with the current time/area closure in the Mid-Atlantic Bight and any new time/area closures.

Dated: October 7, 1999.

#### Gary C. Matlock,

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

[FR Doc. 99-26810 Filed 10-8-99; 4:56 pm]

BILLING CODE 3510-22-F