

submitted a report to the Defense Acquisition Regulations Council.

This proposed rule reflects the conclusion of the working group that references to flexible progress payments as a method of contract financing should be removed from the DFARS. This financing method is administratively complex and burdensome, and may be replaced with the less cumbersome financing method of performance-based payments in some situations. In addition, as indicated in Table 32-1 at DFARS 232.502-1-71, flexible progress payments currently are not permitted for use for contracts awarded as a result of solicitations issued on or after November 11, 1993.

### B. Regulatory Flexibility Act

The proposed rule is not expected to 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 most contracts awarded to small entities have a dollar value less than the simplified acquisition threshold, and, therefore, do not use the flexible progress payments method of financing. In addition, flexible progress payments currently are not permitted for use for contracts awarded as a result of solicitations issued on or after November 11, 1993. An initial regulatory flexibility analysis has, therefore, not been performed. Comments are invited from small businesses and other interested parties. Comments from small entities concerning the affected DFARS subparts also will be considered in accordance with 5 U.S.C. 610. Such comments should be submitted separately and should cite 5 U.S.C. 601, *et seq.* (DFARS Case 98-D400), in correspondence.

### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the proposed rule does not impose any information collection requirements that require Office of Management and Budget approval under 44 U.S.C. 3501, *et seq.*

### List of Subjects in 48 CFR Parts 232 and 252

Government procurement.

**Michele P. Peterson,**  
*Executive Editor, Defense Acquisition Regulations Council.*

Therefore, 48 CFR Parts 232 and 252 are proposed to be amended as follows:

1. The authority citation for 48 CFR Parts 232 and 252 continues to read as follows:

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

### PART 232—CONTRACT FINANCING

2. Section 232.501 is revised to read as follows:

#### § 232.501 General.

##### § 232.501-1 [Amended]

3. Section 232.501-1 is amended by removing paragraph (a)(iii).

##### § 232.501-2 [Amended]

4. Section 232.501-2 is amended in the second sentence by revising the parenthetical "(232.171)" to read "(see 232.071)".

##### § 232.502-1-71 [Removed]

5. Section 232.502-1-71 is removed.

##### § 232.502-4-70 [Amended]

6. Section 232.502-4-70 is amended by removing paragraph (b) and redesignating paragraph (c) as paragraph (b).

### PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

#### § 252.232-7003 [Removed and Reserved]

7. Section 252.232-7003 is removed and reserved.

8. Section 252.232-7004 is amended by revising the introductory text to read as follows:

#### § 252.232-70004 DoD progress payment rates.

As prescribed in 232.502-4-70(b), use the following clause:

\* \* \* \* \*

[FR Doc. 98-23976 Filed 9-4-98; 8:45 am]

BILLING CODE 5000-04-M

### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[I.D. 082698D]

RIN 0648-AK05

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the Southern Atlantic States; Amendment 9

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

**ACTION:** Notice of availability of an amendment to a fishery management plan; request for comments.

**SUMMARY:** NMFS announces that the South Atlantic Fishery Management

Council (Council) has submitted Amendment 9 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region for review, approval, and implementation by NMFS. Written comments are requested from the public.

**DATES:** Written comments must be received on or before November 9, 1998.

**ADDRESSES:** Comments must be mailed to the Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

Requests for copies of Amendment 9, which includes a final supplemental environmental impact statement, an initial regulatory flexibility analysis, a regulatory impact review, and a social impact/fishery impact statement, should be sent to the South Atlantic Fishery Management Council, One Southpark Circle, Suite 306, Charleston, SC 29407-4699; Phone: 843-571-4366; Fax: 843-769-4520.

**FOR FURTHER INFORMATION CONTACT:** Peter J. Eldridge, 727-570-5305.

**SUPPLEMENTARY INFORMATION:** The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires each regional fishery management council to submit any fishery management plan or amendment to the Secretary of Commerce for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving an amendment, immediately publish a document in the **Federal Register** stating that the amendment is available for public review and comment.

Amendment 9 would: increase the minimum size for red porgy, black sea bass, gag, and black grouper for all participants; increase the minimum size for vermilion snapper for a person subject to the bag limit; establish bag limits for red porgy and black sea bass; during March and April, prohibit harvest and possession in excess of the bag limit and prohibit purchase and sale of red porgy, gag grouper, and black grouper; for greater amberjack, reduce the bag limit, establish a commercial quota and trip limit, prohibit sale of greater amberjack caught under the bag limit when the commercial fishery is closed, prohibit harvest and possession in excess of the bag limit during April, change the beginning of the fishing year to May 1, and prohibit coring (removal of the head from the carcass); restrict possession of gag and black grouper within the aggregate grouper bag limit; establish an aggregate bag limit for all