

submitted separately and should cite DFARS Case 2004–D028.

**C. Paperwork Reduction Act**

The information collection requirements of the DoD Pilot Mentor-Protege Program have been approved by the Office of Management and Budget under Control Number 0704–0332, for use through May 31, 2007.

**D. Determination To Issue an Interim Rule**

A determination has been made under the authority of the Secretary of Defense that urgent and compelling reasons exist to publish an interim rule prior to affording the public an opportunity to comment. This interim rule implements Sections 841 and 842 of the National Defense Authorization Act for Fiscal Year 2005 (Pub. L. 108–375). Section 841 extends the length of the DoD Pilot Mentor-Protege Program for 5 additional years. Section 842 expands the Program to permit service-disabled veteran-owned small business concerns and HUBZone small business concerns to participate in the Program as protege firms. Sections 841 and 842 became effective upon enactment on October 28, 2004. Comments received in response to this interim rule will be considered in the formation of the final rule.

**List of Subjects in 48 CFR Part 219**

Government procurement.

**Michele P. Peterson,**

*Editor, Defense Acquisition Regulations System.*

Therefore, 48 CFR part 219 and Appendix I to chapter 2 are amended as follows:

1. The authority citation for 48 CFR part 219 and Appendix I to subchapter I continues to read as follows:

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

**PART 219—SMALL BUSINESS PROGRAMS**

2. Section 219.7102 is amended as follows:

- a. In paragraph (b)(1)(iv) by removing “or”; and
- b. By adding paragraphs (b)(1)(vi) and (vii) to read as follows:

**219.7102 General.**

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

- (vi) Service-disabled veteran-owned small business concerns; or
- (vii) HUBZone small business concerns;

\* \* \* \* \*

**219.7104 [Amended]**

3. Section 219.7104 is amended in the last sentence of paragraph (b) and in paragraph (d) by removing “2008” and adding in its place “2013”.

**Appendix I—Policy and Procedures for the DoD Pilot Mentor-Protege Program**

**I-101.6 [Amended]**

4. Appendix I to chapter 2 is amended in the heading of section I-101.6 by removing “(WOSB)”.

5. Appendix I to chapter 2 is amended by adding sections I-101.7 and I-101.8 to read as follows:

**I-101.7 HUBZone small business.**

A qualified HUBZone small business concern as determined by the Small Business Administration in accordance with 13 CFR part 126.

**I-101.8 Service-disabled veteran-owned small business.**

A small business concern owned and controlled by service-disabled veterans as defined in Section 8(d)(3) of the Small Business Act (15 U.S.C. 637(d)(3)).

6. Appendix I to chapter 2 is amended in section I-102 by revising paragraph (b)(1) to read as follows:

**I-102 Participant eligibility.**

\* \* \* \* \*

(b) \* \* \*

(1) An SDB, a women-owned small business, a HUBZone small business, a service-disabled veteran-owned small business, or an eligible entity employing the severely disabled;

\* \* \* \* \*

7. Appendix I to chapter 2 is amended in section I-103 by revising paragraph (a) and paragraph (b) introductory text to read as follows:

**I-103 Program duration.**

(a) New mentor-protege agreements may be submitted and approved through September 30, 2010.

(b) Mentors incurring costs prior to September 30, 2013, pursuant to an approved mentor-protege agreement may be eligible for—

\* \* \* \* \*

8. Appendix I to chapter 2 is amended in section I-104 by revising paragraph (a) to read as follows:

**I-104 Selection of protege firms.**

(a) Mentor firms will be solely responsible for selecting protege firms. Mentor firms are encouraged to identify and select concerns that are defined as emerging SDB, women-owned small business, HUBZone small business, service-disabled veteran-owned small business, or an eligible entity employing the severely disabled.

\* \* \* \* \*

9. Appendix I to chapter 2 is amended in section I-105 by revising the first sentence of paragraph (b)(7) to read as follows:

**I-105 Mentor approval process.**

\* \* \* \* \*

(b) \* \* \*

(7) The total dollar amount and percentage of subcontracts that the company awarded to all SDB, women-owned small business, HUBZone small business, and service-disabled veteran-owned small business firms under DoD contracts and other Federal agency contracts during the 2 preceding fiscal years. \* \* \*

\* \* \* \* \*

10. Appendix I to chapter 2 is amended in section I-107 by revising paragraph (b) to read as follows:

**I-107 Elements of a mentor-protege agreement.**

\* \* \* \* \*

(b) The NAICS code(s) that represent the contemplated supplies or services to be provided by the protege firm to the mentor firm and a statement that, at the time the agreement is submitted for approval, the protege firm, if an SDB, a women-owned small business, a HUBZone small business, or a service-disabled veteran-owned small business concern, does not exceed the size standard for the appropriate NAICS code;

\* \* \* \* \*

[FR Doc. 05–10226 Filed 5–23–05; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 648**

[Docket No. 041110317–4364–02; I.D. 051805B]

**Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer**

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

**ACTION:** Temporary rule; inseason quota transfer.

**SUMMARY:** NMFS announces that the State of North Carolina is transferring 8,206 lb (3,722 kg) of commercial summer flounder quota to the Commonwealth of Virginia from its 2005 quota. By this action, NMFS adjusts the quotas and announces the revised commercial quota for each state involved.

**DATES:** Effective May 19, 2005 through December 31, 2005, unless NMFS

publishes a superseding document in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:**

Mike Ruccio, Fishery Management Specialist, (978) 281-9104, FAX (978) 281-9135.

**SUPPLEMENTARY INFORMATION:**

Regulations governing the summer flounder fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is apportioned among the coastal states from North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state are described in § 648.100.

The final rule implementing Amendment 5 to the FMP that was published on December 17, 1993 (58 FR 65936), provided a mechanism for summer flounder quota to be transferred from one state to another. Two or more states, under mutual agreement and with the concurrence of the Administrator, Northeast Region, NMFS (Regional Administrator), can transfer or combine summer flounder commercial quota under § 648.100(d). The Regional Administrator is required to consider the criteria set forth in § 648.100(d)(3) in the evaluation of requests for quota transfers or combinations.

North Carolina has agreed to transfer 8,206 lb (3,722 kg) of its 2005 commercial quota to Virginia to cover a landing of a North Carolina vessel granted safe harbor in Virginia following storm damage to the vessel's pilothouse. The Regional Administrator has determined that the criteria set forth in § 648.100(d)(3) have been met. The revised quotas for calendar year 2005, inclusive of previous adjustments published on March 9, 2005 (70 FR 11584) and April 5, 2005 (70 FR 21162), are: North Carolina, 4,680,519 lb (2,123,083 kg); and Virginia, 4,013,906 lb (1,820,708 kg).

**Classification**

This action is taken under 50 CFR part 648 and is exempt from review under Executive Order 12866.

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

Dated: May 18, 2005.

**Stephen Meyers,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 05-10350 Filed 5-19-05; 4:01 pm]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 660**

[Docket No. 040628196-5130-02; I.D. 061704A]

**RIN 0648-AQ92**

**Fisheries Off West Coast States and in the Western Pacific; Western Pacific Pelagic Fisheries; American Samoa Longline Limited Entry Program**

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

**ACTION:** Final rule.

**SUMMARY:** NMFS issues a final rule to implement Amendment 11 to the Fishery Management Plan for Pelagic Fisheries of the Western Pacific Region (Amendment 11), which establish a limited entry system for pelagic longline vessels fishing in waters of the U.S. exclusive economic zone (EEZ) around American Samoa. The action is necessary to effectively manage the pelagic fisheries around American Samoa. This final rule is intended to establish management measures that would stabilize effort in the fishery to avoid a "boom and bust" cycle of fishery development that could disrupt community participation and limit opportunity for substantial participation in the fishery by indigenous islanders.

**DATES:** Effective August 1, 2005, except §§ 660.21(c), 660.22(e),(f), and (g), which are effective December 1, 2005.

**ADDRESSES:** CD or paper copies of Amendment 11, including an Environmental Assessment (EA), regulatory impact review (RIR) and final regulatory flexibility analysis (FRFA) may be obtained from Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council (Council), 1164 Bishop Street, Suite 1400, Honolulu, HI 96813. These documents are also available at the following website: <http://www.wpcouncil.org>. Comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this final rule may be submitted in writing to William L. Robinson, Regional Administrator, Pacific Islands Region (PIR), NMFS, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814, and David Rostker, OMB, by email at [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov), or facsimile (Fax) 202-395-7285.

**FOR FURTHER INFORMATION CONTACT:**

Alvin Katekaru, NMFS PIR, at 808-973-2937.

**SUPPLEMENTARY INFORMATION:**

**Electronic Access**

This **Federal Register** document is also accessible via the internet at the website of the Office of Federal Register: <http://www.access.gpo.gov/sudocs/aces/aces140.html>.

**Background**

On July 22, 2004, NMFS published a proposed rule (69 FR 43389) that would establish a limited access permit program for the pelagic longline fishery based in American Samoa under Amendment 11. Amendment 11 was approved by the Secretary of Commerce on September 23, 2004. The final rule is intended to: (1) Avoid a "boom and bust" cycle of fishery development that could disrupt community participation in the American Samoa small-scale pelagic fishery; (2) establish a framework to adjust regulations for the American Samoa-based longline fishery; (3) reduce the potential for fishing gear conflict in waters of the EEZ around American Samoa; (4) maintain local catch rates of albacore tuna at economically viable levels; and (5) provide an opportunity for substantial participation by indigenous islanders in the large vessel sector of the fishery. This final rule applies specifically to the permitted owners and operators of vessels that fish for pelagic management species under Hawaii limited access longline permits or western Pacific general longline permits within the EEZ, as well as the high seas, around American Samoa, and generally to permitted owners and operators of vessels fishing for pelagic management species in the western Pacific region (the Northern Mariana Islands; Guam; Hawaii; Midway, Johnston, and Palmyra Atolls, Kingman Reef, and Wake, Jarvis, Baker, and Howland Islands).

The following is a summary of key measures in this final rule implementing Amendment 11. Initial American Samoa longline limited access permits will be issued to qualifying individuals who owned vessels that were used to legally harvest Pacific pelagic management unit species with longline gear in the EEZ around American Samoa (with those fish landed in American Samoa) prior to March 22, 2002. An individual who had provided written notice to NMFS or the Council of intent to participate in the fishery prior to June 28, 2002, would also qualify for an initial limited access permit. NMFS will publish a notice in the **Federal Register** to solicit