

XIV. Other Requirements

A. Federal policies and procedures. Recipients and subrecipients are subject to all Federal laws and Federal and DOC policies, regulations, and procedures applicable to Federal financial assistance awards. Women and minority individuals and groups are encouraged to submit applications under this program.

B. Past performance. Any first-time applicant for Federal grant funds under this announcement is subject to a pre-award accounting survey prior to execution of the award. Unsatisfactory performance under prior Federal awards may result in an application not being considered for funding.

C. Pre-award activities. If applicants incur any costs prior to an award being made, they do so solely at their own risk of not being reimbursed by the Government. Notwithstanding any verbal or written assurance that they may have received, there is no obligation on the part of DOC to cover pre-award costs.

D. No obligation of future funding. If an application is selected for funding, DOC has no obligation to provide any additional future funding in connection with the award. Renewal of an award to increase funding or extend the period of performance is at the total discretion of DOC.

E. Delinquent Federal debts. No award of Federal funds shall be made to an applicant or to its subrecipients who have any outstanding delinquent Federal debt or fine until either:

1. The delinquent account is paid in full;
2. A negotiated repayment schedule is established and at least one payment is received; or
3. Other arrangements satisfactory to DOC are made.

F. Name check review. All non-profit and for-profit applicants are subject to a name check review process. Name checks are intended to reveal if any key individuals associated with the applicant have been convicted of, or are presently facing, such criminal charges as fraud, theft, perjury, or other matters that significantly reflect on the applicant's management, honesty, or financial integrity. Potential non-profit and for-profit recipients may also be subject to reviews of Dun and Bradstreet data or other similar credit checks.

G. Primary applicant certifications. All primary applicants must submit a completed Form CD 511, "Certifications Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying," and the following explanations are hereby provided:

1. *Nonprocurement debarment and suspension.* Prospective participants (as defined at 15 CFR 26.105) are subject to 15 CFR part 26, "Nonprocurement Debarment and Suspension," and the related section of the certification form prescribed earlier applies;

2. *Drug-free workplace.* Grantees (as defined at 15 CFR 26.605) are subject to 15 CFR part 26, subpart F, "Government-wide Requirements for Drug-Free Workplace (Grants)," and the related section of the certification form prescribed earlier applies; also please enter the Principal Place of Performance, i.e. where the work will be done, on the form.

3. *Anti-lobbying.* Persons (as defined at 15 CFR 28.105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions," and the lobbying section of the certification form prescribed above applies to applications/bids for grants, cooperative agreements, contracts for more than \$100,000, loans and loan guarantees for more than \$150,000, or the single family maximum mortgage limit for affected programs, whichever is greater; and

4. *Anti-lobbying disclosures.* Any applicant who has paid or will pay for lobbying using any funds must submit a Form SF-LLL, "Disclosure Form to Report Lobbying," as required under 15 CFR part 28, appendix B.

H. Lower tier certifications. Recipients shall require applicants/bidders for subgrants, contracts, subcontracts, or other lower tier covered transactions at any tier under the award to submit, if applicable, a completed Form CD 512, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying" and disclosure form SF-LLL, "Disclosure of Lobbying Activities." Form CD 512 is intended for the use of recipients and should not be transmitted to DOC. A form SF-LLL submitted by any tier recipient or subrecipient should be submitted to DOC in accordance with the instructions contained in the award document.

I. False statements. A false statement on the application is grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. 1001.

J. Intergovernmental review. Applications under this program are subject to the provisions of E.O. 12372, "Intergovernmental Review of Federal Programs."

K. American-made equipment and products. Applicants are hereby notified that they are encouraged, to the extent feasible, to purchase American-made equipment and products with funding provided under this program.

Classification

Prior notice and an opportunity for public comments are not required by the Administrative Procedure Act or by any other law for this notice concerning grants, benefits, and contracts. Therefore, a regulatory flexibility analysis is not required for purposes of the Regulatory Flexibility Act.

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

Cooperative agreements awarded pursuant to pertinent statutes shall be in accordance with the Fisheries Research Plan (comprehensive program of fisheries research) in effect on the date of the award.

Federal participation under the MARFIN Program may include the assignment of DOC scientific personnel and equipment. Reasonable, negotiated financial compensation will be provided under awards for the work of eligible grantee workers.

This notice contains information-collection requirements which are subject to the Paperwork Reduction Act and which have been approved by the Office of Management and Budget under OMB control numbers -0043 and -0046. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB control number.

Dated: April 20, 1999.

Penelope D. Dalton,

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

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

[I.D. 041999A]

Gulf of Mexico Fishery Management Council; Public Meetings

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

ACTION: Notice of public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will convene public meetings.

DATES: The meetings will be held from May 10 through May 13, 1999. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

ADDRESSES: These meetings will be held at the Omni Austin Hotel, 700 San Jacinto, Austin, Texas; telephone: 512-476-3700.

Council address: Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619.

FOR FURTHER INFORMATION CONTACT: Mr. Wayne E. Swingle, Executive Director, Gulf of Mexico Fishery Management Council; telephone: (813) 228-2815.

SUPPLEMENTARY INFORMATION: The public meetings will be held on:

Monday, May 10, 1999

12:00 noon - 1:30 p.m.—Convene the Shrimp Management Committee to review a draft amendment options paper addressing reduction of shrimp trawl bycatch in the eastern Gulf of Mexico. The options paper will be revised into a draft amendment at a subsequent Council meeting and be presented at public hearings in the late summer or fall.

1:30 p.m. - 3:00 p.m.—Convene the Joint Shrimp/Reef Fish Management Committees to hear a presentation by NMFS scientists on the results of their study on the effectiveness of bycatch reduction devices (BRDs) in reducing the bycatch of juvenile red snapper in shrimp trawls.

3:00 p.m. - 5:30 p.m.—Convene the Reef Fish Management Committee to approve Draft Reef Fish Amendment 17 for public hearings that will be held in June. The amendment proposes to extend the moratorium on issuance of commercial reef fish vessel permits. The committee will hear and may act on a report on the recommendations of the red snapper recreational workshop participants on actions that could be taken to extend the recreational red snapper season. The committee will also hear and may act on a NMFS report on the status of approval of the Council's regulatory amendment to set red snapper total allowable catch (TAC) for 1999.

Tuesday, May 11, 1999

8:00 a.m. - 12:00 noon—Convene the Mackerel Management Committee to review stock assessment and socioeconomic information and to develop their TAC recommendations to

the Council, which can include bag limits, size limits, trip limits, and seasons. The committee will also approve Draft Mackerel Amendment 12 for public hearings to be held in June. The amendment proposes to extend the moratorium on issuance of commercial king mackerel vessel permits.

1:00 p.m. - 3:00 p.m.—Convene the Marine Reserves Committee to review a draft scoping document that will be presented at workshops in the fall.

3:00 p.m. - 5:30 p.m.—Convene the Administrative Policy Committee to consider amendments to the Magnuson-Stevens Act.

Wednesday, May 12, 1999*Council*

8:30 a.m.—Convene.

8:45 a.m. - 9:00 a.m.—Receive a report on completion of the Federal Billfish Amendment and Highly Migratory Species Fishery Management Plan.

9:00 a.m. - 12:00 noon—Receive public testimony on the total allowable catch (TAC) for mackerels and coastal pelagics.

1:30 p.m. - 4:00 p.m.—Receive the Mackerel Management Committee Report.

4:00 p.m. - 5:00 p.m.—Receive the Shrimp Management Committee Report.

Thursday, May 13, 1999

8:30 a.m. - 9:00 a.m.—Receive the Reef Fish Management Committee Report.

9:00 a.m. - 9:45 a.m.—Receive the Administrative Policy Committee Report.

9:45 a.m. - 10:15 a.m.—Receive the Marine Reserves Committee Report.

10:15 a.m. - 10:45 a.m.—Receive the Joint Shrimp/Reef Fish Committee Report.

10:45 a.m. - 11:00 a.m.—Receive the International Commission for the Conservation of Atlantic Tunas Advisory Committee (ICCAT) meeting report.

11:00 a.m. - 11:15 a.m.—Receive the South Atlantic Fishery Management Council Liaison Report.

11:15 a.m. - 11:30 a.m.—Receive Enforcement Reports.

11:30 a.m. - 11:45 a.m.—Receive Director's Reports.

11:45 a.m. - 12:00 noon—Other Business.

The General Accounting Office (GAO) is currently reviewing implementation of the Magnuson-Stevens Fishery Conservation and Management Act. As part of this effort, two GAO staff will be attending the Council meeting the week of May 10th and will be available to talk

to anyone who wishes to provide information or examples on the subjects detailed here.

Magnuson-Stevens Fishery Conservation and Management Act

Senate Report 105-235 mandates that GAO review National Marine Fisheries Service compliance with the national standards to base conservation and management measures on the best scientific information available and that such measures take into account the importance of fishery resources to fishing communities. The report also mandates that GAO review NMFS' implementation of the essential fish habitat provisions. GAO is interested in interviewing anyone who wishes to provide information or examples with respect to these three areas.

Although other issues not contained in this agenda may come before the Council for discussion, in accordance with the Magnuson-Stevens Fishery Conservation Act, those issues may not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically identified in the agenda listed in this notice.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Anne Alford at the Council (see **ADDRESSES**) by May 3, 1999.

Dated: April 19, 1999.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 041999B]

Endangered Species; Permits

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

ACTION: Receipt of application for a scientific research permit (1215); receipt of applications to modify permits (1102, 1136, 1140); issuance of modifications to existing permits (1058, 1174).

SUMMARY: Notice is hereby given of the following actions regarding permits for takes of endangered and threatened