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[FR Doc. 96-3284 Filed 2-16-96; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 296

[Docket No. 951207292-5292-1; I.D.
102595A]

RIN 0648-A155

Fishermen's Contingency Fund; Simplification of Regulations

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

ACTION: Final rule.

SUMMARY: NMFS amends the
Fishermen's Contingency Fund (FCF)
regulations for purposes of clarification
and simplification in accordance with
the President's Regulatory Reform
Initiative.

EFFECTIVE DATE: February 20, 1996.

ADDRESSES: Michael L. Grable, Chief,
Financial Services Division, National
Marine Fisheries Service, 1315 East-
West Highway, Silver Spring, MD
20910.

FOR FURTHER INFORMATION CONTACT:
Charles L. Cooper, Program Leader,
301-713-2396.

SUPPLEMENTARY INFORMATION: Title IV of
the Outer Continental Shelf Lands Act
Amendments (43 U.S.C. 1841 *et seq.*)
established the FCF to compensate
commercial fishermen for property or
economic loss caused by oil and gas
activities on the U.S. Outer Continental
Shelf. The FCF comprises assessments
collected from offshore energy interests.

In March 1995, President Clinton
issued a directive to Federal agencies
regarding their responsibilities under
his Regulatory Reform Initiative. This
initiative is part of the National
Performance Review and calls for
immediate, comprehensive regulatory
reform. The President directed all

agencies to undertake an exhaustive
review of all their regulations with an
emphasis on eliminating or modifying
those that are obsolete or otherwise in
need of reform. In response to this
initiative, FCF regulations were
reviewed to determine how they could
be reformed. This rule implements the
results of that review by making several
changes to the FCF regulations.
Regulatory provisions that do not
facilitate accurate and expeditious
adjustment of claims as well as those
that impose unnecessary burdens upon
claimants have been dropped. Program
addresses and phone numbers have
been updated. Program procedures have
been streamlined by dropping
regulatory provisions that stated that the
amounts awarded in an initial
determination would be disbursed only
after the claimant (1) stated in writing
that he/she would not appeal the initial
determination, (2) signed an agreement
to repay any subsequent reduction of
the award, and (3) signed an agreement
assigning his/her rights against those
causing the casualty to NMFS. NMFS
will incorporate agreements (2) and (3)
into the application, thereby expediting
the payment of claims. The claimant's
right to appeal the initial determination
within 30 days is preserved in the
regulations, whether the amount
awarded has been disbursed or not.

Classification

Because this rule only simplifies
existing regulations without making any
substantive changes, no useful purpose
would be served by providing prior
notice and opportunity for comment on
this rule. Accordingly, under 5 U.S.C.
553(b)(B), it is unnecessary to provide
such notice and opportunity for
comment. Also, because this rule is only
administrative in nature and is not a
substantive rule it is not subject to the
30-day delay in effective date provision
of 5 U.S.C. 553(d). As such, this rule is
effective upon publication.

This final rule has been determined to
be not significant for the purposes of
E.O. 12866.

List of Subjects in 50 CFR Part 296

Claims, Continental shelf, Fisheries,
Fishing vessels, Oil and gas exploration,
Reporting and recordkeeping
requirements.

Dated: February 12, 1996.

Gary Matlock,

*Program Management Officer, National
Marine Fisheries Service.*

For the reasons set out in the
preamble, 50 CFR part 296 is amended
as follows:

PART 296—FISHERMEN'S CONTINGENCY FUND

1. The authority citation for part 296
continues to read as follows:

Authority: Public Law 97-212 (43 U.S.C.
1841 *et seq.*).

2. Section 296.2 is amended in the
definition for "Area affected by Outer
Continental Shelf activities" by
redesignating paragraphs (a) and (b) as
paragraphs (1) and (2), respectively; in
the definition for "Negligence or fault"
by redesignating paragraphs (a) through
(e) as paragraphs (1) through (5),
respectively; and by revising the
definition for "Chief, FSD" to read as
follows:

§ 296.2 Definitions.

* * * * *

Chief, FSD means Chief, Financial
Services Division, National Marine
Fisheries Service, 1315 East-West
Highway, Silver Spring, MD 20910;
telephone: (301) 713-2396.

* * * * *

§ 296.4 [Amended]

3. In § 296.4, paragraphs (c) and (d)
are removed, and paragraph (e) is
redesignated as paragraph (c).

4. In § 296.5, paragraph (a)(3) is
removed and paragraph (a)(4) is
redesignated as paragraph (a)(3); in
paragraph (e)(6)(ii) the word "hailed" is
removed and the word "deployed" is
added in its place; and paragraph (a)(2)
is amended by removing the phrase
"The fifteen-day report must be made to
one of the following NMFS Offices:"
and the list that follows it and adding
the following sentence in its place:

§ 296.5 Instructions for filing claims.

(a) * * *

(2) * * * The fifteen-day report must
be made to the Chief, Financial Services
Division, National Marine Fisheries
Service, 1315 East-West Highway, Silver
Spring, MD 20910; telephone: (301)
713-2396.

* * * * *

§ 296.6 [Amended]

5. In § 296.6, in paragraph (b)(1), the
phrase "Convert the casualty
coordinates into latitude and
longitude," is removed and the word
"plot" is capitalized.

6. Section 296.13 is revised to read as
follows:

§ 296.13 Payment of award for claim.

(a) Upon an initial determination, the
Chief, Financial Services Division, shall
immediately disburse the claim
awarded if the claimant signed as part
of his/her application a statement

agreeing to repay all or any part of the award if the award should for any reason be subsequently reduced.

(b) [Reserved]

7. In § 296.14, paragraph (a) introductory text is revised to read as follows:

§ 296.14 Subrogation.

(a) The claim application will contain a subrogation statement signed by the claimant as a condition of payment of the claim which:

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[FR Doc. 96-3628 Filed 2-16-96; 8:45 am]

BILLING CODE 3510-22-F

50 CFR Part 675

[Docket No. 960129019-6019-01; I.D. 021396A]

Groundfish of the Bering Sea and Aleutian Area; Atka Mackerel in the Eastern Aleutian District and the Bering Sea Subarea

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

ACTION: Closure.

SUMMARY: NMFS is closing the directed fishery for Atka mackerel in the Eastern Aleutian District and Bering Sea subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the specification of Atka mackerel in these areas.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), February 14, 1996, until 12 midnight, A.l.t., December 31, 1996.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 675.

In accordance with § 675.20(a)(7)(ii), the Final 1996 Harvest Specifications of Groundfish (61 FR 4311, February 5, 1996) for the BSAI established 22,695 metric tons (mt) as the initial total allowable catch of Atka mackerel for the Eastern Aleutian District and the Bering Sea subarea.

The Director, Alaska Region, NMFS (Regional Director), has determined, in accordance with § 675.20(a)(8), that the Atka mackerel initial total allowable catch in the Eastern Aleutian District and Bering Sea subarea soon will be reached. Therefore, the Regional Director has established a directed fishing allowance of 21,695 mt after determining that 1,000 mt will be taken as incidental catch in directed fishing for other species in the Eastern Aleutian District and Bering Sea subarea. NMFS is prohibiting directed fishing for Atka mackerel in the Eastern Aleutian District and the Bering Sea subarea to prevent exceeding the directed fishing allowance.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 675.20(h).

Classification

This action is taken under § 675.20 and is exempt from review under E.O. 12866.

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

Dated: February 13, 1996.

Richard W. Surdi,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96-3626 Filed 2-13-96; 4:27 pm]

BILLING CODE 3510-22-F