

schedule) on the electronic mail system itself, without the need to copy the record to a paper or electronic recordkeeping system, provided that:

(i) Users do not delete the messages before the expiration of the NARA-approved retention period, and

(ii) The system's automatic deletion rules ensure preservation of the records until the expiration of the NARA-approved retention period.

(3) Except for those electronic mail records within the scope of paragraph (b)(2) of this section:

(i) Agencies must not use an electronic mail system to store the recordkeeping copy of electronic mail messages identified as Federal records unless that system has all of the features specified in paragraph (b)(1) of this section.

(ii) If the electronic mail system is not designed to be a recordkeeping system, agencies must instruct staff on how to copy Federal records from the electronic mail system to a recordkeeping system.

\* \* \* \* \*

■ 3. Amend § 1234.32 by revising paragraph (d) to read as follows:

**§ 1234.32 Retention and disposition of electronic records.**

\* \* \* \* \*

(d) Electronic mail records may not be deleted or otherwise disposed of without prior disposition authority from NARA (44 U.S.C. 3303a).

(1) *Electronic mail records with very short-term (transitory) value.* Agencies may use the disposition authority in General Records Schedule 23, Item 7, or on a NARA-approved agency records schedule for electronic mail records that have very short-term retention periods of 180 days or less. (See § 1234.24(b)(2)).

(2) *Other records in an electronic mail system.* When an agency has taken the necessary steps to retain a record in a scheduled recordkeeping system (whether electronic or paper), the identical version that remains on the user's screen or in the user's electronic mailbox has no continuing value. Therefore, NARA has authorized deletion of the version of the record in the electronic mail system under General Records Schedule 20, Item 14, after the record has been preserved in a recordkeeping system along with all appropriate transmission data. If the records in the recordkeeping system are not scheduled, the agency must follow the procedures at 36 CFR part 1228.

(3) *Records in recordkeeping systems.* The disposition of electronic mail records that have been transferred to an appropriate recordkeeping system is governed by the records schedule or schedules that control the records in

that system. If the records in the recordkeeping system are not scheduled, the agency must follow the procedures at 36 CFR part 1228.

Dated: September 14, 2005.

**Allen Weinstein,**

*Archivist of the United States.*

**Note:** This document was received at the Office of the Federal Register on February 17, 2006.

[FR Doc. 06-1545 Filed 2-17-06; 8:45 am]

**BILLING CODE 7515-01-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**42 CFR Part 83**

**Procedure for Designating Classes of Employees as Members of the Special Exposure Cohort Under the Energy Employees Occupational Illness Compensation Program Act of 2000**

**AGENCY:** Department of Health and Human Services.

**ACTION:** Interim final rule; extension of comment period.

**SUMMARY:** The Department of Health and Human Services (DHHS) is extending the comment period for the interim final rule making amendments to procedures for designating classes of employees as members of the Special Exposure Cohort under the Energy Employees Occupational Illness Program Act (EEOICPA), which was published in the *Federal Register* on Thursday, December 22, 2005.

**DATES:** Any public written comments on the interim final rule published on December 22, 2005 (70 FR 75949) must be received on or before March 23, 2006.

**ADDRESSES:** Address written comments on the notice of proposed rulemaking to the NIOSH Docket Officer electronically by e-mail to: [NIOCINOCKET@CDC.GOV](mailto:NIOCINOCKET@CDC.GOV).

Alternatively, submit printed comments to NIOSH Docket Office, Robert A. Taft Laboratories, MS-C34, 4676 Columbia Parkway, Cincinnati, OH 45226.

**FOR FURTHER INFORMATION CONTACT:** Larry Elliott, Director, Office of Compensation Analysis and Support, National Institute for Occupational Safety and Health, 4676 Columbia Parkway, MS-C-46, Cincinnati, Ohio 45226, Telephone 513-533-6800 (this is not a toll-free number). Information requests may also be submitted by e-mail to [OCAS@CDC.GOV](mailto:OCAS@CDC.GOV).

**SUPPLEMENTARY INFORMATION:** On December 22, 2005, HHS published an interim final rule with request for

comments amending the procedures for designating classes of employees as members of the Special Exposure Cohort under EEOICPA, [See *FR Vol. 70, No. 245, 75949*]. The rule included a public comment period that was to end on February 21, 2006. On January 26, 2006, the Advisory Board on Radiation and Worker Health initiated its review of the interim final rule. The Board requested that the comment period be extended by 30 days, for a total of 90 days, to provide the Board with adequate time to complete its review and submit comments to HHS. HHS would appreciate the comments of the Board and is now providing for a 90-day comment period to accommodate the Board's request. This extension of the comment period may also assist any members of the public who require additional time to comment on the rule.

Dated: February 15, 2006.

**Michael O. Leavitt,**

*Secretary.*

[FR Doc. 06-1588 Filed 2-17-06; 8:45 am]

**BILLING CODE 4163-18-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 041126332-5039-02; I.D. 021406B]

**Fisheries of the Exclusive Economic Zone Off Alaska; Non-Community Development Quota Pollock with Trawl Gear in the Chinook Salmon Savings Areas of 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 non-Community Development Quota (CDQ) pollock with trawl gear in the Chinook Salmon Savings Areas of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 2006 limit of chinook salmon caught by vessels using trawl gear while directed fishing for non-CDQ pollock in the BSAI.

**DATES:** Effective 12 noon, Alaska local time (A.l.t.), February 15, 2006, through 12 noon, A.l.t., April 15, 2006, and from 12 noon, A.l.t., September 1, 2006, through 12 midnight, A.l.t., December 31, 2006.

**FOR FURTHER INFORMATION CONTACT:** Josh Keaton, 907-586-7228.

**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 part 600 and 50 CFR part 679.

The 2006 chinook salmon PSC limit for the pollock fishery is set at 29,000 fish (see § 679.21(e)(1)(i) and (vii)). Of that limit, 7.5 percent is allocated to the groundfish CDQ program as prohibited species quota reserve (see § 679.21(e)(1)(i)). Consequently, the 2006 non-CDQ limit of chinook salmon caught by vessels using trawl gear while directed fishing for pollock in the BSAI is 26,825 animals.

In accordance with § 679.21(e)(7)(viii), the Administrator,

Alaska Region, NMFS (Regional Administrator), has determined that the 2006 non-CDQ limit of chinook salmon caught by vessels using trawl gear while directed fishing for non-CDQ pollock in the BSAI has been reached. Consequently, the Regional Administrator is prohibiting directed fishing for non-CDQ pollock with trawl gear in the Chinook Salmon Savings Areas defined at Figure 8 to 50 CFR part 679.

After the effective date 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 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 directed fishing for non-CDQ pollock with trawl gear in the Chinook Salmon Savings Areas. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of February 14, 2006.

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 § 679.21 and is exempt from review under Executive Order 12866.

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

Dated: February 15, 2006.

**James P. Burgess,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 06-1563 Filed 2-15-06; 1:17 pm]

**BILLING CODE 3510-22-S**