

take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before June 30, 1997.

ADDRESSES: Direct all written comments to Linda Engelmeier, Departmental Forms Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington DC 20230.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to the National Marine Fisheries Service, Southwest Regional Office, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213 (562-980-4019).

SUPPLEMENTARY INFORMATION:

I. Abstract

The purpose of the collection of information is to comply with the requirements of the Marine Mammal Protection Act. The Act requires the Secretary of Commerce to promulgate regulations restricting the importation of tuna from those nations without a marine mammal protection program comparable to that of the United States. In addition, tuna that is not dolphin-safe cannot be transported or sold in the United States. The collection serves three purposes: (1) documents that the shipment is dolphin safe, (2) verifies that the fish was not harvested by large-scale high seas driftnets, and (3) verifies that tuna was not harvested by a nation under primary or secondary embargo.

II. Method of Collection

Forms are submitted by foreign exporters or domestic importers for shipments entering the United States. Forms must be accompanied by statements from vessel Captains that the fish were harvested outside of the Eastern Tropical Pacific Ocean and that no purse seine net was intentionally deployed on or encircled dolphins on the particular voyage on which the tuna were harvested.

III. Data

OMB Number: None (currently covered by 0648-0040, but requirements under that number are being separated and a new number may be assigned upon approval).

Form Number: NOAA Form 370.

Type of Review: Regular Submission.

Affected Public: Fish processors and importers/exporters, fishery vessel Captains.

Estimated Number of Respondents: 350.

Estimated Time Per Response: 20 minutes for processors and importers/exporters, 5 minutes for vessel Captains.

Estimated Total Annual Burden Hours: 1,033 hours.

Estimated Total Annual Cost to Public: \$0 (no material or equipment will need to be purchased to provide information).

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: April 22, 1997.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 97-10925 Filed 4-28-97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 960223046-7083-02; I.D. 031897A]

RIN 0648-ZA09

Financial Assistance for Research and Development Projects to Strengthen and Develop the U.S. Fishing Industry

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

ACTION: Notice of solicitation for applications.

SUMMARY: NMFS issues this document describing the conditions under which applications will be accepted under the

Saltonstall-Kennedy (S-K) Grant Program and how NMFS will select applications for funding. Some of the conditions and procedures have changed significantly from the last S-K Program solicitation notice of March 19, 1996.

The S-K Grant Program assists eligible applicants in carrying out research and development projects that address aspects of U.S. fisheries (commercial or recreational), including, but not limited to, harvesting, processing, marketing, and associated infrastructures.

DATES: Applications must be received by close of business June 30, 1997, in one of the offices listed in **ADDRESSES**. Applicants must submit one signed original and nine signed copies of the completed application (including supporting information). No facsimile applications will be accepted.

ADDRESSES: Application packages can be obtained from, and completed applications sent to any office listed below:

Regional Administrator, NMFS, One Blackburn Drive, Gloucester, MA 01930; telephone: (508) 281-9267.

Regional Administrator, NMFS, Koger Bldg., 9721 Executive Center Drive, North, St. Petersburg, FL 33702; telephone: (813) 570-5324.

Regional Administrator, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213; telephone: (310) 980-4033.

Regional Administrator, NMFS, BIN C15700, 7600 Sand Point Way, NE., Seattle, WA 98115; telephone: (206) 526-6117.

Regional Administrator, NMFS, P.O. Box 21668, Juneau, AK 99802, or Federal Building, 709 W. 9th Street, 4th Floor, Juneau, AK 99801; telephone: (907) 586-7224.

This solicitation notice may also be retrieved from the NMFS Home Page.

FOR FURTHER INFORMATION CONTACT: Alicia L. Jarboe, S-K Program Manager, (301) 713-2358.

SUPPLEMENTARY INFORMATION:

I. Introduction

A. Background

The S-K Act, as amended (15 U.S.C. 713c-3), provides that a fund (known as the S-K fund) will be used by the Secretary of Commerce to provide grants for fisheries research and development projects addressed to any aspect of United States fisheries, including, but not limited to, harvesting, processing, marketing, and associated infrastructures. U.S. fisheries¹ include

¹ For purposes of this document, a fishery is defined as one or more stocks of fish, including

any fishery that is or may be engaged in by citizens or nationals of the United States, or citizens of the Northern Mariana Islands, the Republic of the Marshall Islands, Republic of Palau, and the Federated States of Micronesia.

The funding priorities of the S-K Grant Program have evolved over the years since the program began in 1980. The original focus of the program was on development of underutilized fisheries within the U.S. Exclusive Economic Zone (EEZ). The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), originally passed in 1976, directed NMFS to provide the domestic fishing industry priority access to the fishery resources in the EEZ. In an attempt to accelerate development of domestic fisheries, the American Fisheries Promotion Act of 1980 amended the S-K Act to stimulate commercial and recreational fishing efforts in underutilized fisheries.

In the ensuing years, the efforts to Americanize the fisheries were successful to the point that most nontraditional species were fully developed and traditional fisheries became overfished. Therefore, the S-K Program priorities evolved to include a wide range of resource conservation and management issues and aquaculture.

In 1993, NOAA developed a long-range Strategic Plan that included a focus on rebuilding fisheries for sustainable use. The NOAA Strategic Plan strengthened the basis for the continued shift in the priorities of the S-K Program toward such issues as overfishing and bycatch.

Passage in 1996 of the Sustainable Fisheries Act (Public Law 104-297), which amended the Magnuson-Stevens Act, supports further adjustment to the S-K Program to address the current condition of fisheries.

The Magnuson-Stevens Act recognizes that U.S. fisheries face many problems. It also recognizes the adverse effects of fishing in terms of bycatch of nontarget species, and habitat impacts. The Act requires that overfishing be stopped and that the problems of U.S. fisheries be corrected. Specifically, the Magnuson-Stevens Act requires NMFS to undertake efforts to prevent overfishing, rebuild overfished fisheries, insure conservation, protect essential fish habitats, and realize the full potential of U.S. fishery resources. However, the Act also acknowledges the

potential adverse impacts on people in making such corrections. Therefore, it requires that conservation and management measures, consistent with conservation requirements of the Act, take into account the importance of fishery resources to fishing communities in order to provide for the sustained participation of such communities and, to the extent practicable, minimize adverse economic impacts on such communities. A "fishing community" is defined in the Magnuson-Stevens Act as "a community which is substantially dependent on or substantially engaged in the harvest or processing of fishery resources to meet social and economic needs, and includes fishing vessel owners, operators, and crew and United States fish processors that are based in such community." (16 U.S.C. 1802.)

The 1998 S-K Grant Program announced under this notice will address the needs of fishing communities in optimizing economic benefits within the context of rebuilding and maintaining sustainable fisheries and in dealing with the impacts of conservation and management measures. The funding priorities listed under section II of this notice identify areas of research and development that relate to these needs.

While the S-K Program continues to be open to applicants from a variety of sectors, including industry, academia, and state and local governments, successful applicants will be those whose projects demonstrate significant direct benefits to fishing communities.

B. Funding

NMFS issues this document to solicit applications for Federal assistance, pursuant to 15 U.S.C. 713c-3(c), describing the conditions under which applications will be accepted under the S-K Grant program and how NMFS will select the applications it will fund.

This notice is published subject to, and funding of projects is contingent upon, the appropriation of funds by Congress for this program in Fiscal Year (FY) 1998, which begins on October 1, 1997. The Administration's request for the S-K Grant Program for FY 1998 is \$4 million, which will be used to support projects solicited under this document.

Funding under the program will be provided for research, development, and technology transfer activities that address the funding priorities listed in section II. Funding will not be provided for projects that primarily involve infrastructure construction, port and harbor development, and start-up or operational costs for private business ventures. Furthermore, projects primarily involving data collection

should be directed to a specific problem or need and be of a fixed duration, not of a continuing nature, in order to be considered.

C. Catalogue of Federal Domestic Assistance

The S-K Grant Program is listed in the "Catalogue of Federal Domestic Assistance" under number 11.427, Fisheries Development and Utilization Research and Development Grants and Cooperative Agreements Program.

II. Funding Priorities

Applicants should ensure that their proposals address one or more of the following priorities, which are listed in no particular order:

A. Minimize Interactions Between Fisheries and Protected or Non-Targeted Species

Develop methods to eliminate or reduce adverse interactions between fishing operations and nontargeted, protected, or prohibited species (e.g., juvenile or sublegal-sized fish and shellfish, females of certain crabs, marine turtles, seabirds, or marine mammals), including the inadvertent take, capture, or destruction of such species.

Conduct research on behavioral responses of both target and nontarget marine organisms to fishing gear and practices, in order to facilitate the design of gear and practices to actively avoid nontarget organisms.

Develop methods to improve the survivability of fish discarded and protected species released in fishing operations, including modifications in gear, fishing practices, and handling practices to reduce the detrimental effects of capture, and develop methods to assess both the immediate and delayed mortality associated with capture.

Develop reliable methods to assess or record the extent and composition of fisheries bycatch, especially onboard vessels, to reduce the need for labor-intensive and expensive onboard observer programs.

B. Rebuild Overfished Fisheries

Develop scientific information, plans, procedures, and methods that contribute to the rebuilding of overfished fisheries, including information on status of overfished stocks, prototype capacity reduction programs, and projects that facilitate the development of rebuilding plans for fisheries.

Develop innovative approaches to address the transition of fishing communities affected by declines in traditional fisheries toward alternate

tuna, and shellfish that are identified as a unit based on geographic, scientific, technical, recreational and economic characteristics, and any and all phases of fishing for such stocks. Examples of a fishery are Alaskan groundfish, Pacific whiting, New England whiting, and eastern oysters.

employment or new business opportunities. NMFS is not soliciting proposals solely involving start-up or operational costs for individuals or individual businesses.

C. Maintain Healthy Fish Stocks

Conduct biological, economic, social, and other studies to support the development of sound management practices for important recreational and commercial species.

Develop innovative approaches to improve fisheries management, including but not limited to, assessment of alternative management systems and resolution of user conflicts.

D. Obtain Maximum Social and Economic Benefits from Harvestable Marine Resources

Contribute to the development of commercial and recreational fisheries for underutilized or non-utilized species of potential economic importance, while maintaining long-term sustainability.

Optimize the utilization of harvestable resources available to the fishing industry through innovations in how such resources are harvested, processed, or marketed.

Develop marketable products from economic discards, either whole fish discarded because they are an undesirable species, size, or sex, or parts of fish discarded as not commercially useful.

Develop improved approaches to control environmental hazards which affect fishery resource health and the safety of harvested fish and their products for human consumption.

E. Promote Aquaculture Development

Develop or demonstrate cost-effective approaches for advancing environmentally sound public and private aquaculture for food, enhancement, industrial, and other purposes.

Develop and evaluate strategies for culturing systems, disease control, and reducing the potential for negative interactions between cultured and wild stocks.

Develop models for aquaculture regulation that address the impediments to development caused by current regulatory processes.

F. Conserve and Enhance Essential Fish Habitat

Develop information needed by fisheries managers on the identification and status of essential fish habitat.

Develop scientific approaches to assess and reduce human induced impacts on habitat.

If proposals received do not adequately respond to the above listed

priorities, NMFS may carry out, in addition to the program announced by this document, a national program of research and development addressed to aspects of U.S. fisheries pursuant to section 713c-3(d) of the S-K Act, as amended.

III. How to Apply

A. Eligible Applicants

Applications for grants or cooperative agreements for fisheries research and development projects may be made, in accordance with the procedures set forth in this document, by:

1. Any individual who is a citizen or national of the United States;
2. Any individual who is a citizen of the Northern Mariana Islands (NMI), being an individual who qualifies as such under section 8 of the Schedule on Transitional Matters attached to the constitution of the NMI;
3. Any individual who is a citizen of the Republic of the Marshall Islands, Republic of Palau, or the Federated States of Micronesia; or
4. Any corporation, partnership, association, or other non-Federal entity, non-profit or otherwise, if such entity is a citizen of the United States or NMI, within the meaning of section 2 of the Shipping Act, 1916, as amended (46 U.S.C. app. 802).

DOC/NOAA/NMFS are committed to cultural and gender diversity in their programs and encourage women and minority individuals and groups to submit applications. Recognizing the interest of the Secretaries of Commerce and Interior in defining appropriate fisheries policies and programs that meet the needs of the U.S. insular areas, applications from individuals, government entities, and businesses in U.S. insular areas are also encouraged. Furthermore, NMFS encourages applications from members of the fishing community, and applications that involve fishing community cooperation and participation. The extent of fishing community involvement will be considered by the Constituent Panel(s) evaluating the potential benefit of funding a proposal.

DOC/NOAA/NMFS employees, including full-time, part-time, and intermittent personnel are not eligible to submit an application under this solicitation or aid in the preparation of an application, except to provide information on program goals, funding priorities, application procedures, and completion of application forms. Since this is a competitive program, NMFS employees will not provide assistance in conceptualizing, developing, or

structuring proposals, or write letters of support for a proposal.

Employees of Federal agencies, and Regional Fishery Management Councils and their employees, are not eligible to submit an application under this solicitation.

B. Duration and Terms of Funding

Generally, grants or cooperative agreements are awarded for a period of 1 year but no more than 18 months at a time.

If an application for an award is selected for funding, NMFS has no obligation to provide any additional prospective funding in connection with that award in subsequent years. Any subsequent proposal to continue work on an existing project must be submitted to the competitive process for consideration and will not receive preferential treatment. Renewal of an award to increase funding or extend the period of performance is at the total discretion of Commerce.

Publication of this announcement does not obligate NMFS to award any specific grant or cooperative agreement or to obligate any part or the entire amount of funds available.

C. Cost-Sharing

For this solicitation, NMFS is requiring cost-sharing in order to leverage limited funds and to encourage partnerships among government, industry, and academia to address the needs of fishing communities. A minimum of 10 percent up to a maximum of 50 percent cost-share is required. (NMFS must contribute at least 50 percent of total project costs, as provided by statute.) Applications that do not provide for at least the minimum cost-share will be returned to the applicant and will not receive further consideration.

The non-Federal share may include funds received from private sources or from state or local governments or the value of in-kind contributions. Federal funds may not be used to meet the non-Federal share except as provided by Federal statute. In-kind contributions are non-cash contributions provided by the applicant or non-Federal third parties. In-kind contributions may be in the form of, but are not limited to, personal services rendered in carrying out functions related to the project, and permission to use real or personal property owned by others (for which consideration is not required) in carrying out the project.

The appropriateness of all cost-sharing proposals, including the valuation of in-kind contributions, will be determined on the basis of guidance

provided in the relevant Office of Management and Budget (OMB) Circulars. In general, the value of in-kind services or property used to fulfill the applicant's cost-share will be the fair market value of the services or property. Thus, the value is equivalent to the costs of obtaining such services or property if they had not been donated. Appropriate documentation must exist to support in-kind services or property used to fulfill the applicant's cost-share.

The degree to which cost-sharing exceeds the minimum level may be taken into account by the NOAA Assistant Administrator in the final selection of projects to be funded. Applicants whose proposals are selected for funding will be obligated to account for the amount of cost-share reflected in the award documents.

D. Format

Project applications must be clearly and completely submitted in the following format:

1. *Cover sheet:* An applicant must use OMB Standard Form 424 and 424B (4-92) as the cover sheet for each project. (In completing item 16 of Standard Form 424, see section V.A.5. of this document.)

2. *Project Summary:* An applicant must complete NOAA Form 88-204 (10-95), Project Summary, for each project. The specific priority(ies) contained in section II of this document to which the application responds must be listed on the Project Summary.

3. *Project Budget:* A budget must be submitted for each project, using NOAA Form 88-205 (10-95), Project Budget and associated instructions. The applicants must submit detailed cost estimates showing total project costs. Cost-sharing must be indicated as Federal and non-Federal shares, divided into cash and in-kind contributions. To support the budget, the applicant must describe briefly the basis for estimating the value of the cost-sharing derived from in-kind contributions. Estimates of the direct costs must be specified in the categories listed on the Project Budget form.

The budget may also include an amount for indirect costs if the applicant has an established indirect cost rate with the Federal government. The total dollar amount of the indirect costs proposed in an application under this program must not exceed the indirect cost rate negotiated and approved by a cognizant Federal agency prior to the proposed effective date of the award, or 100 percent of the total proposed direct costs dollar amount in the application, whichever is less. The Federal share of the indirect costs may

not exceed 25 percent of the total proposed direct costs. Applicants with approved indirect cost rates above 25 percent of the total proposed direct costs may use the amount above the 25 percent level up to the 100 percent level as part of the non-Federal share. A copy of the current, approved, negotiated indirect cost agreement with the Federal government must be included in the application.

NMFS will not consider fees or profits as allowable costs for applicants.

The total costs of a project consist of all allowable costs incurred, including the value of in-kind contributions, in accomplishing project objectives during the life of the project. A project begins on the effective date of an award agreement between the applicant and an authorized representative of the U.S. Government and ends on the date specified in the award. Accordingly, the time expended and costs incurred in either the development of a project or the financial assistance application, or in any subsequent discussions or negotiations prior to award, are neither reimbursable nor recognizable as part of the cost-share.

4. *Narrative Project Description:* The narrative project description may be up to 15 pages in length. The narrative should demonstrate knowledge of relevant research and development activity, and demonstrate how the proposal builds upon any past and current work in the subject area, as well as relevant work in related fields. Each project must be described as follows:

a. *Project goals and objectives:* Identify the problem/opportunity to be addressed by the proposed project and what the project is expected to accomplish. Identify the specific priority(ies) to which the project responds. Indicate the size and economic value of the fisheries involved and the fishing community affected. If the application is for the continuation of a project previously funded under the S-K Program, describe in detail the progress to date and explain why additional funding is necessary.

b. *Need for government financial assistance:* Explain why government financial assistance is needed for the proposed work. List all other sources of funding that are being or have been sought for the project.

c. *Participation by persons or groups other than the applicant:* Describe the participation by government and non-government entities, particularly members of fishing communities, in the project, and the nature of such participation.

d. *Federal, state, and local government activities and permits:* List

any existing Federal, state, or local government programs or activities that this project would affect, including activities requiring certification under state Coastal Zone Management Plans, those requiring section 404 or section 10 permits issued by the Corps of Engineers, those requiring experimental fishing or other permits under fishery management plans, and those requiring scientific permits under the Endangered Species Act and/or the Marine Mammal Protection Act. Describe the relationship between the project and these plans or activities, and list names and addresses of persons providing this information.

e. *Project statement of work:* The statement of work is an action plan of activities to be conducted during the period of the project. This section requires the applicant to prepare a detailed narrative, fully describing the work to be performed that will achieve the previously articulated goals and objectives. The narrative should respond to the following questions:

(1) What is the project design? What specific work, activities, procedures, statistical design, or analytical methods will be undertaken?

(2) Who will be responsible for carrying out the various activities? (Highlight work that will be subcontracted and provisions for competitive subcontracting.)

(3) What are the major products? A milestone chart must be included which graphically illustrates the specific activities and associated time lines to conduct the scope of work. Time lines should be described in increments (e.g., month 1, month 2), rather than by specific dates. The individual(s) responsible for the various specific activities shall be identified.

Because this information is critical to understanding and reviewing the application, NMFS encourages applicants to provide sufficient detail. Applications lacking sufficient detail may be eliminated from further consideration.

f. *Project management:* Describe how the project will be organized and managed. Identify the principal participants in the project and include copies of any agreements between the participants and the applicant describing the specific tasks to be performed. Provide a statement of the qualifications and experience (e.g., resume or curriculum vitae) of the principal investigator(s) and any consultants and/or subcontractors, and indicate their level of involvement in the project. If any portion of the project will be conducted through consultants and/or subcontracts, applicants must follow procurement guidance in 15 CFR

part 24, "Grants and Cooperative Agreements to State and Local Governments," and OMB Circular A-110 for Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations. Commercial organizations and individuals who apply should use OMB Circular A-110. If a consultant and/or subcontractor is selected prior to application submission, indicate the process used for selection.

g. Project impacts: Describe the anticipated impacts of the project on fishing communities in terms of reduced bycatch, increased product yield, or other measurable factors. Describe how the results of the project will be made available to the public.

h. Evaluation of project: Describe the procedures for evaluating the relative success or failure of a project in achieving its objectives.

5. Supporting documentation: This section should include any required documents and any additional information necessary or useful to the description of the project. The amount of information given in this section will depend on the type of project proposed.

IV. Evaluation Criteria and Selection Procedures

A. Evaluation of Proposed Projects

1. Initial screening of applications: Upon receipt NMFS will screen applications for conformance with requirements set forth in this document. Applications that do not conform to the requirements may not be considered for further evaluation. In addition, proposals from ineligible applicants or those seeking funds primarily for infrastructure development and business costs will not be considered and will be returned to the applicant.

2. Consultation with interested parties: As appropriate, NMFS will consult with NMFS Offices, the NOAA Grants Management Division, Department and other Federal and state agencies, the Regional Fishery Management Councils, and other interested parties who may be affected by or have knowledge of a specific proposal or its subject matter.

3. Technical evaluation: NMFS will solicit individual technical evaluations of each project application from three or more appropriate private and public sector experts. These reviewers will assign scores ranging from a minimum of 60 (poor) to a maximum of 100 (excellent) to applications based on the following evaluation criteria, with weights shown in parentheses:

a. Soundness of project design/conceptual approach. Applications will

be evaluated on the fishing community need(s) to be addressed by the project; the conceptual approach; whether the applicant provided sufficient information to evaluate the project technically; and, if so, the strengths and/or weaknesses of the technical design relative to securing productive results. (50 percent)

b. Project management and experience and qualifications of personnel. The organization and management of the project, and the project's principal investigator and other personnel in terms of related experience and qualifications will be evaluated. The principal investigator must be identified in order for the application to be accepted. (25 percent)

c. Project evaluation. The effectiveness of the applicant's proposed methods to monitor and evaluate the success or failure of the project in terms of meeting its original objectives will be examined. (10 percent)

d. Project costs. The justification and allocation of the budget in terms of the work to be performed will be evaluated. Unreasonably high or low project costs will be taken into account. (15 percent)

In addition to the above criteria, in reviewing applications that include consultants and contracts, NMFS will make a determination regarding the following:

(1) Is the involvement of the primary applicant necessary to the conduct of the project and the accomplishment of its objectives?

(2) Is the proposed allocation of the primary applicant's time reasonable and commensurate with the applicant's involvement in the project?

(3) Are the proposed costs for the primary applicant's involvement in the project reasonable and commensurate with the benefits to be derived from the applicant's participation?

4. Constituent Panel(s): After the technical evaluation, individual comments will be solicited from a panel or panels of three or more representatives selected by the NOAA Assistant Administrator for Fisheries (AA), from the fishing industry, state government, and others, as appropriate, to evaluate and rank the projects. Considered in the rankings, along with the technical evaluation, will be the significance of the problem or opportunity addressed in the project and the degree of involvement by fishing community members. Each panelist will rank the projects in terms of importance or need for funding, and provide recommendations on the level of funding NMFS should award and the merits of funding each project.

B. Selection Procedures and Project Funding

After projects have been evaluated and ranked, the reviewing NMFS offices will develop recommendations for project funding. These recommendations will be submitted to the AA who will determine the projects to be funded, ensuring that there is no duplication with other projects funded by NOAA or other Federal organizations, and that the projects selected for funding are those that best meet the objectives of the S-K Grant Program.

The exact amount of funds awarded to a project will be determined in preaward negotiations between the applicant and NOAA/NMFS program and grants management representatives. The funding instrument (grant or cooperative agreement) will be determined by the NOAA Grants Management Division. Projects should not be initiated in expectation of Federal funding until a notice of award document is received.

V. Administrative Requirements

A. Obligation of the Applicant

An Applicant must:

1. Meet all application requirements and provide all information necessary for the evaluation of the proposal, including one signed original and nine signed copies of the application.

2. Be available, upon request, to respond to questions during the review and evaluation of the proposal(s).

3. Complete Form CD-511, "Certification Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying." The following explanations are provided:

a. Nonprocurement debarment and suspension. Prospective participants (as defined at 15 CFR part 26, section 105) are subject to 15 CFR part 26, "Nonprocurement Debarment and Suspension" and the related section of the certification form prescribed above applies;

b. Drug-free workplace. Grantees (as defined at 15 CFR part 26, section 605) are subject to 15 CFR part 26, subpart F, "Governmentwide Requirements for Drug-Free Workplace (Grants)," and the related section of the certification form prescribed above applies;

c. Anti-lobbying. Persons (as defined at 15 CFR part 28, section 105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions," and the lobbying section of the certification

form prescribed above applies to applications/bids for grants, cooperative agreements, and contracts for more than \$100,000, and loans and loan guarantees for more than \$150,000, or the single family maximum mortgage limit for affected programs, whichever is greater; and

d. Anti-lobbying disclosures. Any applicant who has paid or will pay for lobbying using any funds must submit an SF-LLL, "Disclosure of Lobbying Activities," as required under 15 CFR part 28, appendix B.

4. If applicable, require applicants/bidders for subgrants, contracts, subcontracts, or other lower tier covered transactions at any tier under the award to submit a completed Form CD-512, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying" and disclosure form SF-LLL, "Disclosure of Lobbying Activities." Form CD-512 is intended for the use of recipients and should not be transmitted to Commerce. An SF-LLL submitted by any tier recipient or subrecipient should be submitted to Commerce in accordance with the instructions contained in the award document. This requirement applies only to applicants whose applications are recommended for funding. All required forms will be provided to successful applicants.

5. Complete item 16 on Standard Form 424 (4-92) regarding clearance by the State Point Of Contact (SPOC) established as a result of E.O. 12372. A list of SPOCs may be obtained from any of the NMFS offices listed in this document (see **ADDRESSES**), and is also included in the "Catalog of Federal Domestic Assistance."

6. Complete Standard Form 424B (4-92), "Assurances—Non-construction Programs."

7. Complete the Financial Audit Information form.

B. Obligations of Successful Applicants (Recipients)

A recipient of a grant award for a project must:

1. Manage the day-to-day operations of the project, be responsible for the performance of all activities for which funds are granted, and be responsible for the satisfaction of all administrative and managerial conditions imposed by the award.

2. Keep records sufficient to document any costs incurred under the award, and allow access to records for audit and examination by the Secretary, the Comptroller General of the United States, or their authorized representatives.

3. Submit semiannual project status reports on the use of funds and progress of the project to NMFS within 30 days after the end of each 6-month period. These reports will be submitted to the individual specified as the NMFS Program Officer in the funding agreement.

4. Submit a final report within 90 days after completion of each project to the NMFS Program Officer. The final report must describe the project and include an evaluation of the work performed and the results and benefits in sufficient detail to enable NMFS to assess the success of the completed project.

NMFS is committed to using available technology to achieve the timely and wide distribution of final reports to those who would benefit from this information. Therefore, recipients are required to submit final reports in electronic format, in accordance with the award terms and conditions, for publication on the NMFS Home Page. Costs associated with preparing and transmitting final reports to NMFS in electronic format are appropriately funded from the grant award. Requests for exemption from this requirement may be considered by NMFS on a case-by-case basis.

Formats for the semiannual and final reports, which have been approved by OMB, will be provided to successful applicants.

5. In order for NMFS to assist the grantee in disseminating information, the grantee is requested to submit all publications printed with grant funds (in addition to the final report in V.B.4. above) to the NMFS Program Officer. Either three hard copies or an electronic version of any such publications should be submitted.

C. Other Requirements

1. *Federal policies and procedures.* Recipients and subrecipients are subject to all Federal laws and Federal and Commerce policies, regulations, and procedures applicable to Federal financial assistance awards.

2. *Name check review.* All recipients are subject to a name check review process. Name checks are intended to reveal if any key individuals associated with the recipient have been convicted of, or are presently facing, criminal charges such as fraud, theft, perjury, or other matters that significantly reflect on the recipient's management, honesty, or financial integrity.

3. *Financial management certification/preaward accounting survey.* Successful applicants for S-K funding, at the discretion of the NOAA Grants Officer, may be required to have

their financial management systems certified by an independent public accountant as being in compliance with Federal standards specified in the applicable OMB Circulars prior to execution of the award. Any first-time applicant for Federal grant funds may be subject to a preaward accounting survey by Commerce prior to execution of the award.

4. *Past performance.* Unsatisfactory performance under prior Federal awards may result in an application not being considered for funding.

5. *Delinquent Federal debts.* No award of Federal funds shall be made to an applicant or to its subrecipients who have an outstanding delinquent Federal debt or fine until either:

a. The delinquent account is paid in full,

b. A negotiated repayment schedule is established and at least one payment is received, or

c. Other arrangements satisfactory to the Department of Commerce (Commerce) are made.

6. *Buy American.* Applicants are hereby notified that they are encouraged to the extent feasible to purchase American-made equipment and products with the funding provided under this program.

7. *Preaward activities.* If applicants incur any costs prior to an award being made, they do so solely at their own risk of not being reimbursed by the Government. Notwithstanding any verbal or written assurance that may have been received, there is no obligation on the part of Commerce to cover preaward costs.

8. *False statements.* A false statement on the application is grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment (18 U.S.C. 1001).

Classification

Prior notice and an opportunity for public comments are not required by the Administrative Procedure Act or any other law for this notice concerning grants, benefits, and contracts.

Therefore, a regulatory flexibility analysis is not required for purposes of the Regulatory Flexibility Act.

This action has been determined to be not significant for purposes of E.O. 12866.

Applications under this program are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

This document contains a collection-of-information requirement subject to the Paperwork Reduction Act. The collection of this information has been approved by OMB under control

number 0648-0135. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number.

A solicitation for applications will also appear in the "Commerce Business Daily."

Dated: April 23, 1997.

Gary C. Matlock,

Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 97-10997 Filed 4-28-97; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 042297A]

Mid-Atlantic Fishery Management Council; Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council) and its Summer Flounder Industry Advisory Subcommittee, Large Pelagic Committee, Demersal Species Committee, and Surfclam and Ocean Quahog Committee, with Surfclam and Ocean Quahog Industry Advisory Subcommittee will hold public meetings.

DATES: The meetings will be held on May 12-15, 1997. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

ADDRESSES: The meetings will be held at the Meadowlands Hilton, Two Harmon Plaza, Secaucus, NJ 07094; telephone: 201-348-6900.

Council address: Mid-Atlantic Fishery Management Council, 300 S. New Street, Dover, DE 19904; telephone: 302-674-2331.

FOR FURTHER INFORMATION CONTACT: David R. Keifer, Executive Director, Mid-Atlantic Fishery Management Council; telephone: 302-674-2331.

SUPPLEMENTARY INFORMATION: On Monday, May 12, the Summer Flounder Industry Advisory Subcommittee will meet jointly with the Atlantic States Marine Fisheries Commission (ASMFC) Summer Flounder Advisors beginning at 1:00 p.m. On Tuesday, May 13, the

Large Pelagic Committee will meet from 8:00 a.m. until 10:00 a.m. The Council will meet as a Demersal Species Committee of the Whole jointly with the ASMFC Summer Flounder, Scup, and Black Sea Bass Management Board beginning at 10:00 a.m. On Wednesday, May 14, the Council will meet from 8:00 a.m. until noon. The Council will meet as a Surfclam and Ocean Quahog Committee of the Whole from 1:00 p.m. until 5:00 p.m. On Thursday, May 15, the Council will meet from 8:00 a.m. until approximately noon.

The purpose of the meetings is to review proposed changes to federal regulations on large pelagics, discuss public comments on and possibly adopt for Secretarial approval Amendment 10 to the Summer Flounder, Scup, and Black Sea Bass and Amendment 10 to the Surfclam and Ocean Quahog Fishery Management Plans, discuss and possibly adopt a control date for the Atlantic mackerel fishery, and other fishery management matters.

The above agenda items may not be taken in the order in which they appear and are subject to change as necessary; other items may be added. The meetings may also be closed at any time to discuss employment or other internal administrative matters.

Special Accommodations

The meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Joanna Davis at least 5 days prior to the meeting dates.

Dated: April 23, 1997.

Gary C. Matlock, Ph.D.,

Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 97-10958 Filed 4-28-97; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 042297E]

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Pacific Fishery Management Council's Committee on Alternative Groundfish Management Strategies will hold a public meeting.

DATES: The meeting will be held on May 15, 1997, beginning at 8:00 a.m. and may go into the evening until business for the day is completed.

ADDRESSES: The meeting will be held at the Shilo Inn - Portland Airport, 11707 NE. Airport way, Portland, OR.

Council address: Pacific Fishery Management Council, 2130 SW Fifth Avenue, Suite 224, Portland, OR 97201.

FOR FURTHER INFORMATION CONTACT: Lawrence D. Six, Executive Director; telephone: (503) 326-6352.

SUPPLEMENTARY INFORMATION: The committee will discuss its operating procedures, meeting schedule, and alternative management approaches for the groundfish fishery off the West Coast. This is not a forum to discuss management of the fixed gear sablefish fishery.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Eric Greene at (503) 326-6352 at least 5 days prior to the meeting date.

Dated: April 23, 1997.

George H. Darcy,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 97-11035 Filed 4-28-97; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 042197D]

Western Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Western Pacific Fishery Management Council (Council) will hold a meeting of its Pelagic Plan Team.

DATES: The meeting will be held on May 8-9, 1997, from 8:30 a.m. to 5:00 p.m., each day.

ADDRESSES: The meeting will be held at the Ala Moana Hotel, Ilima Room, 410 Atkinson Drive, Honolulu, HI; telephone: (808) 955-4811.

Council address: Western Pacific Fishery Management Council, 1164 Bishop St., Suite 1405, Honolulu, HI 96813.