Georgetown University Hospital, 488 U.S. 204 (1988). NMFS disagrees. The vessel reconstruction and length provisions are not retroactive rules and therefore are not governed by Bowen.

Classification

The Director, Alaska Region, NMFS, has determined that Amendment 23 to the FMP for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area, Amendment 28 to the FMP for Groundfish of the Gulf of Alaska, and Amendment 4 to the FMP for Commercial King and Tanner Crab Fisheries in the Bering Sea and Aleutian Islands Area are necessary for the conservation and management of the BSAI groundfish and crab fisheries and the GOA groundfish fisheries and are consistent with the national standards, other provisions of the Magnuson Act, and other applicable laws.

The Council prepared a final regulatory flexibility analysis as part of the regulatory impact review, which indicates that this rule could have a significant economic impact on a substantial number of small entities. A summary of this determination is included in the proposed rule (60 FR 25677, May 12, 1995). A copy of the EA/RIR/FRFA may be obtained (see ADDRESSES).

This rule involves collection-ofinformation requirements subject to the Paperwork Reduction Act (44 U.S.C. 3501 et seq.) that have been approved by the Office of Management and Budget (OMB) (OMB control number 0648-0206). This approval expires April 30, 1997. The revised moratorium proposal would affect fewer vessels. Therefore, the paperwork burden would be somewhat less than originally estimated for the original collection-of-information request. The public paperwork burden for this collection is estimated to average 3.33 hours per response, including the time needed for reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection of information that pertains to permit, appeals, and transfer applications. Send comments regarding this paperwork burden or any other aspect of the data requirements, including suggestions for reducing the burden, to NMFS (see ADDRESSES) and to the Office of Management and Budget, Paperwork Reduction Project (0648-0206), Washington, DC, 20503 (ATTN: NOAA Desk Officer).

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

List of Subjects

50 CFR Part 671

Fisheries, Fishing, Reporting and recordkeeping requirements.

50 CFR Parts 672, 675, and 677

Fisheries, Reporting and recordkeeping requirements.

50 CFR Part 676

Alaska, Fisheries, Reporting and recordkeeping requirements.

Dated: July 31, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR parts 671, 672, 675, 676, and 677 are amended as follows:

PART 671—KING AND TANNER CRAB FISHERIES OF THE BERING SEA AND ALEUTIAN ISLANDS

1. The authority citation for 50 CFR part 671 continues to read as follows:

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

2. Effective September 11, 1995, § 671.2 is amended by adding the definitions for "King crab" and "Tanner crab", in alphabetical order, to read as follows:

§ 671.2 Definitions.

* * * *

King crab means red king crab, Paralithodes camtschatica; blue king crab, P. platypus; or brown (or golden) king crab, Lithodes aequispina; scarlet (or deep sea) king crab, L. couesi.

Tanner crab means Chionoecetes bairdi; snow crab, C. opilio; grooved Tanner crab, C. tanneri; triangle Tanner crab, C. angulatus; or any hybrid of these Tanner crab species.

3. Effective September 11, 1995, § 671.3 is added to read as follows:

§ 671.3 Relation to other laws.

- (a) Foreign fishing. Regulations governing foreign fishing for groundfish in the Gulf of Alaska are set forth at § 611.92 of this chapter. Regulations governing foreign fishing for groundfish in the Bering Sea and Aleutian Islands management area are set forth at § 611.93 of this chapter.
- (b) King and Tanner crab. Regulations governing the conservation and management of king and Tanner crab also are found in the Alaska Administrative Code at title 5, chapters 34, 35, and 39.
- (c) Halibut fishing. Regulations governing the conservation and management of Pacific halibut are set

forth at part 301 of this title and part 676 of this chapter.

- (d) *Domestic fishing for groundfish*. Regulations governing the conservation and management of groundfish in the EEZ of the Gulf of Alaska and in the Bering Sea and Aleutian Islands management area are set forth at parts 620, 672, 675, and 676 of this chapter.
- (e) *Limited access*. Regulations governing access to commercial fishery resources are set forth at part 676 of this chapter.
- (f) Marine mammals. Regulations governing exemption permits and the recordkeeping and reporting of the incidental take of marine mammals are set forth at § 216.24 and part 229 of this title.
- (g) Research plan. Regulations governing elements of the North Pacific Fisheries Research Plan are set forth at part 677 of this chapter.
- 4. Effective January 1, 1996, through December 31, 1998, § 671.4 is revised to read as follows:

§ 671.4 Permits.

(a) All processors of Bering Sea and Aleutian Islands area king and Tanner crab must comply with the permit requirements of § 677.4 of this chapter.

(b) In addition to any other permits that may be required by Federal or state regulations, a moratorium permit may be required by part 676 of this chapter for a vessel of the United States if the vessel is used to catch and retain king or Tanner crab in the Bering Sea and Aleutian Islands Area.

PART 672—GROUNDFISH OF THE GULF OF ALASKA

5. The authority citation for 50 CFR part 672 continues to read as follows:

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

6. Effective September 11, 1995, through December 31, 1995, § 672.3, paragraph (f) is added to read as follows:

§ 672.3 Relation to other laws.

* * * * *

(f) Crab fishing. Regulations governing the conservation and management of king and Tanner crab in the Bering Sea and Aleutian Islands Area are set forth at parts 671 and 676 of this chapter, and in the Alaska Administrative Code at title 5, chapters 34, 35, and 39.

7. Effective January 1, 1996, through December 31, 1998, § 672.4, paragraphs (a) and (b)(1) introductory text are revised, and paragraph (k) is added to

read as follows:

§ 672.4 Permits.

(a) *General*. No vessel of the United States may be used to fish for