

any Supplier's costs, production, capacity, inventories, domestic prices, domestic sales, terms of domestic marketing or sale, or U.S. business plans, strategies, or methods, unless such information is already generally available to the trade or public.

2. Meetings at which GBW and the Members establish export prices shall not be open to the public.

3. GBW and the Members will comply with requests made by the Secretary of Commerce on behalf of the Secretary or the Attorney General for information or documents relevant to conduct under the Certificate. The Secretary of Commerce will request such information or documents when either the Attorney General or the Secretary believes that the information or documents are required to determine that the Export Trade, Export Trade Activities and Methods of Operation of a person protected by this Certificate of Review continue to comply with the standards of section 303(a) of the Act.

#### VI. Protection Provided by Certificate

This Certificate protects GBW and the Members, and their directors, officers, and employees acting on their behalf, from private treble damage actions and governmental criminal and civil suits under U.S. federal and state antitrust laws for the export conduct specified in the Certificate and carried out during its effective period in compliance with its terms and conditions.

A copy of the Certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility Room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: April 20, 2001.

**Vanessa Bachman,**

*Acting Director, Office of Export Trading Company Affairs.*

[FR Doc. 01-10457 Filed 4-26-01; 8:45 am]

BILLING CODE 3510-DR-U

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 042301A]

#### Atlantic Highly Migratory Species; Draft Biological Opinion

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

**ACTION:** Reopening of comment period.

**SUMMARY:** NMFS announces the reopening of the comment period on the draft biological opinion on authorization of the fisheries under the Fishery Management Plan for Atlantic Tunas, Swordfish and Sharks that published in the **Federal Register** on April 11, 2001. This action is being taken because several constituents requested additional time to review the document due to its size and complexity.

**DATES:** Comments on the draft document will be accepted through 5 p.m. EST on May 4, 2001. The draft biological opinion is available from NMFS (see **ADDRESSES**).

**ADDRESSES:** Written comments on the document must be mailed to Bruce C. Morehead, Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910; or faxed to 301-713-1917. Comments will not be accepted if submitted via email or the Internet. Copies of the draft document may be obtained from Christopher Rogers, Acting Chief, Highly Migratory Species Management Division, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Christopher Rogers, 301-713-2347.

**SUPPLEMENTARY INFORMATION:** For the notice of availability of the draft biological opinion on authorization of the fisheries under the Fishery Management Plan for Atlantic Tunas, Swordfish and Sharks that published at 66 FR 18755, April 11, 2001, the comment period ended on April 18, 2001 at 5 p.m. EST. This document reopens the comment period to May 4, 2001. The document is available on the Internet at (<http://www.nmfs.noaa.gov/>); printed copies are available from NMFS upon request (see **ADDRESSES**).

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

Dated: April 24, 2001.

**Bruce C. Morehead,**

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

[FR Doc. 01-10521 Filed 4-24-01; 3:35 pm]

BILLING CODE 3510-22-S

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 041001C]

#### Taking and Importing of Marine Mammals

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of affirmative finding renewal.

**SUMMARY:** The Assistant Administrator for Fisheries, NMFS, (Assistant Administrator) renewed the affirmative finding for the Republic of Ecuador under the Marine Mammal Protection Act (MMPA) on April 19, 2001. The renewal of Ecuador's affirmative finding allows for the continued importation into the United States of yellowfin tuna and yellowfin tuna products harvested in the eastern tropical Pacific Ocean (ETP) after March 3, 1999, by Ecuadorian-flag purse seine vessels or vessels with greater than 400 short tons (362.8 metric tons (mt)) carrying capacity operating under Ecuadorian jurisdiction. The affirmative finding renewal was based on the review of documentary evidence submitted by the Republic of Ecuador and obtained from the Inter-American Tropical Tuna Commission (IATTC) and the Department of State. This finding remains in effect through March 31, 2002.

**DATES:** Effective April 1, 2001, through March 31, 2002.

**FOR FURTHER INFORMATION CONTACT:** Regional Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, California, 90802-4213; Phone 562-980-4000; Fax 562-980-4018.

**SUPPLEMENTARY INFORMATION:** The MMPA, 16 U.S.C. 1361 *et seq.*, as amended by the International Dolphin Conservation Program Act (IDCPA) (Pub. L. No. 105-42, 111 Stat. 1122 (1997)), allows the entry into the United States of yellowfin tuna harvested by purse seine vessels in the ETP under certain conditions. If requested by the harvesting nation, the Assistant Administrator for Fisheries, NMFS (Assistant Administrator), will determine whether to make an affirmative finding based upon documentary evidence provided by the harvesting nation, the IATTC, and/or the Department of State. A finding will remain valid for 1 year (April 1 through March 31) or for such other period as the Assistant Administrator may determine. An affirmative finding applies to tuna and tuna products that were harvested in the ETP by purse seine vessels of the nation and applies to any tuna harvested in the ETP purse seine fishery after March 3, 1999, the effective date of the IDCPA.

The affirmative finding process requires that the harvesting nation meet several conditions related to compliance

with the International Dolphin Conservation Program (IDCP). A nation may opt to provide information regarding compliance with the IDCP directly to NMFS on an annual basis or to authorize the IATTC to release the information to NMFS in years when NMFS will review and consider whether to issue an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f)(9) are no longer being met or that a nation is consistently failing to take enforcement actions on violations which diminish the effectiveness of the IDCP. Every 5 years, the harvesting nation must request an affirmative finding and submit the required documentary evidence directly to the Assistant Administrator.

As a part of the annual review process set forth in 50 CFR 216.24 (f)(9), the Assistant Administrator considered documentary evidence submitted by the Republic of Ecuador and obtained from the IATTC and the Department of State and determined that the requirements under the MMPA to receive an affirmative finding have been met for the purposes of renewing an affirmative finding.

After consultation with the Department of State, NMFS renewed the Republic of Ecuador's affirmative finding allowing the continued importation into the United States of yellowfin tuna and products derived from yellowfin tuna harvested in the ETP by Ecuadorian-flag purse seine vessels or vessels under Ecuadorian jurisdiction greater than 400 short tons (362.8 mt) carrying capacity after March 3, 1999. This renewal will remain in effect for 1 year (April 1, 2001, through March 31, 2002).

In the subsequent years 2002 through 2004, the Assistant Administrator will determine on an annual basis whether the Republic of Ecuador is meeting the requirements under section 101 (a)(2)(B) and (C) of the MMPA. If necessary, additional documentary evidence may be requested from the Republic of Ecuador to determine whether the affirmative finding criteria are being met. If the affirmative finding for the Republic of Ecuador is renewed after NMFS's annual review in the years 2002 to 2004, the Republic of Ecuador must submit a new application in early 2005 for an affirmative finding to be effective for the period April 1, 2005, through March 31, 2006, and subsequent years.

Dated: April 19, 2001.

**William T. Hogarth,**

*Acting Assistant Administrator for Fisheries,  
National Marine Fisheries Service.*

[FR Doc. 01-10541 Filed 4-26-01; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 041001F]

#### Taking and Importing of Marine Mammals

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

**ACTION:** Notice of affirmative finding renewal.

**SUMMARY:** The Assistant Administrator for Fisheries, NMFS, (Assistant Administrator) renewed the affirmative finding for the Government of Mexico under the Marine Mammal Protection Act (MMPA) on April 19, 2001. The renewal of Mexico's affirmative finding allows for the continued importation into the United States of yellowfin tuna and yellowfin tuna products harvested in the eastern tropical Pacific Ocean (ETP) after March 3, 1999, by Mexican-flag purse seine vessels or vessels operating with greater than 400 short tons (362.8 metric tons (mt)) carrying capacity under Mexican jurisdiction. The affirmative finding renewal was based on review of documentary evidence submitted by the Government of Mexico and obtained from the Inter-American Tropical Tuna Commission (IATTC) and the Department of State. This finding remains in effect through March 31, 2002.

**DATES:** Effective April 1, 2001, through March 31, 2002.

**FOR FURTHER INFORMATION CONTACT:** Regional Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, California, 90802-4213; Phone 562-980-4000; Fax 562-980-4018.

**SUPPLEMENTARY INFORMATION:** The MMPA, 16 U.S.C. 1361 *et seq.*, as amended by the International Dolphin Conservation Program Act (IDCPA) (Pub. L. No. 105-42, 111 Stat. 1122 (1997)), allows the entry into the United States of yellowfin tuna harvested by purse seine vessels in the ETP under certain conditions. If requested by the harvesting nation, the Assistant Administrator for Fisheries, NMFS (Assistant Administrator), will

determine whether to make an affirmative finding based upon documentary evidence provided by the government of the harvesting nation, the IATTC, or the Department of State. A finding will remain valid for 1 year (April 1 through March 31) or for such other period as the Assistant Administrator may determine. An affirmative finding applies to tuna and tuna products that were harvested in the ETP by purse seine vessels of the nation and applies to any tuna harvested in the ETP purse seine fishery after March 3, 1999, the effective date of the IDCPA.

The affirmative finding process requires that the harvesting nation meet several conditions related to compliance with the International Dolphin Conservation Program (IDCP). A nation may opt to provide information regarding compliance with the IDCP directly to NMFS on an annual basis or to authorize the IATTC to release the information to NMFS in years when NMFS will review and consider whether to issue an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f)(9) are no longer being met or that a nation is consistently failing to take enforcement actions on violations which diminish the effectiveness of the IDCP. Every 5 years, the government of the harvesting nation must request an affirmative finding and submit the required documentary evidence directly to the Assistant Administrator.

As a part of the annual review process set forth in 50 CFR 216.24 (f)(9), the Assistant Administrator considered documentary evidence submitted by the Government of Mexico and obtained from the IATTC and the Department of State and determined that the requirements under the MMPA to receive an affirmative finding have been met for the purposes of renewing an affirmative finding.

After consultation with the Department of State, NMFS renewed the Government of Mexico's affirmative finding allowing the continued importation into the United States of yellowfin tuna and products derived from yellowfin tuna harvested in the ETP by Mexican-flag purse seine vessels or vessels under Mexican jurisdiction greater than 400 short tons (362.8 mt) carrying capacity after March 3, 1999. This renewal will remain in effect for 1 year (April 1, 2001, through March 31, 2002).