

to issue annual light truck CAFE standards. It would also do more violence to the statutory scheme of Chapter 329 than the establishment of a 20.7 mpg standard for MY 1998. Finally, failure to set any standard would conflict with Congress's express direction in the House Committee report that NHTSA not be precluded "from preparing, proposing and issuing a CAFE standard for model year 1998 automobiles that is identical to the CAFE standard for such automobiles for model year 1997."

II. Impact Analyses

A. Economic Impacts

The agency has not prepared a Final Regulatory Impact Analysis because of the restrictions imposed by Section 330 of the FY 1996 DOT Appropriations Act. The rule was reviewed by the Office of Management and Budget under Executive Order 12866 and is considered significant under the Department's regulatory procedures.

B. Environmental Impacts

NHTSA has not conducted an evaluation of the impacts of this action under the National Environmental Policy Act. There is no requirement for such an evaluation where Congress has eliminated the agency's discretion by precluding any action other than the one announced in this notice.

C. Impacts on Small Entities

NHTSA has not conducted an evaluation of this action pursuant to the Regulatory Flexibility Act. As Congress has eliminated the agency's discretion by precluding any action other than the one taken in this notice, such an evaluation is unnecessary. Past evaluations indicate, however, that few, if any, light truck manufacturers would have been classified as a "small business" under the Regulatory Flexibility Act.

D. Impact of Federalism

This action has been not been analyzed in accordance with the principles and criteria contained in Executive Order 12612. The preparation of a Federalism Assessment is not required where Congress has precluded any action other than the one published in this notice. As a historical matter, prior light truck standards have not had sufficient Federalism implications to warrant the preparation of a Federalism Assessment.

E. Department of Energy Review

In accordance with section 49 U.S.C. § 32902(j), NHTSA submitted this final rule to the Department of Energy for

review. That Department made no unaccommodated comments.

III. Conclusion

Based on the foregoing, the agency is establishing a combined average fuel economy standard for non-passenger automobiles (light trucks) for MY 1998 at 20.7 mpg.

List of Subjects in 49 CFR Part 533

49 CFR Part 533

Energy conservation, Motor vehicles.

PART 533—[AMENDED]

In consideration of the foregoing, 49 CFR Part 533 is amended as follows:

1. The authority citation for part 533 is revised to read as follows:

Authority: 49 U.S.C. 32902; delegation of authority at 49 CFR 1.50.

2. Section 533.5(a) is amended by revising Table IV to read as follows:

§ 533.5 Requirements.

* * * * *

TABLE IV

Model year	Standard
1996	20.7
1997	20.7
1998	20.7

* * * * *

Issued On: March 29, 1996.

Ricardo Martinez,

Administrator.

[FR Doc. 96-8156 Filed 3-29-96; 3:38 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 251

[Docket No. 960301056-6056-01; I.D. 021596D]

RIN 0648-AI76

Financial Aid Program Procedures; Removal of Conditional Fisheries Regulations

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

ACTION: Final rule.

SUMMARY: NMFS abolishes the Financial Aid Program Procedures regulations in accordance with the President's Regulatory Reform Initiative, which

directs that unnecessary regulations be abolished.

EFFECTIVE DATE: April 3, 1996.

ADDRESSES: Michael L. Grable, Chief, Financial Services Division, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Charles L. Cooper, Program Leader, 301-713-2396.

SUPPLEMENTARY INFORMATION: In 1973, NMFS established the regulations contained in 50 CFR part 251 to provide a central statement of NMFS policy related to restricting the use of financial assistance programs in certain fisheries in which the use of these programs has been determined to be inconsistent with the wise use of the fishery resources involved. These fisheries are designated as "Conditional Fisheries." The programs involved are the Fisheries Capital Construction Fund Program (46 U.S.C. 1177) and the Fisheries Obligation Guarantee Program (46 U.S.C. 1271-1279).

In March 1995, President Clinton issued a directive to Federal agencies regarding their responsibilities under his Regulatory Reform Initiative. This initiative is part of the National Performance Review and calls for immediate, comprehensive regulatory reform. The President directed all agencies to undertake an exhaustive review of all their regulations with an emphasis on eliminating or modifying those that are obsolete or otherwise in need of reform. NMFS has determined that the regulations pertaining to Conditional Fisheries are unnecessary and should be abolished, because NMFS has long-standing practices governing the use of the Fisheries Obligation Guarantee Fund Program and the Fisheries Capital Construction Fund Program that contain adequate safeguards against using these programs in ways that would be inconsistent with the wise use of fisheries resources. To ensure that the Fisheries Capital Construction Fund Program will not be used in ways that would be inconsistent with the wise use of fishery resources, those fisheries which had been designated as "Conditional Fisheries" shall continue to be "closed fisheries" pursuant to the Interim Capital Construction Fund agreements. The fisheries involved are the fishery for yellowfin tuna in the area regulated by the Inter-American Tropical Tuna Commission, the fishery for American lobster in the Gulf of Maine, the fishery for salmon in Washington, Oregon, and California, the fishery for king crab in

Alaska, the fishery for surf clams, and the fishery for Atlantic Groundfish.

Classification

Because this rule eliminates an unnecessary regulation, no useful purpose would be served by providing prior notice and opportunity for comment on this rule. Accordingly, under 5 U.S.C. 553(b)(B), the Assistant Administrator for Fisheries, NOAA, for good cause, finds that it is unnecessary to provide such notice and opportunity for comment. Also, because this rule is only administrative in nature and is not a "substantive rule" under 5 U.S.C. 533(d), it will be immediately effective upon publication.

This final rule has been determined to be not significant for the purposes of E.O. 12866.

List of Subjects in 50 CFR Part 251

Administrative practice and procedure, Fisheries, Fishing vessels, Loan programs-business.

Dated: March 27, 1996.

Charles Karnella,

*Acting Program Management Officer,
National Marine Fisheries Service.*

For the reasons set out in the preamble, under the authority at 16 U.S.C. 742, 50 CFR part 251 is removed. [FR Doc. 96-7888 Filed 4-2-96; 8:45 am]

BILLING CODE 3510-22-F

50 CFR Part 641

[Docket No. 94113-4354; I.D. 032896A]

Reef Fish Fishery of the Gulf of Mexico; Closure of the Commercial Red Snapper Component

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

ACTION: Closure.

SUMMARY: NMFS closes the commercial fishery for red snapper in the exclusive economic zone (EEZ) of the Gulf of Mexico. NMFS has projected that the annual commercial quota for red snapper will be reached on April 4, 1996. This closure is necessary to protect the red snapper resource.

EFFECTIVE DATE: Closure is effective 12:01 a.m., local time, April 5, 1996, through December 31, 1996.

FOR FURTHER INFORMATION CONTACT: Robert Sadler, 813-570-5305.

SUPPLEMENTARY INFORMATION: The reef fish fishery of the Gulf of Mexico is managed under the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP). The FMP was prepared by the Gulf of Mexico Fishery Management Council and is implemented through regulations at 50 CFR part 641 under the authority of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*). Those regulations set the commercial quota for red snapper in the Gulf of Mexico at 3.06 million lb (1.39 million kg) for the current fishing year, January 1 through December 31, 1996.

Under 50 CFR 641.26, NMFS is required to close the commercial fishery for a species or species group when the

quota for that species or species group is reached, or is projected to be reached, by publishing a notification to that effect in the Federal Register. Based on current statistics, NMFS has projected that the commercial quota of 3.06 million lb (1.39 million kg) for red snapper will be reached on April 4, 1996. Accordingly, the commercial fishery in the EEZ in the Gulf of Mexico for red snapper is closed effective 12:01 a.m., local time, April 5, 1996, through December 31, 1996, the end of the fishing year. A vessel with a valid reef fish permit having red snapper on board must land and barter, trade, or sell such red snapper prior to 12:01 a.m., local time, April 5, 1996.

During the closure, the bag limit applies to all harvests of red snapper from the EEZ in the Gulf of Mexico. The daily bag limit for red snapper is five per person. From 12:01 a.m., local time, April 5, 1996, through December 31, 1996, the purchase, barter, trade, or sale of red snapper taken from the EEZ is prohibited. This prohibition does not apply to trade in red snapper that were harvested, landed, and bartered, traded, or sold prior to 12:01 a.m., local time, April 5, 1996, and were held in cold storage by a dealer or processor.

Classification

This action is taken under 50 CFR 641.26 and is exempt from review under E.O. 12866.

Dated: March 28, 1996.

Richard W. Surdi,

*Acting Director, Office of Fisheries
Conservation and Management, National
Marine Fisheries Service.*

[FR Doc. 96-8177 Filed 4-2-96; 8:45 am]

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