

**International Trade Administration****Exporters' Textile Advisory Committee; Notice of Re-establishment**

In accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. 2, and the General Services Administration (GSA) rule on Federal Advisory Committee Management, 41 CFR part 101-6, and after consultation with GSA, the Secretary of Commerce has determined that the re-establishment of the Exporters' Textile Advisory Committee is in the public interest in connection with the performance of duties imposed on the Department by law.

The Committee shall provide advice and guidance to Department officials on the identification and surmounting of barriers to the expansion of textile exports, and on methods of encouraging textile firms to participate in export expansion.

The Committee shall consist of approximately 35 members appointed by the Secretary of Commerce to ensure a balanced representation of textile and apparel products. Representatives of small, medium and large firms with broad geographical distribution in exporting shall be included on the Committee.

The Committee shall function solely as an advisory body in compliance with the provisions of the Federal Advisory Committee Act. The Charter will be filed under the Act, 15 days from the date of publication of this notice.

Interested persons are invited to submit comments regarding the re-establishment of this Committee to Troy H. Cribb, Deputy Assistant Secretary for Textiles, Apparel and Consumer Goods Industries, U.S. Department of Commerce, Washington, DC 20230 telephone: (202) 482-3737.

Dated: September 20, 1996.

D. Michael Hutchinson,  
*Acting Deputy Assistant Secretary for Textiles, Apparel and Consumer Goods Industries.*

[FR Doc.96-24787 Filed 9-26-96; 8:45 am]

BILLING CODE 3510-DR-F

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

[Docket No. 950710176-6258-02; I.D. 080796B]

RIN 0648-AE50

**Magnuson Act Provisions; Removal of Spawning Closure Provisions from the Preliminary Fishery Management Plan (PMP) for Atlantic Herring**

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

**ACTION:** Removal of spawning closure provisions.

**SUMMARY:** NMFS announces a revision to the Atlantic herring PMP that removes the spawning closure provisions. The revision is necessary to allow a joint venture for Atlantic herring to be conducted in previously closed areas and is intended to provide additional opportunities to domestic fishers.

**EFFECTIVE DATE:** September 26, 1996.

**ADDRESSES:** Copies of the revised PMP for Atlantic herring may be obtained from E. Martin Jaffe, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930.

**FOR FURTHER INFORMATION CONTACT:** E. Martin Jaffe, Fishery Policy Analyst, 508-281-9272.

**SUPPLEMENTARY INFORMATION:** The PMP, which set the initial specifications for Atlantic herring, provides joint venture opportunities in the exclusive economic zone by allocating a portion of the allowable biological catch for joint venture processing (JVP). The PMP also established permit conditions and restrictions for foreign vessels that participate in joint venture fisheries.

The preparation of the PMP last year followed the provisions of the Atlantic States Marine Fisheries Commission (ASMFC) plan and was accomplished rapidly to accommodate requests from the industry. The need to have access to the resource during the spawning season was not fully considered. Both ASMFC and the New England Fishery Management Council (Council) have now reconsidered the spawning closure provisions, which may hinder industry development, and have concluded that the restriction is unnecessary and should be removed. At its April 5, 1996, meeting, the ASMFC's Atlantic Herring Section voted to request that NMFS remove the spawning area closure provisions from Sea Herring Management Areas 2 and 3. ASMFC's

request is consistent with the Council's motion supporting such an action.

The recent Atlantic herring stock assessment showed an increase in spawning stock biomass of 1 million metric tons (mt) compared to the previous (Northeast Fisheries Science Center, 1993) assessment; the spawning stock biomass almost doubled between the 1992 and 1993 assessments. Given the high stock level, removal of the spawning closures during the months of October and November on Georges Bank and in the southern New England/Mid-Atlantic Region would provide access to foreign processing vessels and, with current levels of herring abundance, the removal of even 40,000 mt (the total amount currently available for JVP harvest), would have only a minimal impact on the stock. Furthermore, collection of biological data during the spawning season will provide valuable information for making future decisions regarding spawning closures.

This notification informs the public that the PMP has been revised to remove the spawning closure provisions.

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

This action is categorically excluded from the requirement to prepare an environmental assessment in accordance with NOAA Administrative Order 216-6 because it does not result in a significant change in the original environmental action prepared for the PMP. The removal of the spawning closures from the PMP provides access to foreign processing vessels engaged in a joint venture with U.S. vessels so that the former could receive fish from the latter. The foreign vessels would not be permitted to place nets in the water. Without the PMP change, U.S. fishing vessels will not be able to deliver their catch from the areas in question to their joint venture partners.

The Assistant Administrator for Fisheries, NOAA, finds that there is good cause to waive providing prior notice and opportunity for comment under 5 U.S.C. 553(b)(B). Providing prior notice and opportunity for comment is impractical and contrary to the public interest due to the need to provide timely opportunity for joint ventures to occur this Fall in an underutilized fishery. Because this action relieves a restriction under 5 U.S.C. 553(d)(1), there is no need to delay its effectiveness for 30 days.

Because prior notice and opportunity for comment is not required for this action, no initial or final regulatory flexibility analysis is required to be prepared by the Regulatory Flexibility Act, and none was prepared.

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

Dated: September 20, 1996.

Nancy Foster,

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

[FR Doc. 96-24746 Filed 9-26-96; 8:45 am]

BILLING CODE 3510-22-F

[Docket No. 960917261-6261-01; I.D.  
061396A]

RIN 0648-AI27

### **Fisheries of the Northeastern United States; Amendment 9 to the Atlantic Surf Clam and Ocean Quahog Fishery Management Plan**

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

**ACTION:** Notification of approval of overfishing definitions.

**SUMMARY:** NMFS announces approval of Amendment 9 to the Fishery Management Plan for the Atlantic Surf Clam and Ocean Quahog Fisheries (FMP). The amendment revises overfishing definitions for Atlantic surf clams and ocean quahogs in compliance with the NOAA Guidelines for Fishery Management Plans.

**EFFECTIVE DATE:** September 27, 1996.

**FOR FURTHER INFORMATION CONTACT:** Myles Raizin, Fishery Policy Analyst, 508-281-9104.

**ADDRESSES:** Copies of Amendment 9 and the environmental assessment are available from David Keifer, Executive Director, Mid-Atlantic Fishery Management Council, Room 2115 Federal Building, 300 S. New Street, Dover, DE 19901-6790.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The FMP directs the Secretary of Commerce, in consultation with the Mid-Atlantic Fishery Management Council (Council), to specify quotas for surf clams and ocean quahogs on an annual basis from a range defined by the FMP as the optimum yield for each fishery. During its discussion of the 1996 quota recommendations, the Council considered revising the overfishing definitions specified in the FMP. Overfishing is presently defined for both species in terms of actual yield levels. That is, overfishing is defined as harvests in excess of the specified quota levels. This definition does not incorporate biological considerations to protect against overfishing. NMFS has concluded that a harvesting strategy based on Council policy is no longer

acceptable, since it depends on the Council taking appropriate action, rather than adhering to a rate-based biological standard. The Council, in cooperation with NMFS, determined that overfishing definitions based on maximum spawning potential (MSP) would be appropriate for these fisheries. Following several meetings with industry and one public hearing, the Council adopted Amendment 9 at its May 1996 meeting. A notice of availability of Amendment 9 that outlined the proposed revision of the overfishing definitions and requested public comments was published in the Federal Register on June 20, 1996 (61 FR 31499). No comments were received.

##### **Overfishing Definitions**

The approved overfishing definitions contained in Amendment 9 are fishing mortality rates of  $F_{20\text{ percent}}$  (20 percent of Maximum Spawning Potential (MSP)) for surf clams and  $F_{25\text{ percent}}$  (25 percent of MSP) for ocean quahogs. These levels equate to annual exploitation rates of 15.3 and 4.3 percent for surf clams and ocean quahogs, respectively.

##### **Classification**

The Director, Northeast Region, NMFS, determined that Amendment 9 is necessary for the conservation and management of the Atlantic surf clam and ocean quahog fisheries and is consistent with the Magnuson Fishery Conservation and Management Act and other applicable laws.

This action is exempt from OMB review under E.O. 12866.

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

Dated: September 20, 1996.

Nancy Foster,

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

[FR Doc. 96-24671 Filed 9-26-96; 8:45 am]

BILLING CODE 3510-22-F

#### **Patent and Trademark Office**

##### **Practitioner Records Maintenance and Disclosure Before the PTO**

**ACTION:** Proposed collection; comment request.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments must be submitted on or before November 26, 1996.

**ADDRESSES:** Direct all written comments to Linda Engelmeier, Acting Departmental Forms Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW., Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instruments(s) and instructions should be directed to Craig R. Feinberg, Patent and Trademark Office, Washington, DC 20231, (703) 308-5316, extension 10.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Abstract**

These collections are necessary to insure compliance with the Patent and Trademark Office (PTO) Code of Professional Responsibility. The code requires that attorneys and agents maintain complete records of a client in accordance with 37 CFR § 10.112(c)(3), and report violations of the Code and evidence of such violations to the PTO in accordance with 37 CFR §§ 10.23(c)(16) and 10.24. The code further mandates that attorneys and agents cooperate with the Director of the Office of Enrollment and Discipline in connection with any investigation in accordance with 37 CFR § 10.131(b).

##### **II. Method of Collection**

By mail, facsimile, and hand carry, when an individual is required to participate in the information collection.

##### **III. Data**

*OMB Number:* 0651-0017.

*Form Numbers:* N/A.

*Type of Review:* Reinstatement, with change, of a previously approved collection for which approval has expired.

*Affected Public:* Individuals.

*Estimated Number of Respondents:* 350 for recordkeeping maintenance, and 85 for violation reporting.

*Estimated Time Per Response:* 9 hours for record keeping maintenance, and 1½ hours for violation reporting.

*Estimated Total Annual Burden Hours:* 3278 hours.

*Estimated Total Annual Cost:* \$170,250.

##### **IV. Request for Comments**

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including