

products or services it seeks to export through the mission are either produced in the United States, or, if not, marketed under the name of a U.S. firm and have demonstrable U.S. content as a percentage of the value of the finished product or service. In the case of a trade association, the applicant must certify that it will only be representing companies during the Trade Mission consistent with the domestic content criteria laid out in this section. In the case of an academic or research institution, the applicant must certify that as part of its activities at the event, it will represent the interests of the organization's staff that meet the criteria above.

Applicants must:

- Certify that the products and services that it wishes to market through the mission would be in compliance with U.S. export controls and regulations;
- Certify that it has identified any matter pending before any bureau or office in the U.S. Department of Commerce;
- Certify that it has identified any pending litigation (including any administrative proceedings) to which it is a party that involves the U.S. Department of Commerce;
- Sign and submit an agreement that it and its affiliates (1) have not and will not engage in the bribery of foreign officials in connection with a company's/participant's involvement in this mission, and (2) maintain and enforce a policy that prohibits the bribery of foreign officials; and
- Certify that it meets the minimum requirements as stated in this announcement.

Applicants from a company, organization or institution that is majority owned or controlled by a foreign government entity will not be considered for participation in the U.S. Industry Program.

#### Selection Criteria

Selection will be based on the following criteria:

- Suitability of the company's (or, in the case of another organization, represented companies' or constituents') products or services to each of the markets the company or organization has expressed an interest in exporting to as part of this trade mission.
- The company's (or, in the case of another organization, represented companies' or constituents') potential for business in each of the markets the company or organization has expressed an interest in exporting to as part of this trade mission, including likelihood of exports resulting from the mission.

- Consistency of the applicant company's (or, in the case of another organization, represented companies' or constituents') goals and objectives with the stated mission scope.

Referrals from political organizations and any documents containing references to partisan political activities (including political contributions) will be removed from an applicant's submission and will not be considered.

#### Timeframe for Recruitment and Participation

Recruitment for participation in the U.S. Industry Program as a representative of the U.S. nuclear industry will be conducted in an open and public manner, including publication in the **Federal Register**, posting on the DOC trade mission calendar, notices to industry trade associations and other multiplier groups. Recruitment will begin 2 weeks after publication in the **Federal Register** and conclude no later than July 14, 2017. The ITA will review applications and make selection decisions on a rolling basis. Applications received after July 14, 2017, will be considered only if space and scheduling permit.

#### Fees and Expenses

After a company or organization has been selected to participate on the mission, a payment to the DOC in the form of a participation fee is required. The fee covers ITA support to register U.S. industry participants for the IAEA General Conference Participants will be able to take advantage of discounted rates for hotel rooms.

- The fee to participate in the event is \$1,600 for a large company and \$1,200 for a small or medium-sized company (SME), a trade association, or a U.S. university or research institution. The fee for each additional representative (large company, trade association, university/research institution, or SME) is \$900.

- For purposes of this mission, a SME is defined as a company/organization with less than \$7 million in average annual receipts and fewer than five hundred employees (Source: U.S. Small Business Administration).

- To apply to the mission, complete the trade mission application at <https://emenuapps.ita.doc.gov/ePublic/TM/7ROW>.

Participants selected for the Trade Mission will be expected to pay for the cost of all personal expenses, including, but not limited to, international travel, lodging, meals, transportation, communication, and incidentals, unless otherwise noted. In the event that the Mission is cancelled, no personal

expenses paid in anticipation of a Trade Mission will be reimbursed. However, participation fees for a cancelled Trade Mission will be reimbursed to the extent they have not already been expended in the anticipation of the Mission.

#### Contacts

Jonathan Chesebro, Industry & Analysis, Office of Energy and Environmental Industries, Washington, DC, Tel: (202) 482-1297, Email: [jonathan.chesebro@trade.gov](mailto:jonathan.chesebro@trade.gov).

Devin Horne, Industry & Analysis, Office of Energy and Environmental Industries, Washington, DC, Tel: (202) 482-0775, Email: [devin.horne@trade.gov](mailto:devin.horne@trade.gov).

Dated: June 13, 2017.

**Edward A. O'Malley,**

*Director, Office of Energy and Environmental Industries.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XF479

#### Atlantic Coastal Fisheries Cooperative Management Act Provisions; Summer Flounder Fishery

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

**ACTION:** Notice of non-compliance referral.

**SUMMARY:** NMFS announces that on June 12, 2017, we received a letter from the Atlantic States Marine Fisheries Commission finding the State of New Jersey out of compliance with Addendum XXVIII to the Summer Flounder, Scup, and Black Sea Bass Interstate Fishery Management Plan and requesting Federal non-compliance review under the provisions of the Atlantic Coastal Fisheries Cooperative Management Act. This notice is necessary to alert the public that NMFS has received and is reviewing the referral of non-compliance from the Commission. The intended effect of this notice is to inform the public of the Commission's recommendation to the Secretary of Commerce and to outline both the decision-making process that will be used and potential outcomes of the non-compliance review.

**FOR FURTHER INFORMATION CONTACT:** Emily Gilbert, Fishery Policy Analyst, (978) 281-9244.

**SUPPLEMENTARY INFORMATION:**

The Atlantic States Marine Fisheries Commission (Commission) developed Addendum XXVIII to the Summer Flounder, Scup, and Black Sea Bass Interstate Fishery Management Plan (ISFMP) to specify 2017 recreational management measures (*i.e.*, regional conservation equivalency) for summer flounder, which is currently experiencing overfishing. Addendum XXVIII, which was adopted by the Commission in February 2017, retained management regions, consistent with those established in 2016: (1) Massachusetts; (2) Rhode Island; (3) Connecticut and New York; (4) New Jersey; (5) Delaware, Maryland, and Virginia; and (6) North Carolina. To provide the maximum amount of flexibility and to continue to adequately address the state-by-state differences in fish availability, each state in a region is required by the Commission to establish identical management measures (*i.e.*, fishing season length, minimum size, and possession limit). Addendum XXVIII requires each state or region, with the exception of North Carolina, to increase the summer flounder minimum size in 2017 by 1 inch (2.5 cm) relative to the 2016 size limit. The 2017 measures also reduce the bag limit for most of the states and regions, while the season length remains the same as in 2016.

These measures were designed to constrain coastwide catch of summer flounder to within the 2017 recreational harvest limit. For New Jersey, Addendum XXVIII requires the following measures:

- *Shore mode for Island Beach State Park only*: 17-inch (43.2-cm) minimum size limit, 2-fish possession limit, and 128-day open season.
- *Delaware Bay only (west of the COLERG line)*: 18-inch (45.7-cm) minimum size limit, 3-fish possession limit, and 128-day open season.
- *All other marine waters (east of the COLERG line)*: 19-inch (48.3-cm) minimum size limit, 3-fish possession limit, and 128-day open season.

The Commission required New Jersey to implement these measures in state waters by May 25, 2017. Instead, New Jersey implemented size limits that are one-inch lower in each area described in the bullets above and instituted a season of 104 days. The bag limits remain the same as those required under the addendum. On June 1, 2017, the Commission found the State of New Jersey out of compliance for not fully and effectively implementing and enforcing the Addendum XXVIII measures. The Commission notified

NMFS of its non-compliance finding by letter on June 12, 2017.

Federal response to a Commission non-compliance referral is governed by the Atlantic Coastal Fisheries Cooperative Management Act (Atlantic Coastal Act). Under the Atlantic Coastal Act, the Secretary of Commerce must make two findings within 30 days after receiving the non-compliance referral. First, the Secretary must determine whether the state in question (in this case, New Jersey) has failed to carry out its responsibilities under the ISFMP. Second, the Secretary must determine whether the measures that the State has failed to implement or enforce are necessary for the conservation of the fishery in question (in this case, summer flounder). If NMFS determines that New Jersey has failed to carry out its responsibilities under the ISFMP, and if the measures it failed to implement are necessary for conservation, then, according to the Atlantic Coastal Act, NMFS must declare a moratorium on summer flounder fishing in New Jersey waters. Further, the moratorium must become effective within six months of the date of the Secretary's non-compliance determination. If New Jersey is found out of compliance by NMFS and later implements Addendum XXVIII measures, the Atlantic Coastal Act allows the state to petition the Commission that it has come back into compliance. If the Commission concurs that New Jersey has come into compliance, the Commission will notify the Secretary. If the Secretary concurs, the moratorium will be withdrawn.

NMFS has notified New Jersey, the Commission, and the Mid-Atlantic Fishery Management Council in separate letters, of its receipt of the Commission's non-compliance referral. NMFS solicits comments from the Commission and Council to the extent either is interested in providing comments on the non-compliance referral. NMFS also indicated to New Jersey that it is entitled to meet with and present its comments directly to NMFS, if so desired.

NMFS intends to make its non-compliance determination, including supporting rationale, on or about July 11, 2017, which is 30 days after receipt of the Commission's non-compliance referral. NMFS will announce its determination by **Federal Register** notice immediately thereafter. To the extent that NMFS makes an affirmative non-compliance finding, NMFS will announce the effective date of the moratorium in that **Federal Register** notice.

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

Dated: June 19, 2017.

**Emily H. Menashes,**

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

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

**RIN 0648-XF464**

**Nominations to the Marine Mammal Scientific Review Groups**

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

**ACTION:** Notice; request for nominations.

**SUMMARY:** As required by section 117(d) of the Marine Mammal Protection Act (MMPA), the Secretary of Commerce established three independent regional scientific review groups (SRGs) to provide advice on a range of marine mammal science and management issues. NMFS has conducted a membership review of the Alaska, Atlantic, and Pacific SRGs, and is soliciting nominations for new members to fill vacancies and gaps in expertise.

**DATES:** Nominations must be received by July 24, 2017.

**ADDRESSES:** Nominations can be emailed to [Shannon.Bettridge@noaa.gov](mailto:Shannon.Bettridge@noaa.gov), or mailed to: Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3226, Attn: SRGs.

**FOR FURTHER INFORMATION CONTACT:** Shannon Bettridge, Office of Protected Resources, 301-427-8402, [Shannon.Bettridge@noaa.gov](mailto:Shannon.Bettridge@noaa.gov). Information about the SRGs, including the SRG Terms of Reference, is available at <http://www.nmfs.noaa.gov/pr/sars/group.htm>.

**SUPPLEMENTARY INFORMATION:**

Section 117(d) of the MMPA (16 U.S.C. 1386(d)) directs the Secretary of Commerce to establish three independent regional SRGs to advise the Secretary (authority delegated to NMFS). The Alaska SRG advises on marine mammals that occur in waters off Alaska that are under the jurisdiction of the United States. The Pacific SRG advises on marine mammals that occur in waters off the U.S. West Coast, Hawaiian Islands, and the U.S. Territories in the Central and Western Pacific that are under the jurisdiction of