

U.S.C. 1675(a)(3)(A)) and 19 CFR 351.213(h)(2).

Dated: October 3, 2000.

Richard W. Moreland

Deputy Assistant Secretary for Import Administration.

[FR Doc. 00-25971 Filed 10-6-00; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 081400A]

Taking and Importing of Marine Mammals

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

ACTION: Notice of harvesting nation embargoes.

SUMMARY: The Assistant Administrator for Fisheries, NMFS, (Assistant Administrator) imposed embargoes on yellowfin tuna and yellowfin tuna products from Belize, Bolivia, Colombia, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Vanuatu, and Venezuela under the Marine Mammal Protection Act (MMPA), 16 U.S.C. 1361 *et seq.*, on October 3, 2000. This action prohibits the importation into the United States from these nations of yellowfin tuna and yellowfin tuna products harvested by purse seine in the eastern tropical Pacific Ocean (ETP). NMFS is imposing the embargoes because these nations harvest tuna in the ETP with purse seine vessels with greater than 400 short tons (362.8 mt) of carrying capacity and have not received "affirmative findings" as required by 50 CFR 216.24(f)(9). This determination remains in effect for each nation until an affirmative finding has been granted to a nation by the Assistant Administrator.

DATES: Effective October 3, 2000.

ADDRESSES: Copies of this notice may be obtained by writing to Nicole R. Le Boeuf, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, Maryland 90210.

FOR FURTHER INFORMATION CONTACT: Nicole R. Le Boeuf; phone 301-713-2322; fax 301-713-4060.

SUPPLEMENTARY INFORMATION: Prior to March 3, 1999, section 101(a)(2)(B) of the MMPA required nations wishing to import into the United States yellowfin tuna or yellowfin tuna products harvested by purse seine in the ETP to submit documentation indicating that

they were enforcing dolphin protection measures comparable to those of the United States. Under section 101(a)(2)(B) of the MMPA effective prior to March 3, 1999, Belize, Colombia, Panama, Vanuatu, and Venezuela were embargoed. The existing embargoes against yellowfin tuna harvested by purse seine in the ETP and exported from those five nations remain in effect.

Since March 3, 1999, the standards of the MMPA, as amended by the International Dolphin Conservation Program Act (IDCPA) (Pub. L. 105-42), changed for the entry into the United States of yellowfin tuna and yellowfin tuna products harvested by purse seine vessels in the ETP, as set forth by the interim final rule implementing the IDCPA (65 FR 30, January 3, 2000).

In order to export to the United States yellowfin tuna harvested by purse seine in the ETP, nations that have, operating under their jurisdiction, purse seine vessels with over 400 short tons of carrying capacity that fish for tuna in the ETP (i.e., a harvesting nation) are now obligated to submit documentary evidence directly to Assistant Administrator, and to request an affirmative finding as required by 50 CFR 216.24(f)(9). Based upon documentary evidence submitted by a harvesting nation and obtained from the Inter-American Tropical Tuna Commission (IATTC) and/or from the Department of State, the Assistant Administrator will determine whether the nation qualifies for an affirmative finding under section 101(a)(2)(B) of the MMPA. An affirmative finding allows for the importation into the United States of yellowfin tuna and yellowfin tuna products harvested by purse seine in the ETP after March 3, 1999. If a harvesting nation does not provide documentary evidence that shows that the nation meets the standards under section 101(a)(2)(B) of the MMPA, the Assistant Administrator must embargo yellowfin tuna harvested by purse seine in the ETP. Bolivia, El Salvador, Guatemala, Honduras, and Nicaragua are not currently embargoed, however, those nations have failed to submit documentation to NMFS, as required by 50 CFR 216.24(f)(9).

The application procedures to request an affirmative finding are described in the interim final regulations implementing the IDCPA (65 FR 30, January 3, 2000). Harvesting nations must submit documentary evidence directly to the Assistant Administrator demonstrating that they meet several conditions related to compliance with the International Dolphin Conservation Program (IDCP), and request an affirmative finding. To issue an

affirmative finding, NMFS must receive the following information:

1. A statement requesting an affirmative finding;
2. Evidence of membership in the Inter-American Tropical Tuna Commission (IATTC);
3. Evidence that a nation is meeting its obligations to the IATTC, including financial obligations;
4. Evidence that a nation is complying with the IDCP. For example, national laws and regulations implementing the Agreement on the IDCP and information that the nation is enforcing those laws and regulations;
5. Evidence of a tuna tracking and verification program comparable to the U.S. tracking and verification regulations at 50 CFR 216.94;
6. Evidence that the national fleet dolphin mortality limits (DMLs) were not exceeded in the previous calendar year;
7. Evidence that the national fleet per-stock per-year mortality limits, if they are allocated to countries, were not exceeded in the previous calendar year;
8. Authorization for the IATTC to release to the Assistant Administrator complete, accurate, and timely information necessary to verify and inspect Tuna Tracking Forms; and
9. Authorization for the IATTC to release to the Assistant Administrator information whether a nation is meeting its obligations of membership to the IATTC and whether a nation is meeting its obligations under the IDCP, including managing (not exceeding) its national fleet DMLs or its national fleet per-stock per-year mortality limits. A nation may opt to provide this information directly to NMFS on an annual basis or to authorize the IATTC to release the information to NMFS in years when NMFS will review and consider whether to issue an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f)(9) are no longer being met or that a nation is consistently failing to take enforcement actions on violations which diminish the effectiveness of the IDCP. Every 5 years, the government of a harvesting nation, must request an affirmative finding and submit the required documentary evidence directly to the Assistant Administrator.

Until such time as the Assistant Administrator receives documentary evidence from the Governments of Belize, Bolivia, Colombia, El Salvador, Guatemala, Honduras, Nicaragua,

Panama, Vanuatu, and Venezuela demonstrating that they qualify for affirmative findings, embargoes on yellowfin tuna harvested by purse seine in the ETP by these nations will continue. These embargoes prohibit the importation into the United States from these nations of yellowfin tuna and yellowfin tuna products harvested by purse seine in the ETP after March 3, 1999.

Dated: October 3, 2000.

William T. Hogarth,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D.092600A]

Marine Mammals; File No. 373-1575

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

ACTION: Issuance of permit.

SUMMARY: Notice is hereby given that Point Reyes Bird Observatory (Dr. Sarah Allen, Principal Investigator) 4990 Shoreline Highway, Stinson Beach, CA 94970, has been issued a permit to take harbor seals (*Phoca vitulina richardsi*), northern elephant seals (*Mirounga angustirostris*), California sea lions (*Zalophus californianus*), and Steller sea lions (*Eumetopias jubatus*) for purposes of scientific research.

ADDRESSES: The permit and related documents are available for review upon written request or by appointment in the following office(s):

Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910 (301/713-2289);

Regional Administrator, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802 (562/980-4001); and

Regional Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115 (206/526-6150).

FOR FURTHER INFORMATION CONTACT: Simona Roberts or Ruth Johnson, 301/713-2289.

SUPPLEMENTARY INFORMATION: On July 11, 2000, notice was published in the **Federal Register** 65 FR 42676) that a request for a scientific research permit

to take harbor seals (*Phoca vitulina richardsi*), northern elephant seals (*Mirounga angustirostris*), California sea lions (*Zalophus californianus*), and Steller sea lions (*Eumetopias jubatus*) had been submitted by the above-named organization. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of the endangered species which is the subject of this permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: October 3, 2000.

Ann D. Terbush,

*Chief, Permits and Documentation Division,
Office of Protected Resources, National
Marine Fisheries Service.*

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DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education.

SUMMARY: The Leader, Regulatory Information Management Group, Office of the Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before November 9, 2000.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Lauren Wittenberg, Acting Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503 or should be electronically mailed to the internet address Lauren.Wittenberg@omb.eop.gov.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early

opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, *e.g.* new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: October 3, 2000.

John Tressler,

*Leader, Regulatory Information Management,
Office of the Chief Information Officer.*

Office of Student Financial Assistance

Type of Review: Reinstatement.

Title: The Leveraging Educational Assistance and Partnership (LEAP) Program.

Frequency: Annually.

Affected Public: State, Local, or Tribal Gov't, SEAs or LEAs.

Reporting and Recordkeeping Hour Burden:

Responses: 56

Burden Hours: 560

Abstract: The LEAP Program uses matching Federal and State funds to provide a nationwide system of grants to assist postsecondary educational students with substantial financial need. State agencies use this performance report to account for yearly program performance. The Department uses the information collected to assess the accomplishment of the program goals and objectives and to aid in program management and compliance assurance.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, or should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW., Room 4050, Regional Office Building 3, Washington, DC 20202-4651. Requests may also be electronically mailed to the internet address OCIO_IMG_Issues@ed.gov or faxed to 202-708-9346.