

**International Trade Administration****Exporters' Textile Advisory Committee; Notice of Re-establishment**

In accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. 2, and the General Services Administration (GSA) rule on Federal Advisory Committee Management, 41 CFR part 101-6, and after consultation with GSA, the Secretary of Commerce has determined that the re-establishment of the Exporters' Textile Advisory Committee is in the public interest in connection with the performance of duties imposed on the Department by law.

The Committee shall provide advice and guidance to Department officials on the identification and surmounting of barriers to the expansion of textile exports, and on methods of encouraging textile firms to participate in export expansion.

The Committee shall consist of approximately 35 members appointed by the Secretary of Commerce to ensure a balanced representation of textile and apparel products. Representatives of small, medium and large firms with broad geographical distribution in exporting shall be included on the Committee.

The Committee shall function solely as an advisory body in compliance with the provisions of the Federal Advisory Committee Act. The Charter will be filed under the Act, 15 days from the date of publication of this notice.

Interested persons are invited to submit comments regarding the re-establishment of this Committee to Troy H. Cribb, Deputy Assistant Secretary for Textiles, Apparel and Consumer Goods Industries, U.S. Department of Commerce, Washington, DC 20230 telephone: (202) 482-3737.

Dated: September 20, 1996.

D. Michael Hutchinson,  
*Acting Deputy Assistant Secretary for Textiles, Apparel and Consumer Goods Industries.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[Docket No. 950710176-6258-02; I.D. 080796B]

RIN 0648-AE50

**Magnuson Act Provisions; Removal of Spawning Closure Provisions from the Preliminary Fishery Management Plan (PMP) for Atlantic Herring**

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

**ACTION:** Removal of spawning closure provisions.

**SUMMARY:** NMFS announces a revision to the Atlantic herring PMP that removes the spawning closure provisions. The revision is necessary to allow a joint venture for Atlantic herring to be conducted in previously closed areas and is intended to provide additional opportunities to domestic fishers.

**EFFECTIVE DATE:** September 26, 1996.

**ADDRESSES:** Copies of the revised PMP for Atlantic herring may be obtained from E. Martin Jaffe, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930.

**FOR FURTHER INFORMATION CONTACT:** E. Martin Jaffe, Fishery Policy Analyst, 508-281-9272.

**SUPPLEMENTARY INFORMATION:** The PMP, which set the initial specifications for Atlantic herring, provides joint venture opportunities in the exclusive economic zone by allocating a portion of the allowable biological catch for joint venture processing (JVP). The PMP also established permit conditions and restrictions for foreign vessels that participate in joint venture fisheries.

The preparation of the PMP last year followed the provisions of the Atlantic States Marine Fisheries Commission (ASMFC) plan and was accomplished rapidly to accommodate requests from the industry. The need to have access to the resource during the spawning season was not fully considered. Both ASMFC and the New England Fishery Management Council (Council) have now reconsidered the spawning closure provisions, which may hinder industry development, and have concluded that the restriction is unnecessary and should be removed. At its April 5, 1996, meeting, the ASMFC's Atlantic Herring Section voted to request that NMFS remove the spawning area closure provisions from Sea Herring Management Areas 2 and 3. ASMFC's

request is consistent with the Council's motion supporting such an action.

The recent Atlantic herring stock assessment showed an increase in spawning stock biomass of 1 million metric tons (mt) compared to the previous (Northeast Fisheries Science Center, 1993) assessment; the spawning stock biomass almost doubled between the 1992 and 1993 assessments. Given the high stock level, removal of the spawning closures during the months of October and November on Georges Bank and in the southern New England/Mid-Atlantic Region would provide access to foreign processing vessels and, with current levels of herring abundance, the removal of even 40,000 mt (the total amount currently available for JVP harvest), would have only a minimal impact on the stock. Furthermore, collection of biological data during the spawning season will provide valuable information for making future decisions regarding spawning closures.

This notification informs the public that the PMP has been revised to remove the spawning closure provisions.

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

This action is categorically excluded from the requirement to prepare an environmental assessment in accordance with NOAA Administrative Order 216-6 because it does not result in a significant change in the original environmental action prepared for the PMP. The removal of the spawning closures from the PMP provides access to foreign processing vessels engaged in a joint venture with U.S. vessels so that the former could receive fish from the latter. The foreign vessels would not be permitted to place nets in the water. Without the PMP change, U.S. fishing vessels will not be able to deliver their catch from the areas in question to their joint venture partners.

The Assistant Administrator for Fisheries, NOAA, finds that there is good cause to waive providing prior notice and opportunity for comment under 5 U.S.C. 553(b)(B). Providing prior notice and opportunity for comment is impractical and contrary to the public interest due to the need to provide timely opportunity for joint ventures to occur this Fall in an underutilized fishery. Because this action relieves a restriction under 5 U.S.C. 553(d)(1), there is no need to delay its effectiveness for 30 days.

Because prior notice and opportunity for comment is not required for this action, no initial or final regulatory flexibility analysis is required to be prepared by the Regulatory Flexibility Act, and none was prepared.