

subject to a dollar cap, to the extent that those costs exceed the fees collected at the port for inspection services. This arrangement has been set forth in a Memorandum of Agreement between the Airport and the Service, to be executed within 30 days of the publication of this final rule. The Airport will provide such funds to the Service through a contributed fund mechanism. See 16 U.S.C. 742f(b). This agreement provides for \$150,000, sufficient operational funding for the port, initially to include two Wildlife Inspectors and one clerical/administrative support position.

Required Determinations

This rule was not subject to review by the Office of Management and Budget (OMB) under Executive Order 12866. The Department of the Interior (Department) has determined that this final rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule will have a positive incidental effect upon small entities by reducing overland transportation costs.

The Service anticipates that the addition of the Port of Atlanta to the list of Service Designated Ports for the importation and exportation of wildlife to have no adverse affects upon individual industries and cause no demographic changes in populations. In addition, the Service anticipates that this rule will not have the effect of increasing the direct costs of small entities. The Service, in light of the above analysis, has determined that the final rule will not have a significant economic effect on a substantial number of small entities as defined in the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*

This final rule has no private property takings implications as defined in Executive Order 12630. The only effect of this rule will be to make it easier for businesses to import and export wildlife directly through Atlanta, Georgia. This action does not contain any federalism impacts as described in Executive Order 12612. This final rule does not contain any information collection requirements which require approval by the Office of Management and Budget under the Paperwork Reduction Act of 1995. These changes in the regulations in Part 14 are regulatory and enforcement actions which are covered by a categorical exclusion from National Environmental Policy Act procedures under 516 Department Manual; the changes have no Environmental Justice implications under Executive Order 12898. A determination has been made

pursuant to Section 7 of the Endangered Species Act that the revision of Part 14 will not affect federally listed species. The Department has certified that these regulations meet the applicable standards provided in Section 2(a) and 2(b)(2) of Executive Order 12778.

Author

The originator of this final rule is John M. Neal, Senior Special Agent, Division of Law Enforcement, U.S. Fish and Wildlife Service, Washington, D.C.

List of Subjects in 50 CFR Part 14

Animal welfare, Exports, Fish, Imports, Labeling, Reporting and recordkeeping requirements, Transportation, Wildlife.

Regulation Promulgation

For the reasons set out in the preamble, the Service amends Title 50, Chapter I, Subchapter B of the Code of Federal Regulations as set forth below.

PART 14—IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE

1. The authority citation for Part 14 is revised to read as follows:

Authority: 16 U.S.C. 704, 712, 1382, 1538(d)–(f), 1540(f), 3371–3378, 4223–4244, and 4901–4916; 18 U.S.C. 42; 31 U.S.C. 483(a).

§ 14.12 [Amended]

2. Section 14.12(k) is amended by removing the word “and”.

3. Section 14.12(l) is amended by removing the period and adding the word “and” preceded by a semicolon.

4. Section 14.12 is amended by adding the following new paragraph (m):

§ 14.12 Designated ports.

* * * * *

(m) Atlanta, Georgia.

Dated: January 22, 1996.

George T. Frampton Jr.,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 96–1880 Filed 2–1–96; 8:45 am]

BILLING CODE 4310–55–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 229

[Docket No. 950605147–5288–03; I.D. 112895A]

RIN 0648–AH33

Delay of the Effective Date of the 1996 Marine Mammal Protection Act Final List of Fisheries

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

ACTION: Final rule; delay of effective date.

SUMMARY: NMFS published its Marine Mammal Protection Act of 1972 (MMPA) final List of Fisheries (LOF) for 1996 on December 28, 1995. In that rule, the effective period for the 1995 LOF was extended until March 1, 1996. The recent government shutdown delayed NMFS from mailing out registration packets to commercial fishers for the Marine Mammal Authorization Program. Therefore, NMFS is delaying the effective date of the 1996 final LOF from March 1, 1996 to April 1, 1996.

EFFECTIVE DATE: February 2, 1996. The effective date of the MMPA final LOF for 1996 is delayed from March 1, 1996 to April 1, 1996.

ADDRESSES: Information and registration material for the region in which a fishery occurs may be obtained from the following addresses: NMFS, Northeast Region, One Blackburn Drive, Gloucester, MA 01930–2298, Attn: Sandra Arvilla; NMFS, Southeast Region, 9721 Executive Center Drive North, St. Petersburg, FL 33702; NMFS, MMAP, Protected Species Management Division, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802–4213; NMFS, Northwest Region, 7600 Sand Point Way NE, Seattle, WA 98115, Attn: Permits Office; NMFS - PMRD, P.O. Box 22668, 709 West 9th Street, Juneau, AK 99082.

FOR FURTHER INFORMATION CONTACT: Victoria Cornish, Office of Protected Resources, 301–713–2322; Douglas Beach, Northeast Region, 508–281–9254; Charles Oravetz, Southeast Region, 813–570–5312; James Lecky, Southwest Region, 310–980–4015; Brent Norberg, Northwest Region, 206–526–6140; Steven Zimmerman, Alaska Region, 907–586–7235.

SUPPLEMENTARY INFORMATION:

In accordance with section 118 of the MMPA of 1972, and 50 CFR 229.4,

commercial fishers in Category I and II fisheries must register with NMFS for authorization to seriously injure or kill marine mammals incidental to fishing operations. On December 28, 1995, NMFS published its MMPA final List of Fisheries (LOF) for 1996 (60 FR 67063), which classified fisheries according to frequency of serious injury or mortality of marine mammals. The preamble to the final regulations implementing section 118 (60 FR 45086, August 30, 1995) stated that vessel owners holding a valid Exemption Certificate under section 114 will be deemed by NMFS to have registered under section 118 through December 31, 1995. Because it took longer than expected to publish the MMPA final LOF for 1996, NMFS extended the MMPA LOF for 1995 to remain in effect until March 1, 1996 (60 FR 67063, December 28, 1995). Vessel owners holding a valid Exemption Certificate under section 114 were deemed to have registered under section 118 until March 1, 1996. The extension

was intended to allow vessel owners sufficient time to register under section 118 of the MMPA.

The recent government shutdown delayed NMFS from mailing registration packets to commercial fishers for the Marine Mammal Authorization Program. Therefore, NMFS is extending the effective date of the 1996 LOF from March 1, 1996 to April 1, 1996. In conjunction with this action, NMFS is extending the effective period for the 1995 LOF through March 31, 1996, and vessel owners holding a valid Exemption Certificate under section 114 will be deemed to have registered under section 118 through March 31, 1996. Owners or authorized representatives of fishing vessels or non-vessel fishing gear that will participate in a Category I or II fishery as of April 1, 1996 must register for and obtain a valid section 118 Authorization Certificate before April 1, 1996. Owners or authorized representatives of fishing vessels or non-vessel fishing gear that will participate

in a Category I or II fishery after April 1, 1996 must register for and obtain a valid section 118 Authorization Certificate before fishing activity starts.

NMFS expects to mail registration packets to commercial fishers during the second week of February, 1996. Commercial fishers who plan to participate in Category I and II fisheries during the spring of 1996 should submit their completed registration forms and \$25 fee to NMFS by March 1, 1996 to allow NMFS at least 30 days to process the forms. Commercial fishers who will be participating in affected fisheries that begin later in the year should submit their completed registration form and \$25 fee at least 30 days before they expect to begin fishing.

Dated: January 26, 1996.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

[FR Doc. 96-2145 Filed 2-1-96; 8:45 am]

BILLING CODE 3510-22-F