

Dated: May1, 2001.

Madeleine Clayton,

*Departmental Paperwork Clearance Officer,
Office of the Chief Information Officer.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 050301E]

Individual Fishing Quotas Program for Pacific Halibut and Sablefish in the Alaska Fisheries

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Proposed information collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before July 9, 2001.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6086, 14th and Constitution Avenue NW, Washington DC 20230 (or via Internet at MClayton@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Patsy A. Bearden, F/ AKR2, P.O. Box 21668, Juneau, AK 99802-1668 (telephone 907-586-7008).

SUPPLEMENTARY INFORMATION:

I. Abstract

NMFS manages the Pacific halibut and sablefish fisheries in Alaska through an Individual Fishery Quota program (IFQ) that allocates annual total catch limits to individual fishermen. Fishermen are assigned Quota Shares (QS) for the fisheries, and then annually received an IFQ. As part of its management program, NMFS monitors the IFQs assigned to vessel categories B, C, or D by corporations and partnerships.

To ensure that corporations and partnerships are not erroneously issued annual IFQ resulting from the collectively-held QS, NMFS seeks to

add a requirement that each corporation or partnership annually identify all current shareholders or partners and affirm the entity's continuing existence as a corporation or partnership.

NMFS' Restricted Access Management program (RAM) requires annual updates on the status of corporations, partnerships, and other collective entities holding QS for two reasons. First, the IFQ regulations require that collective entities holding QS transfer the collectively-held QS to a qualified individual upon any change in the corporation, partnership, or other collective entity, and the regulations define such a change as the addition of a shareholder, partner, or member to the collective entity. This requirement is intended to promote an owner-operated fishery and to prevent the accumulation of QS by speculative investors. To monitor collectively-held QS adequately, RAM needs the annual updates on the status of collective entities that this collection of information would provide to ensure a collective entity's continuing existence as such.

Also, the IFQ Program requires that the QS holder be aboard the vessel harvesting the QS holder's annual IFQ. Under certain conditions, however, an individual QS holder may hire a skipper to fish the QS holder's IFQ. One such condition is that the QS holder own the vessel from which the hired skipper harvests the IFQ. Since the inception of the IFQ Program in 1995, NMFS's policy has interpreted vessel ownership liberally to allow an individual QS holder who meets all other conditions to hire a skipper to fish his or her IFQ from a vessel owned by a corporation, partnership, or other collective entity in which the individual QS holder is a shareholder, partner, or member. Likewise, collective entities holding QS may hire skippers to fish the collectively-held IFQ from a vessel owned by a member of the collective. This arrangement is known informally as "indirect ownership." Hence, to ensure that individuals and collective entities claiming indirect vessel ownership for purposes of hiring skippers are in fact linked to the entity owning the vessel, RAM needs the annual updates on the status of collective entities to monitor "indirect" ownership.

II. Method of Collection

The information is submitted to respond to requirements set forth in a regulation.

III. Data

OMB Number: None.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Not-for-profit institutions, business and other for-profit organizations.

Estimated Number of Respondents: 50.

Estimated Time Per Response: 30 minutes.

Estimated Total Annual Burden Hours: 25.

Estimated Total Annual Cost to Public: \$50.

IV. Request for Comments

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: May1, 2001.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 050301F]

Gear-Marking Requirements for the Harbor Porpoise Take Reduction Plan

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Proposed information collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the

Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before July 9, 2001.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6086, 14th and Constitution Avenue NW, Washington DC 20230 (or via Internet at MClayton@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Kimberly Thournhurst, NMFS, One Blackburn Drive, Gloucester, MA 01930-2209 (telephone 978-281-9138).

SUPPLEMENTARY INFORMATION:

I. Abstract

Federal regulations at 50 CFR 229.34 limit the number of nets that can be used in certain fisheries in the mid-Atlantic that appear to be most closely linked with accidental catch of harbor porpoises. Fishermen in these fisheries must obtain and attach numbered tags for their nets. Because the number of tags per vessel is capped, the tagging program helps to limit the number of nets in use and helps NOAA identify the number in use.

II. Method of Collection

Requests for tags are submitted to NOAA on a paper form.

III. Data

OMB Number: 0648-0357.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations, individuals or households.

Estimated Number of Respondents: 25

Estimated Time Per Response: 1 minute to attach a tag to a net, 2 minutes to request tags.

Estimated Total Annual Burden Hours: 22.

Estimated Total Annual Cost to Public: \$400.

IV. Request for Comments

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the

use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

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**COMMITTEE FOR THE
IMPLEMENTATION OF TEXTILE
AGREEMENTS**

**Denial of Short Supply Request under
the United States—Caribbean Basin
Trade Partnership Act (CBTPA)**

May 3, 2001.

AGENCY: Committee for the Implementation of Textile Agreements (CITA)

ACTION: Denial of the petition alleging that 30 and 36 singles solution dyed staple spun viscose yarn, for use in knit fabrics, cannot be supplied by the domestic industry in commercial quantities in a timely manner.

FOR FURTHER INFORMATION CONTACT:

Janet Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

SUMMARY: On March 12, 2001 the Chairman of CITA received a petition from Fabrictex alleging that 30 and 36 singles solution dyed staple spun viscose yarn, for use in knit fabrics, classified in subheading 5510.11.0000 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner. It requested that the President proclaim that apparel articles of U.S. formed fabrics of such yarns be eligible for preferential treatment under the CBTPA. As a result, CITA published a Federal Register Notice (66 FR 154111, March 19, 2001) requesting public comments on the petition. These comments were due April 3, 2001. Based on currently available information, CITA has determined that these products can be supplied by the domestic industry in commercial quantities in a timely manner and therefore denies the petition.

SUPPLEMENTARY INFORMATION:

Authority: Section 213(b)(2)(A)(v)(II) of the Caribbean Basin Economic Recovery Act, as

added by Section 211(a) of the CBTPA; Section 6 of Executive Order No. 13191 of January 17, 2001.

Background:

The CBTPA provides for quota- and duty-free treatment for qualifying textile and apparel products. Such treatment is generally limited to products manufactured from yarns or fabrics formed in the United States or a beneficiary country. The CBTPA also provides for quota- and duty-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more CBTPA beneficiary countries from fabric or yarn that is not formed in the United States or a CBTPA beneficiary country, if it has been determined that such fabric or yarn cannot be supplied by the domestic industry in commercial quantities in a timely manner and the President has proclaimed such treatment. In Executive Order No. 13191, the President delegated to CITA the authority to determine whether yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA and directed CITA to establish procedures to ensure appropriate public participation in any such determination. On March 6, 2001, CITA published procedures that it will follow in considering requests. (66 FR 13502).

On March 12, 2001 the Chairman of CITA received a petition from Fabrictex alleging that 30 and 36 singles solution dyed staple spun viscose yarn, for use in knit fabrics, classified in subheading 5510.11.0000 of the HTSUS, cannot be supplied by the domestic industry in commercial quantities in a timely manner. It requested that the President proclaim that apparel articles of U.S. formed fabrics of such yarns be eligible for preferential treatment under the CBTPA.

CITA solicited public comments regarding this request (66 FR 154111, published on March 19, 2001) particularly with respect to whether 30 and 36 singles solution dyed staple spun viscose yarn, classified in HTSUS heading 5510.11.0000, can be supplied by the domestic industry in commercial quantities in a timely manner.

On the basis of currently available information, including its review of the petition and public comments received and its understanding of the industry, CITA has determined that Fabrictex has not established that these yarns cannot be supplied by the domestic industry in commercial quantities in a timely manner, and has determined that these yarns can be so supplied. Written