

eliminates a notice filing requirement which applies to a small number of transportation entities. Neither the individual nor cumulative impact of this action is significant.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (Pub. L. 96-354, 5 U.S.C. 601-612), the FHWA has evaluated the effects of this rule on small entities. Based on the evaluation, the FHWA hereby certifies that this action will not have a significant economic impact on a substantial number of small entities. The filing requirement currently only involves the preparation of a relatively simple notice by a limited number of transportation entities. Its elimination, while beneficial, will not have a significant economic impact.

Executive Order 12612 (Federalism Assessment)

This action was analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it was determined that this action does not have sufficient federalism implications to warrant the preparation of a federalism assessment.

Executive Order 12372 (Intergovernmental Review)

Catalog of Federal Domestic Assistance Program Number 20.217, Motor Carrier Safety. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to this program.

Paperwork Reduction Act

This action does not contain a collection of information requirement for purposes of the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.* On the contrary, it eliminates the requirement that parties taking advantage of the exemption at 49 U.S.C. 13506(a)(5) file Form OCP-102 (Office of Management and Budget #3120-0005, *εχπηρεδ* 11-30-95). Τηισ απτιον ισ τηθσ ψονισιστεντ ζιτη της γοαλσ οφ της Παπερσορκ Ρεδθψτιον Αψτ.

National Environmental Policy Act

The agency has analyzed this action for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that this action would not have any effect on the quality of the environment.

Regulation Identification Number

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory

Information Service Center publishes the Unified Agenda in April and October of each year. The RIN number contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

List of Subjects in 49 CFR Part 372

Agricultural commodities, Buses, Commercial zones, Freight forwarders, Highways and roads, Motor carriers of property, Reporting and recordkeeping requirements.

In consideration of the foregoing and under the authority of section 103 of the ICC Termination Act of 1995, Pub. L. 104-88, 109 Stat 803, and 49 CFR 1.48, the FHWA amends title 49, CFR, Chapter III, Part 372 as set forth below:

PART 372—EXEMPTIONS, COMMERCIAL ZONES, AND TERMINAL AREAS

1. The authority citation for Part 372 continues to read as follows:

Authority: 49 U.S.C. 13504 and 13506; 49 CFR 1.48.

2. Section 372.111 is amended in paragraph (a) by removing the words "which is required to give notice to the Commission under § 1047.23", and in paragraph (b) by removing the words "and required to give notice to this Commission under § 1047.23".

§ 372.113 [Removed and reserved]

3. Section 372.113 is removed and reserved.

Issued on: July 7, 1997.

Jane F. Garvey,

Acting Administrator for the Federal Highway Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[I.D. 070997E]

Atlantic Tuna Fisheries; Adjustments

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

ACTION: Fishery reopening.

SUMMARY: NMFS has determined that the Atlantic bluefin tuna Harpoon category quota has not been reached. Therefore, NMFS reopens the Harpoon category for 3 days effective July 11,

1997. Closure of this 3-day fishery will be strictly enforced. This action is being taken to allow full harvest of the Harpoon category quota.

DATES: Effective Friday, July 11, at 1 a.m. local time until Sunday, July 13, at 11:30 p.m. local time.

FOR FURTHER INFORMATION CONTACT: John Kelly, 301-713-2347, or Mark Murray-Brown, 508-281-9260.

SUPPLEMENTARY INFORMATION:

Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of ABT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285. Section 285.22 subdivides the U.S. quota recommended by the International Commission for the Conservation of Atlantic Tunas among the various domestic fishing categories.

NMFS is required, under § 285.20(b)(1), to monitor the catch and landing statistics and, on the basis of these statistics, to project a date when the catch of ABT will equal the quota and publish a **Federal Register** announcement to close the applicable fishery.

Implementing regulations for the Atlantic tuna fisheries at § 285.22 provide for a quota of 53 mt of large medium and giant ABT to be harvested from the regulatory area by vessels permitted in the Harpoon category.

Based on reported catch and effort, NMFS filed an action with the Office of the Federal Register on July 3, 1997, to close the Harpoon category fishery on July 7, 1997. NMFS has determined that, due to lower than expected fishing effort and landings, the full 53 mt has not been taken. Average catch rates for the month of June indicate that the remaining quota could be taken in 3 fishing days. Therefore, NMFS is reopening the Harpoon category effective 1 a.m., July 11, and closing 11:30 p.m., July 13 to ensure full attainment of the Harpoon category quota.

Classification

This action is taken under §§ 285.20(b) and 285.22 and is exempt from review under E.O. 12866.

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

Dated: July 10, 1997.

Gary C. Matlock,

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

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