

Environmental Quality (40 CFR 1501.6). For information on the availability of that document, please refer to the appropriate notice elsewhere in this issue of the Federal Register.

Information Solicited

NMFS requests interested persons to submit comments, information, and suggestions concerning the request and the structure and content of regulations to allow the taking. NMFS will consider this information in determining the appropriate action to take in response to this request. If NMFS proposes regulations to allow this take, a rule will be published in the Federal Register and interested parties will be given ample time and opportunity to comment.

Dated: June 7, 1996.

Patricia A. Montanio,

*Acting Director, Office of Protected Resources,
National Marine Fisheries Service.*

[FR Doc. 96-14935 Filed 6-13-96; 8:45 am]

BILLING CODE 3510-22-F

50 CFR Part 285

[I.D. 112995B]

Negotiated Rulemaking Advisory Committee on Tuna Management in the Mid-Atlantic

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

ACTION: Notice of intent; update.

SUMMARY: In February 1996, NMFS announced that Commerce was considering establishing a new advisory committee under the Federal Advisory Committee Act (FACA) to negotiate certain issues between commercial and recreational fishermen competing for tuna off the Mid-Atlantic coast. NMFS has decided to schedule a public meeting for early fall 1996 to brief interested parties on the negotiated rulemaking process and obtain their views as to immediate steps for action that would permit resolution prior to next year's fishing season.

ADDRESSES: Comments should be submitted to the Highly Migratory Species Division, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Mark Murray-Brown, 301-713-2347.

SUPPLEMENTARY INFORMATION: On February 1, 1996, NMFS announced that Commerce was considering establishing a new advisory committee under FACA to negotiate issues leading to a proposed rule resolving the gear conflict between recreational and commercial fishermen competing for tuna off the Mid-Atlantic coast (61 FR 3666, February 1, 1996). The decision to use a negotiated rulemaking process—in accordance with the Presidential Directive of March 4, 1995, the report of the National Performance Review, and EO 12866—came in response to the National Fishing Association's petition to employ such a procedure in connection with the tuna dispute. The goal is to produce better regulations, use parties' time and resources more wisely, and reduce litigation, controversy, and uncertainty. The announcement described generally how an advisory committee would be established, participants selected, and requests for representation narrowed. It also set forth a list of possible interests and participants and sought comment on the tentative pool of representatives. Finally, the document set forth a tentative schedule, indicating NMFS' plans to hold meetings of the advisory committee at 2-week intervals starting in March 1996. This document supplements the February announcement, and is intended to provide an update. While NMFS had hoped to start, and finish, the negotiated rulemaking process before the 1996 fishery, this has not been possible.

Following the announcement, NMFS contracted with two dispute resolution professionals, Philip J. Harter and Charles Pou of Washington, DC, for advice on establishment of the advisory committee and to facilitate and mediate the negotiations. The contractors have begun to contact representatives of groups that responded to NMFS's

announcement and will be speaking to all of these persons in the near future. The initial contacts indicate that most fishermen are now concentrating on preparing for the summer tuna fishery and, hence, it would be more convenient to postpone any negotiations until near the end of the 1996 season. The contractors have therefore recommended that NMFS hold a public briefing on the negotiated rulemaking process in early fall 1996 and select advisory committee members and commence negotiations soon after the public briefing. NMFS agrees with, and will implement, these recommendations.

The fall 1996 session will bring together representatives of as many affected interests as possible, as well as any others who want to attend, for a briefing on the negotiated rulemaking process; an opportunity for interested persons to offer views and discuss specific potential issues that should be addressed in such a process; and a chance to consider immediate steps for action that would permit resolution prior to commencement of next year's fishing season.

NMFS will work with the contractors over the summer to clarify issues and develop an agenda for the fall briefing, and welcomes input on these matters from interested persons. In addition, the discussion at the fall session, and subsequent negotiations, will be improved substantially if parties collect relevant data and other useful information over the summer, to permit these talks to proceed on the basis of fact. For this reason, NMFS encourages all parties to use the summer to identify and collect information that substantiates or illuminates their claims and concerns.

Authority: 16 U.S.C. 971 *et seq.*

Dated: June 7, 1996.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96-15166 Filed 6-13-96; 8:45 am]

BILLING CODE 3510-22-F