

rules that will have a significant effect on a substantial number of small entities, which includes small businesses, organizations, or governmental jurisdictions. This rule proposes to approve an additional type of nontoxic shot that may be sold and used to hunt migratory birds; this proposed rule would provide one shot type in addition to the existing four that are approved. We have determined, however, that this proposed rule will have no effect on small entities since the approved shot merely will supplement nontoxic shot already in commerce and available throughout the retail and wholesale distribution systems. We anticipate no dislocation or other local effects, with regard to hunters and others. This rule was not subject to Office of Management and Budget (OMB) review under Executive Order 12866.

Executive Order 12866

This proposed rule is not a significant regulatory action subject to Office of Management and Budget (OMB) review under Executive Order 12866. OMB makes the final determination under E.O. 12866. We invite comments on how to make this rule easier to understand, including answers to questions such as the following: (1) Are the requirements in the rule clearly stated? (2) Does the rule contain technical language or jargon that interferes with its clarity? (3) Does the format of the rule (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce its clarity? (4) Would the rule be easier to understand if it were divided into more (but shorter) sections? (5) Is the description of the rule in the **SUPPLEMENTARY INFORMATION** section of the preamble helpful in understanding the rule? What else could we do to make the rule easier to understand?

Paperwork Reduction Act

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. We have examined this regulation under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501) and found it to contain no information collection requirements. We have submitted a request for renewal of OMB approval of collection of information shot manufacturers are required to provide to us for the nontoxic shot approval process. For further information see 50 CFR 20.134.

Unfunded Mandates Reform

We have determined and certify pursuant to the Unfunded Mandates Reform Act, 2 U.S.C. 1502, *et seq.*, that this proposed rulemaking will not impose a cost of \$100 million or more in any given year on local or State government or private entities.

Civil Justice Reform—Executive Order 12988

We, in promulgating this proposed rule, have determined that these regulations meet the applicable standards provided in Sections 3(a) and 3(b)(2) of Executive Order 12988.

Takings Implication Assessment

In accordance with Executive Order 12630, this proposed rule, authorized by the Migratory Bird Treaty Act, does not have significant takings implications and does not affect any constitutionally protected property rights. This proposed rule will not result in the physical occupancy of property, the physical invasion of property, or the regulatory taking of any property. In fact, this proposed rule will allow hunters to exercise privileges that would be otherwise unavailable; and, therefore, reduces restrictions on the use of private and public property.

Federalism Effects

Due to the migratory nature of certain species of birds, the Federal Government has been given responsibility over these species by the Migratory Bird Treaty Act. This proposed rule does not have a substantial direct effect on fiscal capacity, change the roles or responsibilities of Federal or State governments, or intrude on State policy or administration. Therefore, in accordance with Executive Order 13132, this proposed regulation does not have significant federalism effects and does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Government-to-Government Relationship With Tribes

In accordance with the President's memorandum of April 29, 1994, "Government-to-Government Relations with Native American Tribal Governments" (59 FR 22951) and 512 DM 2, we have determined that this proposed rule has no effects on Federally recognized Indian tribes.

List of Subjects in 50 CFR Part 20

Exports, Hunting, Imports, Reporting and recordkeeping requirements, Transportation, Wildlife.

For the reasons discussed in the preamble, we propose to amend part 20, subchapter B, chapter I of Title 50 of the Code of Federal Regulations as follows:

PART 20—[AMENDED]

1. The authority citation for part 20 continues to read as follows:

Authority: 16 U.S.C. 703–712 and 16 U.S.C. 742 a–j.

2. Section 20.21 is amended by revising paragraph (j) to read as follows:

§ 20.21 What hunting methods are illegal?

* * * * *

(j) While possessing loose shot for muzzle loading or shotshells containing other than the previously approved shot types of steel, bismuth-tin (97 parts bismuth: 3 parts tin), tungsten-iron (40 parts tungsten: 60 parts iron), tungsten-polymer (95.5 parts tungsten: 4.5 parts Nylon 6 or 11), tungsten-matrix (95.9 parts tungsten: 4.1 parts polymer), and tungsten-nickel-iron (55% tungsten: 35% nickel: 15% iron), all of which must contain less than 1% residual lead (see § 20.134). This restriction applies to the taking of ducks, geese (including brant), swans, coots (*Fulica americana*), and any other species that make up aggregate bag limits with them during concurrent seasons in areas described in § 20.108 as nontoxic shot zones.

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Dated: October 24, 2000.

Kenneth L. Smith,

Acting Assistant Secretary for Fish and Wildlife and Parks.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[I.D. 102300A]

New England Fishery Management Council; Public Meeting

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

ACTION: Public meeting.

SUMMARY: The New England Fishery Management Council (Council) will hold a 3-day public meeting on November 14, 15, and 16, 2000, to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

DATES: The meeting will be held on Tuesday, November 14, 2000, beginning at 9:30 a.m., and Wednesday and Thursday, November 15 and 16, at 8:30 a.m.

ADDRESSES: The meeting will be held at the Sheraton Colonial Hotel, One Audubon Road, Wakefield, MA, 01880; telephone (781) 245-9300. Requests for special accommodations should be addressed to the New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950; telephone (978) 465-0492.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New England Fishery Management Council (978) 465-0492.

SUPPLEMENTARY INFORMATION:

Tuesday, November 14, 2000

After introductions, the meeting will begin with a report from the Sea Scallop Committee. It will ask the Council to consider a number of issues related to action on Framework Adjustment 14 to the Fishery Management Plan (FMP) for Atlantic Sea Scallops. These issues include staff recommendations for General Category permit vessel participation in the Hudson Canyon and Virginia Beach Closed Area access program and additional Scallop Committee recommendations for inclusion in Framework 14 that relate to conditions for access. The Council's Social Sciences Advisory Panel will present its comments on the Draft Supplemental Environmental Impact Statement (DSEIS) for Framework Adjustment 14. The Council also will allow time for public comment on the Notice of Intent to prepare an SEIS. Subsequent to these agenda items, the Council intends to adopt the DSEIS. The Council is scheduled to take final action on Framework Adjustment 14 at its January 23-25, 2001, Council meeting. The Council also may request that NMFS take Interim Action to postpone the scheduled opening of the Hudson Canyon and Virginia Beach Closed Areas on March 1, 2001. The postponement, to be initiated to accommodate the preparation of the SEIS for Framework 14, would continue until the framework measures are implemented or for 180 days, whichever is earlier. In other actions under the scallop agenda item, the Council will comment on NMFS possibly allowing compensation trips to be taken by scallop vessels in the groundfish closed areas after the close of this scallop fishing year (February 28, 2001) to pay for scallop research associated with the Framework Adjustment 13 Total Allowable Catch research set-aside.

Following this agenda item, the Council's Research Steering Committee will ask the Council to approve research priorities for 2001 and review the committee's actions to date to develop a program to address the next round of Congressional funds appropriated for collaborative research in New England.

Wednesday, November 15, 2000

The meeting will begin with a presentation of the 2000 Multispecies Monitoring Committee (MSMC) report, including its recommendations for revisions to management measures for the 2001 fishing year. Under the Groundfish Committee Report to follow, the Council will discuss these recommendations and identify alternatives for an annual framework adjustment to the Northeast Multispecies FMP that may be necessary to meet the goals and objectives of the plan. If an annual adjustment is necessary, this will be the initial meeting for Framework Adjustment 36 to the Northeast Multispecies FMP. Prior to a committee update on the development of Amendment 13 to the FMP, the Groundfish Overfishing Definition Review Panel Committee will present its report to the Council. The Groundfish Committee will then discuss rebuilding schedules and review committee progress to develop management alternatives, including possible refinements to the existing three broad alternatives under consideration for inclusion in the amendment (modifications based on the status quo, sector allocation alternative and area management alternative). There also will be discussion of a process for considering industry proposals and a new timeline for completion of Amendment 13 tasks. Additionally, under the Groundfish Committee Report agenda item, there will be a presentation of the National Research Council's Report on Summer Flounder and Improving the Collection, Management and Use of Fisheries Data.

Thursday, November 16, 2000

The third day of the meeting will begin with reports on recent activities from the Council Chairman, Executive Director, the NMFS Regional Administrator, Northeast Fisheries Science Center and Mid-Atlantic Fishery Management Council liaisons, and representatives of the Coast Guard, NMFS Enforcement and the Atlantic States Marine Fisheries Commission. The Council's Executive Director will ask for approval of a schedule of management priorities for 2001. The Habitat Committee will ask for approval of a letter to the Environmental

Protection Agency concerning its power plant permitting process. Under the Monkfish Committee Report, there will be a presentation of the Stock Assessment and Fishery Evaluation (SAFE) Report for the 1999 fishing year, which will include the annual Monkfish Monitoring Committee Report. The committee will ask for Council approval of initial action on the annual framework adjustment to the Monkfish FMP. The only measure under consideration to date concerns the necessary exemptions for vessels fishing for monkfish in the Northwest Atlantic Fisheries Organization Regulated Area. The Council may identify other measures to be analyzed and considered in the framework adjustment process. The Council meeting will adjourn after addressing any other outstanding business.

Although other non-emergency issues not contained in this agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

The New England Council will consider public comments at a minimum of two Council meetings before making recommendations to the National Marine Fisheries Service Regional Administrator on any framework adjustment to a fishery management plan. If she concurs with the adjustment proposed by the Council, the Regional Administrator has the discretion to publish the action either as proposed or final regulations in the Federal Register. Documents pertaining to framework adjustments are available for public review 7 days prior to a final vote by the Council.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: October 24, 2000.

Richard W. Surdi,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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