7. Miscellaneous

This section is intended to address some of the questions/comments raised in the review of the draft evaluation criteria.

When evaluating algorithms, NIST will make every effort to obtain public input and will encourage review of the candidate algorithms by outside organizations; however, the final decision as to which algorithms(s) will be proposed to the Secretary of Commerce for inclusion in the AES is the responsibility of NIST.

NIST intends to develop a validation program for AES conformance testing, with the goal of having it operational concurrently with the effective date of the AES.

NIST does NOT have a fixed timeable for completion of the AES.

NIST is not specifically seeking a stream cipher algorithm, since any block cipher algorithm can be operated in a stream cipher mode.

NIST does not intend to select a wholly distinct algorithm for each of the minimum required key-block combinations. It is strongly recommended that no submission be so constructed.

NIST does not wish to target a specific application or platform for implementing the AES, as the evaluation of candidate algorithms takes place. However, one factor that is being taken into consideration for each candidate algorithm is its flexibility—the ability to implement the algorithm securely and efficiently in a wide variety of platforms and applications (see ''Algorithm and Implementation Characteristics'' under ''Evaluation Criteria'' section).

NIST does not intend to select a ''backup'' AES algorithm. Rather, should the circumstances arise (e.g., discovery of a significant security flaw) which could not be satisfactorily addressed by modifying the AES, NIST would likely look to the other AES candidate finalists. Additionally, if a significant period of time has elapsed since the AES selection, it would also make sense to examine other algorithms which may have been developed in the intervening period.

Exportability decisions regarding submissions and, eventually, products implementing AES will be made by the appropriate government regulatory authorities. NIST is a non-regulatory agency of the U.S. Department of Commerce.

NIST does not intend to offer financial incentives (e.g., contests) for cryptanalysis of AES candidates.

Should no appropriate algorithms be submitted in response to this call, NIST expressly reserves the right to cease this process and examine other possible courses of action.

Submitters are strongly encouraged to submit only one algorithm each (presumably the one in which the submitter has the greatest confidence). Submission of similar, yet distinct, algorithms may delay the public evaluation process and may well raise public questions as to the submitter's level of confidence in his/her candidates.

For conference and resource allocation planning purposes, it would be appreciated if those planning to submit candidates could notify the individuals listed in the ''For Further Information'' section as soon as possible.

Appreciation

NIST extends its appreciation to all submitters and those providing public comments during the AES development process.

Dated: September 8, 1997.

Elaine Bunten-Mines,

Director, Program Office.

[FR Doc. 97–24214 Filed 9–11–97; 8:45 am]

BILLING CODE 3510–CN–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 080697D]

Request for Nomination of Individuals for the Federal Investment Task Force (Deadline Extension)

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

ACTION: Notice of request for nominations deadline extension.

SUMMARY: The Sustainable Fisheries Act (SFA) requires the Secretary of Commerce (Secretary) to establish a task force to study the role of the Federal Government in subsidizing fleet capacity and influencing capital investment in fisheries. NMFS is extending the deadline for nominations of qualified individuals to serve on the task force.

DATES: Nominations will now be accepted through October 1, 1997.

ADDRESSES: Nominations should be sent to Atlantic States Marine Fisheries Commission, 1444 Eye Street, NW, 6th Floor, Washington, DC 20005, ATTN: Federal Investment Task Force. Nominations may be submitted by fax, (202) 289–6051

FOR FURTHER INFORMATION CONTACT: Robert Beal, Atlantic States Marine Fisheries Commission, (202) 289–6400.

SUPPLEMENTARY INFORMATION: The Secretary is establishing a task force of interested parties to study the role of the Federal Government in (1) subsidizing the expansion and contraction of fishing capacity in fishing fleets the Magnuson-Stevens Fishery Conservation and Management Act, and (2) otherwise influencing the aggregate capital investment in fisheries. The original request for nominations was published in the **Federal Register** at Vol. 62, No. 167/Thursday August 28, 1997, page 45628. However, in order to allow sufficient time for all interested parties to submit nominations, the deadline for submission has been extended through October 1, 1997. The procedures and guidelines for submitting nominations can be found in the original **Federal Register** notice.

Please note: The task force is now tentatively scheduled to meet five times between November 1997 and June 1997.

Dated: September 8, 1997.

David L. Evans,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 97–24263 Filed 9–9–97; 3:19 pm]

BILLING CODE 3510–22–F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 090497A]

Spiny Dogfish in U.S. Waters in the Western Atlantic Ocean; Scoping Process

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

ACTION: Notice of intent to prepare an environmental impact statement (EIS) and request for scoping comments.

SUMMARY: The Mid-Atlantic and New England Fishery Management Councils (Councils) announce their intention to jointly prepare, in cooperation with NMFS, an EIS to assess potential effects on the human environment of a management regime for spiny dogfish (*Squalus acanthias*) pursuant to the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Magnuson-Stevens Act). This would be accomplished through the development of a Spiny Dogfish Fishery Management Plan (FMP). If such an FMP is approved by the Secretary of Commerce (Secretary),

implementation of such action is expected no sooner than 1998. In addition, the Councils announce a public process for determining the scope of issues to be addressed and for identifying the significant issues relating to management of spiny dogfish. The intended effect of this notice is to alert the interested public of the commencement of a scoping process and to provide for public participation. This action is necessary to comply with Federal environmental documentation requirements.

DATES: Written comments will be accepted until November 21, 1997. Scoping meetings will be held as follows:

1. 7 p.m., September 24, 1997, Philadelphia, PA.
2. 4 p.m., October 1, 1997, Wakefield, MA.
3. 7 p.m., October 29, 1997, Virginia Beach, VA.
4. 4 p.m., November 5, 1997, Portland, ME.

ADDRESSES: Send scoping comments to Mr. David R. Keifer, Executive Director, Mid-Atlantic Fishery Management Council, Room 2115, Federal Building, 300 South New Street, Dover, DE 19904–6790. The scoping meetings will be held at the following locations:

1. Philadelphia—Radisson Hotel Philadelphia Airport, 500 Stevens Drive, Philadelphia, PA (610–521–5900).
2. Wakefield—Colonial Hilton, 427 Walnut Street, Wakefield, MA (781–245–9300).
3. Virginia Beach—Holiday Inn SunSpree, 39th Street and Atlantic Avenue, Virginia Beach, VA (804–428–1711).
4. Portland—Holiday Inn by the Bay, 88 Spring Street, Portland, ME (207–775–2311).

FOR FURTHER INFORMATION CONTACT: David R. Keifer, 302–674–2331 (fax 302–674–5399).

SUPPLEMENTARY INFORMATION:

Fishery Management Unit

The management unit is all Atlantic spiny dogfish (*Squalus acanthias*) in U.S. waters in the western Atlantic Ocean.

Problems Discussed for this FMP

1. Development of an Overfishing Definition

The spiny dogfish stock is currently at or near full exploitation. A formal definition of, in order to prevent, overfishing needs to be developed. The 18th Northeast Regional Stock Assessment Workshop (SAW–18) suggested that the stock be considered overfished when the level of fishing mortality results in a value of less than one female pup per recruit. Current analyses suggest that replacement recruitment would occur at values of $F \leq 0.25$ at a minimum size of 33 in (84 cm). Lower Fs would be required at lower minimum landing sizes. Another option would be to define overfishing as the rate of fishing which exceeds that which produces maximum sustainable yield (F_{MSY}). SAW–18 estimated $F_{MSY} = 0.18$ and MSY = 30,000 mt. In addition, a minimum spawning stock threshold can be specified. The current analysis suggests that a minimum spawning stock biomass of 185,000 mt should be maintained.

2. High Discard Rates in the Non-Directed Fisheries

Virtually all of the spiny dogfish taken as bycatch in the mixed- and multi-species gillnet and otter trawl fisheries in the Northwest Atlantic Ocean are discarded. The primary reason for discarding of dogfish taken in these fisheries is small size or lack of market. The result of this activity is to reduce the mean size/age of selection. Since these animals are discarded they represent economic and biological waste. Any harvest policy developed must take into account the background mortality that results from discarding of dogfish from these fisheries.

3. Predation Mortality by Dogfish On Other Stocks

Spiny dogfish are voracious predators of a variety of species of commercial and recreational importance. Several studies reported that the diet of spiny dogfish greater than 23.6 in (60 cm) was predominantly fish including herring, Atlantic mackerel, redfish, Atlantic cod, haddock, silver, red, white and spotted hake, and sand lance. Squid also is an important component of the diet. Preliminary calculations indicated that the biomass of commercially important species consumed by spiny dogfish was comparable to that harvested by man. As a result, the effect of spiny dogfish consumption on the population levels of other fish species in the Northwest Atlantic ecosystem should be considered when establishing a harvest policy for the species.

4. Interjurisdictional Nature of the Stock

A significant portion of the Northwest Atlantic population of spiny dogfish resides in Canadian waters during the summer months. Given the evidence that this represents a single unit stock in the Northwest Atlantic, joint assessment and management of this stock by the United States and Canada should be considered.

5. Smooth Dogfish Fisheries

When the need for management of the dogfish fisheries under the Magnuson Act was first evaluated in the late 1970s, the Councils considered including smooth dogfish (Mustelus canis) in the management unit. Since then, the fishery for spiny dogfish has expanded dramatically while the fishery for smooth dogfish has remained of minor significance. For example, unpublished NMFS weighout data indicate that while greater than 34.8 million lb (15,785 mt) of spiny dogfish were landed in 1993, smooth dogfish landings amounted to only about 0.5 million lb (226.8 mt). Input is needed to determine if smooth dogfish should be included in this management plan.

6. Identification of Essential Habitat for Spiny Dogfish

Pursuant to the new requirements of the Magnuson-Stevens Act, the Councils will be identifying essential habitat for spiny dogfish in the western Atlantic Ocean. Therefore, the Councils are soliciting comments from the public on the identification of and threats to essential habitat for spiny dogfish.

POSSIBLE MANAGEMENT MEASURES

Possible management measures for the spiny dogfish commercial fishery include:	
Minimum and/or maximum fish size	X
Minimum mesh size	X
Selective harvest of males	X
Prohibition of "finning"	X
Closed seasons	X
Closed areas	X
Quotas	X
Moratorium on vessels	X
ITQs	X
Dealer and vessel permits	X
Dealer and vessel reports	X
Operator permits	X
Trip limits	X
Permit limits	X
Gear restrictions & limits	X

Possible management measures for the spiny dogfish recreational fishery include:	
Minimum and/or maximum fish size	X
Selective harvest of males	X
Prohibition of "finning"	X
Maximum possession limit	X
Closed seasons	X
Closed areas	X
Gear restrictions & limits	X
Quotas	X
Restrictions on the ability to sell recreational caught fish	X

Permitting and Reporting

It is anticipated that permits will be required for vessels landing spiny

dogfish for sale, dealers purchasing this species from permitted vessels, and party and charter boats in the spiny dogfish fishery. It is anticipated that operators of commercial vessels (vessels with permits to sell spiny dogfish) and operators of party and charter boats will be required to obtain permits.

It is anticipated that vessels landing spiny dogfish for sale would need to submit logbooks. It is anticipated that dealers purchasing these species from permitted commercial vessels would need to submit reports. It is anticipated that operators of charter and party boats would need to submit logbooks.

In the Paperwork Reduction Act (SF–83) forms prepared by NMFS for Amendment 2 to the Summer Flounder FMP, the Dealer Purchase Report was estimated to involve 1,255 respondents and 26+ responses per respondent per year, for a total of 33,135 responses at 0.0448 hours per response, for a total of 1,485 hours. The Vessel Logbook was estimated at 1,314 respondents, 12 responses per respondent, at 0.08 hours per response, for a total of 1,261 burden hours. The Vessel Permit was estimated at 24,943 annual responses at 0.2878 hours per response, for a total of 7,179 burden hours.

Similar burden hours should be experienced through spiny dogfish management. These burden hours may be reduced if vessels with summer flounder permits qualify for the spiny dogfish fishery. Currently, operating permits are required in the Northeast Multispecies, Atlantic Sea Scallop, and Summer Flounder fisheries. It is expected that the burden hours for the operator permit for spiny dogfish would be similar to those estimated for the operator permit for the Summer Flounder fishery.

Timetable for EIS Preparation and Decision Making

The Councils have adopted a tentative FMP preparation, review, and approval schedule for spiny dogfish. Under this schedule, the draft EIS is planned for completion during 1998. If an acceptable draft is completed, the Councils could decide in 1998 whether to submit the draft EIS for public review. Oral comments to the Councils on their decision could be made at the respective Council meetings. If the Councils' decisions are affirmative, public review of the draft EIS would occur 45 days following these meetings. During late 1998, the Councils would decide on the final management measures and proposed regulations for spiny dogfish. Again, oral comments on this decision could be made to the Councils at those meetings. If the Councils' decisions are affirmative, the EIS would be made final and submitted with the FMP and other rulemaking documents to the Secretary for review and approval. The Councils reserve the right to modify or abandon this schedule if determined necessary.

Under the Magnuson-Stevens Act, Secretarial review and approval of a proposed FMP is completed in no more than 95 days and includes concurrent public comment periods on the FMP and proposed regulations. If approved by the Secretary under this schedule, the spiny dogfish management measures would be effective in 1998 or 1999.

Special Accommodations

The meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to David R. Keifer (see **ADDRESSES**) at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: September 9, 1997.

Bruce Morehead,

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

[FR Doc. 97–24228 Filed 9–11–97; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 970828208–7208–01; I.D. 072997C]

RIN 0648–XX88

Scup and Black Sea Bass; Interstate Fishery Management Plans

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

ACTION: Notice of determination of noncompliance; notice of implementation of a moratorium.

SUMMARY: In accordance with the Atlantic Coastal Fisheries Cooperative Management Act of 1993 (Act), 16 U.S.C. 5101 *et seq.*, the Secretary of Commerce (Secretary) has determined that the State of Maryland and the Commonwealth of Massachusetts are not in compliance with the Atlantic States Marine Fisheries Commission's (Commission) Interstate Coastal Fishery Management Plans (FMPs) for scup and black sea bass and that the measures Maryland and Massachusetts have failed to implement are necessary for the conservation of the fishery in question. Pursuant to the Act, a Federal moratorium on fishing for scup and black sea bass within Maryland and Massachusetts state waters effective November 15, 1997, is hereby declared.

DATES: This declaration is made on September 11, 1997. This moratorium will become effective on November 15, 1997, unless, by November 1, 1997, the State of Maryland and/or the Commonwealth of Massachusetts adopt and implement measures bringing themselves into compliance with the Commission's FMPs. If the State of Maryland and/or the Commonwealth of Massachusetts adopt and implement the measures required by the FMPs, the Secretary will publish an appropriate announcement in the **Federal Register** rescinding the moratorium with respect to State and/or Commonwealth.

FOR FURTHER INFORMATION CONTACT: Richard H. Schaefer, Chief, Staff Office for Intergovernmental and Recreational Fisheries, NMFS, 301–427–2014.

SUPPLEMENTARY INFORMATION:

Background

The Act was enacted to support and encourage the development, implementation, and enforcement of the Commission's FMPs to conserve and manage Atlantic coastal fishery resources.

Section 807 of the Act specifies that, after notification by the Commission that an Atlantic coastal state is not in compliance with a Commission's FMP, the Secretary shall make a finding, no later than 30 days after receipt of the Commission's determination, on: (1) Whether the state has failed to carry out its responsibilities to implement and enforce the Commission's FMP; and (2) whether the measures that the state has failed to implement and enforce are necessary for the conservation of the fishery in question. If the Secretary finds that the state is not in compliance with the Commission's FMP, and if the measures the state has failed to implement are necessary for the conservation of the fishery, the Secretary shall declare (i.e., impose) a moratorium on fishing in that fishery within the waters of the noncomplying state. The Secretary shall specify the moratorium's effective date, which shall be any date within 6 months after declaration of the moratorium. In making such a finding, the Secretary shall carefully consider the comments of the Commission, the coastal state found out of compliance by the Commission, and the appropriate Regional Fishery Management Councils.