Issued at Washington, DC, this 21st day of June 1996.

Federico F. Peña,

Secretary of Transportation.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 630

[Docket No. 960314073–6145–02; I.D. 030896E]

RIN 0648–AI23

Atlantic Swordfish Fishery; Correction

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

ACTION: Correction to final regulation.

SUMMARY: This document contains a correction to the final regulation (I.D. 030896E) that was published Friday, May 31, 1996, (61 FR 27304). The final rule amended the regulations governing the Atlantic swordfish fishery by setting the 1996 quotas, and adjusting the minimum size.

EFFECTIVE DATE: July 3, 1996.

FOR FURTHER INFORMATION CONTACT: Ronald G. Rinaldo or Rebecca Lent, 301–713–2347; fax: 301–713–0596.

SUPPLEMENTARY INFORMATION:

Background

The final regulation that is the subject of this correction establishes, within the 1996 quota, the amount of set aside for the harpoon segment of the fishery. In § 630.25, the first sentence of paragraph (b) was revised to establish a 21,500 lb (9,752 kg) dressed weight set aside for the harpoon segment of the fishery during the June 1 through November 30 semiannual period.

Need for Correction

As published, the final regulation contains an error. In § 630.25, the second sentence of paragraph (b) is referenced instead of the first sentence of paragraph (b).

Correction of Publication

Accordingly, the publication on May 31, 1996, of the final regulation (I.D. 030896E) that is the subject of FR Doc. 96–13690 is corrected as follows:

§ 630.25 [Corrected]

On page 27308, in the first column, in amendatory instruction seven, ''second'' is corrected to read ''first''.

Dated: June 25, 1996.

Nancy Foster,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 96–17053 Filed 7–2–96; 8:45 am]

BILLING CODE 3510–22–F

50 CFR Part 697

[Docket No. 950605148–6180–03;I.D. 061296A]

RIN 0648–AH58

Atlantic Weakfish Fisheries; Exclusive Economic Zone (EEZ) Moratorium Rule Suspension

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

ACTION: Final rule.

SUMMARY: On February 16, 1996, the U.S. District Court for the Eastern District of Virginia, Norfolk Division, vacated the Federal regulations for Atlantic Coast weakfish in the EEZ. NMFS has not enforced the regulations since the court issued its order. In accordance with the court's order, NMFS is suspending the regulations on fishing for weakfish in the EEZ. The suspension will remain in effect until other regulations for weakfish are implemented.

EFFECTIVE DATE: July 2, 1996.

FOR FURTHER INFORMATION CONTACT: Richard H. Schaefer, Director, Office of Fisheries Conservation and Management, NMFS, 301–713–2334.

SUPPLEMENTARY INFORMATION: NMFS implemented a final rule to impose a moratorium on fishing for weakfish in the EEZ (60 FR 58246, November 27, 1995). The regulations were subsequently revised (61 FR 29321, June 10, 1996) although they are not currently enforced. The rule was implemented to support conservation efforts developed through the Atlantic States Marine Fisheries Commission's (Commission) Fishery Management Plan for Weakfish (FMP).

On February 16, 1996, the U.S. District Court for the Eastern District of Virginia, Norfolk Division, ordered that the final rule ''is vacated and the Secretary of Commerce and his designees are hereby enjoined from enforcing the Atlantic Coast Weakfish Moratorium in the Exclusive Economic Zone, promulgated at 60 FR 58245 (Nov. 27, 1995).''

Upon the court's ruling, fishermen were immediately allowed to fish for weakfish in the EEZ. Accordingly, NMFS is suspending the Federal regulations that imposed the moratorium. The suspension will remain in effect until replaced by other regulations. NMFS is currently assessing recent actions by the Commission and will proceed with rulemaking if appropriate.

Classification

This action has been determined to be not significant for purposes of E.O. 12866.

Because this rule implements a February 16, 1996, court order to vacate Federal regulations (60 FR 58246, November 27, 1995) that imposed a moratorium on fishing for Atlantic Coast weakfish in the EEZ, the Assistant Administrator for Fisheries (AA/F) for good cause, under 5 U.S.C.(b)(B), waives the requirement to provide prior notice and an opportunity for public comment, as such procedures are unnecessary. Similarly, the AA/F, finds good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in the effective date.

List of Subjects in 50 CFR Part 697

Fisheries, Fishing.

Dated: June 27, 1996.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 697 is amended as follows:

PART 697—ATLANTIC COASTAL FISHERIES COOPERATIVE MANAGEMENT

1. The authority citation for part 697 continues to read as follows:

Authority: 16 U.S.C. 5101 *et seq.*

2. In § 697.6, paragraph (a) is suspended.

[FR Doc. 96–17050 Filed 7–2–96; 8:45 am]

BILLING CODE 3510–22–F