

[A-588-823]

Professional Electric Cutting Tools from Japan; Extension of Time Limits of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of extension of time limit of antidumping duty administrative review.

SUMMARY: The Department of Commerce (the Department) is extending the time limit for preliminary and final results in the administrative review of the antidumping duty order on professional electric cutting tools (PECTs) from Japan, covering the period July 1, 1994, through June 31, 1995, since it is not practicable to complete the review within the time limits mandated by the Tariff Act of 1930, as amended (the Act). **EFFECTIVE DATE:** April 1, 1996.

FOR FURTHER INFORMATION CONTACT: Heith Rodman or Maureen Flannery, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-4733.

SUPPLEMENTARY INFORMATION:**Background**

The Department of Commerce has received requests to conduct an administrative review of the antidumping duty order on PECTs from Japan. On August 16, 1995, the Department initiated this administrative review covering the period July 1, 1994, through June 30, 1995.

It is not practicable to complete this review within the time limits mandated by section 751(a)(3)(A) of the Act (see Memorandum For Sue Esserman from Joe Spetrini, Extension of Time Limits for 1994-95 Antidumping Duty Administrative Review of Professional Electric Cutting Tools from Japan, March 6, 1996). Therefore, in accordance with that section, the Department is extending the time limits for the preliminary results to August 27, 1996, and for the final results to December 26, 1996. The Department adjusted the time limits by 28 days due to the government shutdowns, which lasted from November 14, 1995, to November 20, 1995, and from December 15, 1995, to January 6, 1996. See Memorandum to the file from Susan G. Esserman, Assistant Secretary for Import Administration, January 11, 1996. These extensions are in accordance with section 751(a)(3)(A) of the Act.

Dated: March 21, 1996.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

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National Oceanic and Atmospheric Administration

[Docket No. 960322092-6092-01; I.D. 032596B]

RIN 0648-ZA19

Gulf of Mexico Fisheries Disaster Program

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

ACTION: Notice; request for comments.

SUMMARY: Pursuant to the Interjurisdictional Fisheries Act of 1986 (the Act), the Secretary of Commerce declared fisheries disasters in the Gulf of Mexico on August 3, 1995. Emergency aid totaling \$15 million is available for these disasters. Up to \$5 million of this amount is available for commercial fishermen claiming uninsured fishing gear damage or loss caused by hurricanes, floods, or their aftereffects. In accordance with the Act, this notice requests comments on a proposal to implement the \$5 million portion of the emergency aid. Assistance will be in the form of a discretionary grant only; this program does not create an entitlement.

DATES: Submit comments on or before 30 days after April 1, 1996.

ADDRESSES: Comments regarding this proposed program should be sent to Michael L. Grable, Chief, Financial Services Division, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910 (telephone number, (301) 713-2396, fax number (301) 589-2686.

Send comments regarding the collection-of-information burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Richard Roberts, NOAA/IRMS, 6010 Executive Blvd. Rm. 722, WSC-5, Rockville, MD 20852.

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

SUPPLEMENTARY INFORMATION: Under the provisions of Public Law 99-659 (16 U.S.C. 4107 *et seq.*) and Public Law 102-396, this program will make Federal assistance available to commercial fishermen whose uninsured

fishing gear was lost or damaged because of hurricanes, floods, or their aftereffects occurring in the Gulf of Mexico from August 23, 1992, to December 31, 1995. Awards will be limited to 75 percent of the fishing gear's repair or depreciated replacement cost. All applications must be submitted during a 45-day period beginning 15 days after the date of publication of the final notice in the Federal Register. Applications will be considered on a first-come/first-serve basis.

I. Purpose

This program's purpose is to award grants to commercial fishermen in the Gulf of Mexico for uninsured loss of, or damage to, their fishing gear caused by hurricanes, floods, or their aftereffects occurring from August 23, 1992, through December 31, 1995. CFDA No. 11.452 - Unallied Industry Projects.

II. Definitions

The terms used in this notice have the following meaning:

Application means an application under this program;

Applicant means an applicant under this program;

Award means an approved grant under this program;

Day means a calendar day;

Division means the Financial Services Division, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, 1315 East-West Highway, Silver Spring, MD 20910.

Eligible cause means any hurricane, flood, or its aftereffects during a period from August 23, 1992, through December 31, 1995 (including, but not limited to: Wind, waves, rising waters, and the debris or other obstructions caused by them or carried by them);

Eligible waters means all state, Federal, and estuarine waters in the Gulf of Mexico;

Fisherman means any natural or legal person who (1) owns or leases a fishing vessel, (2) derives more than 50 percent of annual income from employing that vessel in fishing, (3) has gross revenues of less than \$2 million annually, and (4) is a U.S. citizen or permanent resident alien;

Fishing means catching all types of aquatic animal and plant life (except marine mammals and birds) for the purpose of selling those catches into normal commercial distribution channels with the intent of earning a profit;

Gear means all fishing gear and equipment including, but not limited to,

nets and winches, and fixed gear such as pots, traps, and pound nets;

Ineligible causes means any causes other than eligible causes, including (but not limited to) negligence;

Loss means damage to or loss of any gear caused by eligible causes in eligible waters for which no compensation has been received, or will be received, from insurance companies, state or Federal programs (other than this program), or any other sources; *Loss gear* means the gear for whose loss an applicant is submitting an application under this program;

Loss trip means the trip of the loss vessel during which the loss actually occurred (or, in the case of fixed gear, both the trip in which the loss gear was deployed and the trip in which the loss gear's loss was first discovered);

Loss vessel means the vessel from which the loss gear was, or last had been, deployed at the time of its loss;

Negligence includes, but is not limited to, failure to: (1) Remain outside any navigation safety zone established around any offshore energy activities or other obstructions by any Federal or state authority; (2) avoid obstructions recorded on nautical charts or in the Notice to Mariners in effect at least 15 days before the loss or marked by a buoy or other surface marker (casualties occurring within a one-quarter mile radius of obstructions so recorded or marked are presumed to involve the negligence or fault of the claimant); (3) abide by established Coast Guard navigational rules; or (4) use due care and diligence to avoid or mitigate the damage or loss;

Notice means this Notice of Availability of Federal Assistance;

Program means this program under the notice;

Repair cost means the cost (at the time of loss) of repairing loss gear;

Replacement cost means the cost (at the time of loss) of replacing loss gear;

U.S. citizen means a U.S. citizen for the purpose of documenting vessels in the U.S. coastwise trade. Coastwise trade documentation requires: (1) All sole proprietors to be U.S. citizens, (2) 75 percent of all partners (and 100 percent of all general partners) in a partnership to be U.S. citizens, and (3) 75 percent of all owners of a corporation (as well as its chief executive officer and the minority of its directors necessary to constitute a quorum) to be U.S. citizens; and

Vessel means any fishing vessel, boat, or other water craft documented under the laws of the United States or registered under the laws of any state of the United States and used for fishing or activities directly related to fishing.

III. What is Eligible

The Program is available only to fishermen for the repair cost or replacement cost of gear loss in eligible waters due to eligible causes.

IV. Burden of Proof Required for Claims

Applicants must provide sufficient documentation to prove all circumstances necessary to qualify for assistance (including, but not limited to, documentation evidencing that loss was more likely than not due to eligible causes). Specific types of documentation requested are identified in Section IX below. Other documentation considered to be relevant by applicants may also be submitted. It will be within the Division's discretion to determine whether the documentation will be considered.

V. Amount

Each award shall be for 75 percent of the loss gear's repair or replacement cost, whichever is less, except that (1) no award shall exceed \$5,000 and (2) no applicant shall receive aggregate awards from multiple applications totaling more than \$15,000.

VI. Who May Apply

Only U.S. citizens or permanent resident aliens who owned or leased loss gear at the time that it was lost may apply. Lessors may not apply unless they bore the risk of the loss gear's loss.

VII. When to Apply

Applications will be accepted during a 45-day period beginning 15 days after the date of publication of the final notice in the Federal Register. Applications received after this period will not be considered.

If applications are sent by U.S. mail, their submission dates are the same as their postmark dates. If applications are sent any other way, their submission dates are the dates the Division receives them. All applications will be considered on a first-come/first-serve basis from the date of acceptance.

VIII. Where to Apply

Applicants must send applications to the Division. All other correspondence or questions about this program or applications under it must be addressed to the Division (see **ADDRESSES**).

IX. Application Contents

Applicants must submit applications on forms provided by the Division. Applicants may receive application forms (and NOAA Federal Assistance application kits) by calling or writing

the Division (see **ADDRESSES**). All applications must include at least the following:

(1) The applicant's name, social security number, tax identification number, mailing address, telephone number, citizenship, and whether the applicant owned or leased the loss gear and/or loss vessel during the loss trip;

(2) If the loss vessel is documented under Federal law, a copy of the loss vessel's Certificate of Documentation (U.S. Coast Guard Form 1270);

(3) If the loss vessel is registered under state law, a copy of the registration or title document issued by the registering state;

(4) If the loss vessel is leased, a copy of the lease and the name, mailing address, and telephone number of the loss vessel's lessor (the legal owner from which the applicant leased the loss vessel);

(5) If the loss gear is leased, a copy of the lease and the name, mailing address, and telephone number of the loss gear's lessor (the legal owner from which the applicant leased the loss gear). Loss gear lessees must establish that they bore the risk of the loss gear's loss.

(6) A description of the loss vessel's fishing type, size, and capacity;

(7) A full description of the loss gear and how such gear is normally deployed and operated;

(8) If the loss was observed, the date and time of loss;

(9) If the loss was unobserved, the date and time the applicant last saw the loss gear in good condition and the date and time the applicant first discovered the loss gear's loss;

(10) A full statement of why the applicant believes it is more likely than not that the loss was caused by an eligible cause. The applicant should include in this statement all known evidence relevant to the most likely cause of the loss gear's loss. The level of detail in this statement must, together with all other information required in this section, be sufficient to clearly and accurately depict all known circumstances relevant to the loss. The Division will deem statements that do not meet this criterion to be incomplete. If the time and place of loss are not consistent with the time at which a hurricane or a flood directly affected that place, then the applicant must carefully explain why the applicant believes the loss was more likely to have been caused by the aftereffects of a hurricane or flood rather than to have been caused by other factors (unrelated to hurricanes or floods) normally responsible for such a loss in such a place;

(11) When the loss vessel first left port on the loss trip and when it first returned to port at the end of the loss trip;

(12) Where applicable, the loss vessel's direction, speed, and other activities immediately before, during, and after the loss;

(13) The name, current mailing address, and telephone number of each person serving during the loss trip as a crew member of the loss vessel;

(14) A sworn, written statement from each loss trip crew member describing his or her knowledge of the loss and the conditions surrounding it and his or her activities immediately before, during, and immediately after the time of the loss;

(15) The location where the loss occurred in Loran C coordinates (or, if the loss vessel did not have Loran C capability, the next most accurate method of position fixing available);

(16) The fullest description possible of the nature and type of any obstruction, debris, or other item involved in causing the loss;

(17) The total purchase cost or total lease cost of the loss gear;

(18) A detailed inventory of all components of the loss gear and the nature of the loss with respect to each component;

(19) Proof of the date, place, and cost of having acquired all loss gear (sales receipts, copies of leases, or other satisfactory evidence);

(20) Evidence that the loss vessel was fishing on the three loss-vessel trips before the loss trip. This evidence may consist of trip tickets for the three trips before the loss trip;

(21) Proof of having replaced or repaired the loss gear (sales receipts, repair invoices, copies of leases, or other satisfactory evidence);

(22) A copy of the applicant's Federal income tax return for the year in which the loss occurred (or, if the loss trip occurred in a year for which the applicant has not yet filed a return and the deadline for doing so has not yet passed, then a copy of a return for the latest year for which the filing deadline has passed);

(23) A copy of any state or Federal fishing license, permit, or gear tag receipts, or other state or Federal fishing authorization required for the loss vessel's operation during the loss trip;

(24) Evidence of the applicant's having complied with state or Federal requirements (if any) for reporting the catch results during the loss trip; and

(25) All applications will be submitted, and all statements in them made, under penalty of perjury.

It will be within the Division's discretion to accept other documentation that applicants may submit in support of the application-content requirements. The Division may engage in pre-award negotiations with applicants to enable the Division to make a determination concerning acceptable application-content requirements.

X. Application Processing

(a) *Ineligible or Incomplete Applications.* The Division will not accept ineligible or incomplete applications. The Division will return these to applicants with an explanation of why the applications are unacceptable. Any applicant who wishes to have its returned application reconsidered for acceptance must respond within 30 days from the date of the Division's letter returning the application. If reconsideration responses render the applications complete, they will be accepted as newly submitted applications with the date of response serving as the submission date for chronological ranking for funding purposes.

(b) *Submission Dates for Reconsideration Responses.* If reconsideration responses are sent by U.S. mail, their submission dates are the same as their postmark dates. If these responses are sent any other way, their submission dates are the dates on which the Division receives them.

XI. Determinations

(a) *Chronological Precedence.* Chronological precedence for assistance will be determined by application submission dates. Assistance will be made available on this first-come/first-serve basis until the \$5 million available for this program has been depleted.

(b) *Delays.* Determinations will be made as soon as possible, but personnel considerations may result in significant processing delays.

(c) *Division Disapproval.* If the Division disapproves a application, it will return the application to the applicant and state the reason for its disapproval.

(d) *Approval and Disbursement of Funds.* If the Division approves an application, it will forward the application to the NOAA Grants Management Division for final approval. If the NOAA Grants Management Division approves the application, it will issue an award and notify the applicant of the award amount and any further requirements upon which the award is contingent.

(e) *Finality.* All Division and NOAA Grants Management Division

determinations will be final and conclusive.

XII. Administrative Requirements

All applicants are subject to so much of the following grants administration requirements as may be applicable to these grants.

Applicants to whom awards will be made must submit a Standard Form 424B, "Assurances - Non-Construction Programs," and Form CD-511 "Certification Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying." These documents are included in the NOAA Federal Assistance Application Kit.

Prospective participants (as defined at 15 CFR 26.105) are subject to 15 CFR part 26, "Nonprocurement Debarment and Suspension," and the related section of the certification form CD-511 applies.

Grantees (as defined at 15 CFR 26.605) are subject to 15 CFR part 26, subpart F, "Governmentwide Requirements for Drug-Free Workplace (Grants)" and the related section of the certification form CD-511 applies.

Any applicant who has paid or will pay for lobbying using any funds must submit an SF-LLL, "Disclosure of Lobbying Activities," as required by law (31 U.S.C. 1352, as amended).

Grant recipients are subject to all Federal laws and Federal and Department policies, regulations, and procedures applicable to Federal financial assistance awards.

Applicants 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. 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).

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

No award of Federal funds shall be made to an applicant who has an outstanding delinquent Federal debt or fine until: (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 are made.

Applicants are hereby notified that they are encouraged, to the extent

feasible, to purchase American-made equipment and products with funding under this program.

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 the Department to cover pre-award costs.

If an application is selected for funding, the Department of Commerce has no obligation to provide any additional future funding in connection with that award.

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

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

This proposed program contains a collection-of-information requirement subject to the Paperwork Reduction Act. The collection of this information has been approved by OMB (OMB control number 0648-0082). Public reporting burden for preparation of the claim application is estimated to be 10 hours per response including the time for reviewing instructions, gathering and maintaining the documentation, and completing and reviewing the collection of information. Other requirements mentioned in the notice include SF 424B and SF LLL and are cleared under OMB Control Numbers 0348-0040 and 0348-0046 respectively.

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

Authority: Pub. L. 99-659 (16 U.S.C. 4107 *et seq.*); Pub. L. 102-396.

Dated: March 25, 1996.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

[FR Doc. 96-7796 Filed 3-29-96; 8:45 am]

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[I.D. 032296D]

Endangered Species; Permits

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

ACTION: Receipt of applications for a scientific research/enhancement permit

(P770#71) and modifications to two scientific research/enhancement permits (P503R and P211E).

SUMMARY: Notice is hereby given that the Coastal Zone and Estuarine Studies Division, NMFS, in Seattle, WA (CZESD) has applied in due form for a permit and the Idaho Department of Fish and Game in Boise, ID (IDFG) and the Oregon Department of Fish and Wildlife in La Grande, OR (ODFW) have applied in due form for modifications to permits to take endangered and threatened species for the purpose of scientific research/enhancement.

DATES: Written comments or requests for a public hearing on any of these applications must be received on or before May 1, 1996.

ADDRESSES: The applications and related documents are available for review in the following offices, by appointment:

Office of Protected Resources, F/PR8, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3226 (301-713-1401); and

Environmental and Technical Services Division, 525 NE Oregon Street, Suite 500, Portland, OR 97232-4169 (503-230-5400).

Written comments or requests for a public hearing should be submitted to the Chief, Endangered Species Division, Office of Protected Resources.

SUPPLEMENTARY INFORMATION: CZESD requests a permit and IDFG and ODFW request modifications to permits under the authority of section 10 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and the NMFS regulations governing listed fish and wildlife permits (50 CFR parts 217-227).

CZESD (P770#71) requests a 5-year permit to take adult and juvenile, endangered, Snake River sockeye salmon (*Oncorhynchus nerka*) associated with the continuation of their captive broodstock responsibilities currently authorized under IDFG's scientific research/enhancement permit 795. Under permit 795, CZESD rears and maintains listed fish, originally acquired from IDFG, in their hatchery facilities to dilute the risk of an unanticipated catastrophic event that could cause a decimation of the gene pool if all of the listed fish were at one hatchery location. CZESD requests a separate take authorization for hatchery activities because of the varied nature of NMFS and IDFG ESA-listed sockeye salmon enhancement activities. Listed fish will be reared, maintained, and bred in captivity at any one of three hatchery locations: The University of Washington's Big Beef Creek Research

Station near Seabeck, WA; NMFS's Manchester Marine Experimental Station near Manchester, WA; and ODFW's Bonneville Hatchery at Bonneville Dam, OR. CZESD proposes to transfer the resulting progeny of the listed sockeye salmon captive broodstocks to Idaho annually to complement recovery efforts at Redfish Lake.

IDFG (P503R) requests modification 1 to scientific research/enhancement permit 972. Permit 972 authorizes IDFG a take of juvenile, threatened, Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*) associated with a captive broodstock program for three races of threatened chinook salmon in the upper Salmon River Basin. Permit 972, issued on August 7, 1995 (60 FR 42147, August 15, 1995), authorized the collection, handling, and rearing of juvenile, listed, naturally-produced, chinook salmon for the beginning of the captive broodstock program. For modification 1, IDFG requests a transfer of Lemhi River, West Fork Yankee Fork Salmon River, and upper East Fork Salmon River origin juveniles to the NMFS Manchester Marine Experimental Station in WA. IDFG also requests that the NMFS staff at the laboratory, under the direction of Dr. Conrad Mehnken, be authorized to rear and maintain the listed juvenile fish as an agent of IDFG under permit 972. The objective of the transfer is to dilute the risk of an unanticipated catastrophic event that could cause a decimation of the gene pool at one hatchery location by allocating listed juvenile fish to another hatchery location. The transfer of listed juvenile fish is requested for 1996 only. The authorization for NMFS's responsibility to rear and maintain listed juvenile fish as an agent of IDFG under permit 972 is requested for the duration of the permit. Permit 972 expires on September 30, 1998.

ODFW (P211E) requests modification 4 to scientific research/enhancement permit 847. Permit 847 authorizes ODFW a take of adult and juvenile, threatened, Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*) associated with supplementation programs at the Imnaha River and Lookingglass Creek Hatcheries. The 1996 adult anadromous fish return to the Imnaha River Basin is predicted to be one of the lowest on record. ODFW proposes to retain 50 percent of the adult, ESA-listed, naturally-produced and artificially-propagated salmon that return to the Imnaha River weir for hatchery broodstock with no restriction on the percentage of natural-origin fish to be