

that the rebuilding schedule is maintained. Additional management measures or revisions to existing measures could also be considered at this time to ensure that the TAL would not be exceeded. Furthermore, up to 3 percent of the TAL could be set aside for a given fishing year for the purpose of funding research. In the event that a new stock assessment is not completed or the Council Chairman does not request that the Monitoring Committee meet, the regulations further specify that the previous year's specifications will remain effective and that NMFS will issue notification in the **Federal Register** to inform the public.

A new tilefish stock assessment is not scheduled to occur until 2004. Consequently, the Council Chairman

did not request that the Monitoring Committee meet to determine if the annual quota requires modification to respond to stock conditions. Furthermore, the Council, at its August 2003 meeting, voted on research set-aside proposals that did not include a request for a tilefish research set-aside allocation for the upcoming fishing year. Therefore, NMFS informs the public that the 2003 quota specifications of 1.995-million lb (905,172-kg) for the golden tilefish fishery will remain in effect for the 2004 fishing year (November 1, 2003, through October 31, 2004).

A recent decision in the case of *Hadaja v. Evans* set aside the permit categories for the tilefish fishery. However, the TAL for the fishery is not

affected by this decision. Accordingly, for the 2004 fishing year, unless otherwise modified by the Council and NMFS, the 1.995-million lb (905,172-kg) TAL is applicable to the entire fishery and will not be distributed among permit categories according to the regulations at § 648.290(b).

Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

Authority: : 16 U.S.C. 1801 *et seq.*
October 3, 2003. Bruce C. Morehead, Acting
Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.
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