

Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686).

A first Request for Panel Review was filed with the United States Section of the NAFTA Secretariat, pursuant to Article 1904 of the Agreement, on May 7, 1999, requesting panel review of the final antidumping duty investigation described above.

The Rules provide that:

(a) A Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 39 within 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is June 7, 1999);

(b) A Party, investigating authority or interested person that does not file a Complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a Notice of Appearance in accordance with Rule 40 within 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is June 21, 1999); and

(c) The panel review shall be limited to the allegations of error of fact or law, including the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and the procedural and substantive defenses raised in the panel review.

Dated: May 11, 1999.

Caratina L. Alston,

Acting United States Secretary, NAFTA Secretariat.

[FR Doc. 99-13444 Filed 5-26-99; 8:45 am]

BILLING CODE 3510-GT-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 052099C]

Designation of Fishery Management Council Members and Application for Reinstatement of State Authority

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

ACTION: Proposed 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, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before July 26, 1999.

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 (or via Internet at LEngelme@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Richard Surdi, 1315 East West Highway, Room 13142, Silver Spring, Maryland 20910, 301-713-2337.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Magnuson-Stevens Fishery Conservation and Management Act (the Act), as amended in 1996, provides for the nomination for members of Fishery Management Councils by state governors and Indian treaty tribes, for the designation of a principal state fishery official for the purposes of the Act, and for a request by a state for reinstatement of state authority over a managed fishery. The information submitted with these actions will be used to ensure that the requirements of The Act are being met.

II. Method of Collection

State governors and Indian treaty tribes submit written nominations to the Secretary of Commerce, together with recommendations and statements of candidate qualifications. Designations of

state officials and requests for reinstatement of state authority are also made in writing in response to regulations. No forms are used.

III. Data

OMB Number: 0648-0314

Form Number: None

Type of Review: Regular submission

Affected public: State, Local, or Tribal government

Estimated Number of Respondents: 54

Estimated Time Per Response: 1 hour to designate a principal state fishery officials, 120 hours for a nomination for a Council appointment, and 2 hours for a request to reinstate state authority.

Estimated Total Annual Burden

Hours: 4,695

Estimated Total Annual Cost to

Public: \$200

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: May 19, 1999.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 99-13431 Filed 5-26-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Modernization Transition Committee (MTC) Meeting

ACTION: Notice of public meeting.

TIME AND DATE: June 15, 1999, beginning at 2:30 p.m. and June 16, 1999, beginning at 8 a.m.

PLACE: Evansville Airport Marriott, 7101 U.S. Highway 41 North, Evansville, IN 47711.

STATUS: The meeting will be open to the public. On June 15, the time between 6 p.m. and 8 p.m. will be set aside for public comments regarding the proposed certifications of the Evansville office. On June 16, the time between 10:30 a.m. and 11:30 a.m. will be set aside for public comments. Approximately 200 seats will be available to the public on a first-come, first-served basis.

MATTERS TO BE CONSIDERED: On June 15, consultation on the proposed closure of the Evansville weather office. On June 16, the meeting will include status updates on the Huntsville, AL, proposed certifications and consultation on the proposed closure of weather offices at Beckley, WV; Boston, MA; Concord, NH; Fort Smith, AR; Hartford, CT; Kahului, HI; Olympia, WA (Fire Weather); Portland, ME; Providence, RI; Salem, OR (Fire Weather); Wenatchee, WA (Fire Weather); and Worcester, MA.

FOR FURTHER INFORMATION CONTACT: Nicholas Scheller, National Weather Service, Modernization Staff, 1325 East-West Highway, Silver Spring, MD 20910-3283. Telephone: (301) 713-0454.

Dated: May 18, 1999.

John J. Kelly, Jr.,

Assistant Administrator for Weather Services.
[FR Doc. 99-13500 Filed 5-26-99; 8:45 am]

BILLING CODE 3510-KE-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 050399C]

North Pacific Fishery Management Council; Public Meetings

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

ACTION: Addition to public meeting agenda.

SUMMARY: In the **Federal Register** notice dated May 10, 1999, an additional subject has been added to the agenda for the meeting of the North Pacific Fishery Management Council.

FOR FURTHER INFORMATION CONTACT: Council staff, telephone: 907-271-2809.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of May 10, 1999, in FR Doc. 99-1697, on page 25026, in the third column, the following item has been added under groundfish subjects:

The Council will receive a NOAA General Counsel opinion with regard to an amendment requiring retention of

demersal shelf rockfish. The Council may reconsider previous action taken on this amendment.

Dated: May 20, 1999.

Bruce C. Morehead,

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

[FR Doc. 99-13432 Filed 5-26-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 042199C]

Taking of Threatened or Endangered Marine Mammals Incidental to Commercial Fishing Operations; Proposed Permits

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

ACTION: Notice of proposal for issuance of permits; request for comments.

SUMMARY: NMFS proposes to issue permits for those fisheries that have negligible impacts on marine mammal stocks listed as threatened or endangered under the Endangered Species Act (ESA) for a period of 3 years. This action would allow the incidental, but not intentional, taking of marine mammals in commercial fishing operations.

DATES: Comments on the proposed permits will be accepted through July 12, 1999.

ADDRESSES: Send comments to Chief, Marine Mammal Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-2337.

FOR FURTHER INFORMATION CONTACT: Dean Wilkinson, NMFS, 301-713-2322.

SUPPLEMENTARY INFORMATION: Section 101(a)(5)(E) of the Marine Mammal Protection Act (MMPA) requires the authorization of the incidental taking of individuals from marine mammal stocks listed as threatened or endangered under the ESA in the course of commercial fishing operations if it is determined that (1) Incidental mortality and serious injury will have a negligible impact on the affected species or stock; (2) a recovery plan has been developed or is being developed for such species or stock under the ESA; and (3) where required under section 118 of the MMPA, a monitoring program has been established, vessels engaged in such fisheries are registered in accordance

with section 118 of the MMPA, and a take reduction plan has been developed or is being developed for such species or stock.

"Negligible impact" as defined in 50 CFR 216.103 and as applied here is "an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival."

Section 118 of the MMPA requires the registration of vessels in fisheries listed as either Category I or Category II on the annual list of commercial fisheries. A Category I fishery is a fishery with "frequent incidental mortality and serious injury of marine mammals." A Category II fishery is a fishery with "occasional incidental mortality and serious injury of marine mammals." Registration is not required for Category III fisheries which have "a remote likelihood of or no known incidental mortality or serious injury of marine mammals." The list of fisheries for 1999 was published on February 24, 1999 (64 FR 9067).

On August 31, 1995 (60 FR 45399), NMFS issued interim final permits for those fisheries meeting the conditions under section 101(a)(5)(E) of the MMPA. As a starting point for making determinations, NMFS announced it would consider a total annual serious injury and mortality of not more than 10 percent of a threatened or endangered marine mammal stock's potential biological removal (PBR) level to be negligible. PBR is defined in the MMPA as "the maximum number of animals, not including natural mortalities, that may be removed from a stock while allowing that stock to reach or maintain its optimum sustainable population." NMFS also announced that such a criterion would not be the only factor in evaluating whether a particular level of take would be considered negligible. Because population abundance and fishery-related mortality information used in calculation of PBR have varying degrees of uncertainty, NMFS determined that such factors as population trend and reliability of abundance and mortality estimates also should be considered.

Based on requirements of section 101(a)(5)(E) of the MMPA and these criteria, NMFS issued interim final permits to allow the incidental, but not intentional, taking of three stocks of endangered or threatened marine mammals: (1) Humpback whale, central north Pacific stock; (2) Steller sea lion, eastern stock; and (3) Steller sea lion, western stock. Permits were issued for Category I and Category II fisheries