

U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, or deliver them to room 3406 at the same address between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-267-1477.

The Executive Secretary maintains the public docket for this notice. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters, between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Ms. Laura Hamman, Project Manager, Office of Design and Engineering Standards (G-MSE), 202-267-2206.

**SUPPLEMENTARY INFORMATION:**

**Request for Comments**

The Coast Guard encourages interested persons to comment on this document. Persons submitting comments should include their names and addresses, identify this notice (CGD 97-030), and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½×11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

The Coast Guard will consider all comments received during the comment period. It may change its policy in view of the comments.

**Discussion**

The Coast Guard has received comments questioning its policy prohibition the use of cable constructed to the specifications of MIL-C-915 (Cable and Board for Shipboard Use (including Amendment 2)) (MIL-C-915 cable) for alterations, modifications, conversions, and new construction of merchant vessels. That policy is set out in a note following paragraph (a) of 46 CFR 111.60-1. Paragraph (a) was amended by the final rule published in the **Federal Register** on May 1, 1997 (62 FR 23908). The note to paragraph (a) was added by an interim rule published in the **Federal Register** on June 4, 1996 (61 FR 28280) and remained unchanged in the final rule. Section 111.60-1(a) and its note now read as follows:

**§ 111.60-1 Cable construction and testing.**

(a) Each marine shipboard cable must meet all the construction and identification requirements of either IEEE Std 45, IEC 92-3, MIL-C-24640A, or MIL-C-24643A and the respective flammability tests contained therein and be of copper stranded type.

Note to paragraph (a): MIL-C-915 cable is acceptable only for repairs and replacements in kind. MIL-C-915 cable is no longer acceptable for alterations, modifications, conversions, or new construction. (See § 110.01-3 of this chapter).

\* \* \* \* \*

The note to paragraph (a) limits the use of MIL-C-915 cable to repairs and replacements in kind and prohibits its use for alterations, modifications, conversions, and new construction.

The requests stated that MIL-C-915 cable meets the requirements of Institute of Electrical and Electronic Engineers (IEEE) Std 45 (Recommended Practice for Electric Installations on Shipboard, 1983), as listed in paragraph (a). Therefore, the cable should be allowed for all uses, including alterations, modifications, conversions, and new construction.

The Coast Guard limited the use of the cable based on a decision by the Naval Sea Systems Command (NAVSEA) to restrict the use of the cable on Navy vessels. However, NAVSEA's decision was not based on a question of whether or not the cable meets IEEE Std 45 and whether or not it is suitable for use on merchant vessels.

The Coast Guard is soliciting comments on the use of MIL-C-915 cable.

**Policy**

In light of the fact that MIL-C-915 cable meets the requirements of IEEE Std 45, the Coast Guard will accept requests to use MIL-C-915 cable in alterations, modifications, conversions, and new construction under the equivalency provision in 46 CFR 110.20-1. This policy will remain in effect until this matter is resolved and notice of the action taken is published in the **Federal Register**. If the Coast Guard determines that the note to § 111.60-1(a) should be removed or amended, a rulemaking will be initiated to allow the public an opportunity to comment on that determination.

Dated: June 19, 1997.

**Howard L. Hime,**

*Acting Director of Standards, Marine Safety and Environmental Protection.*

[FR Doc. 97-16525 Filed 6-27-97; 8:45 am]

**BILLING CODE 4910-14-M**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 15**

[DA 97-1280]

**Spread Spectrum Frequency Hopping Regulations Request**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This action will permit Amtech's waiver request to be treated as a "permit-but-disclose" proceeding subject to the "permit-but-disclose" requirements under § 1.1206(b) of the rules.

**EFFECTIVE DATE:** June 20, 1997.

**FOR FURTHER INFORMATION CONTACT:** Anthony Serafini at (202) 418-2456.

**SUPPLEMENTARY INFORMATION:**

Released: June 20, 1997

**Office of Engineering and Technology Declares Amtech Systems Corporation Waiver Request of Part 15 Spread Spectrum Frequency Hopping Regulations A "Permit-But-Disclose" Proceeding for Ex Parte Purposes**

On April 3, 1996, Amtech Systems Corporation filed a Request for Waiver to provide for authorization of a modulated backscatter tag reader under the part 15 Spread Spectrum Frequency Hopping Regulations. We issued a public notice inviting comments from interested parties.<sup>1</sup> Eight parties responded in support of Amtech's request. One party opposed the request. On June 13, 1997, Amtech filed a letter seeking to have its pending waiver request treated on a "permit-but-disclose" basis for purpose of the Commission's *ex parte* rules.

In the course of examining the filings in this proceeding, OET has concluded that the public interest would be served by modifying the applicable *ex parte* procedures in this case to permit a fuller exchange on the complex issues under consideration in this proceeding. Therefore, in accordance with § 1.1200(a) of the Commission's Rules, 47 CFR § 1.1200(a), as revised, this proceeding will be treated, for *ex parte* purposes, as a "permit-but-disclose" proceeding and subject to the "permit-but-disclose" requirements under § 1.1206(b) of the rules, 47 CFR § 1.1206(b), as revised.<sup>2</sup>

<sup>1</sup> See Public Notice released April 19, 1996, DA 96-609.

<sup>2</sup> See Amendment of 47 CFR § 1.1200 *et seq.* Concerning Ex Parte Presentations in Commission Proceedings, Report and Order in GC Docket No. 95-21, 62 FR 15852 (April 3, 1997).

Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. See 47 CFR § 1.1206(b)(2), as revised. Other rules pertaining to oral and written presentations are set forth in § 1.1206(b) as well.

For further information concerning this proceeding contact Anthony Serafini at (202) 418-2456, Policy and Rules Division, Office of Engineering and Technology.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 97-16961 Filed 6-27-97; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**National Highway traffic Safety Administration**

**49 CFR Part 571**

**Federal Motor Vehicle Safety Standards**

*CFR Correction*

In title 49 of the Code of Federal Regulations, parts 400 to 999, revised as of October 1, 1996, on page 193, in § 571.105, paragraph S7.1 should be removed and the following paragraph reinstated.

**§ 571.105 Standard No. 105; Hydraulic brake systems.**

\* \* \* \* \*

*S7.1 Brake warming.* If the initial brake temperature for the first stop in a test procedure (other than S7.7 and S7.16) has not been reached, heat the brakes to the initial brake temperature by making not more than 10 snubs from not more than 40 to 10 mph, at a deceleration not greater than 10 fpsps.

\* \* \* \* \*

[FR Doc. 55503 Filed 6-25-97; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 285**

[Docket No. 970401075-7141-02; I.D. 121296A]

RIN 0648-AJ69

**Atlantic Tuna Fisheries; Annual Quotas**

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

**ACTION:** Final rule.

**SUMMARY:** NMFS amends the regulations governing the Atlantic tuna fisheries to set Atlantic bluefin tuna (ABT) fishing category quotas for the 1997 fishing year. The regulatory amendments are necessary to implement the 1996 recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT) regarding fishing quotas for bluefin tuna, as required by the Atlantic Tunas Convention Act (ATCA), and to achieve domestic management objectives.

**DATES:** The rule is effective June 25, 1997.

**ADDRESSES:** Copies of supporting documents, including an Environmental Assessment-Regulatory Impact Review (EA/RIR), are available from, Rebecca Lent, Chief, Highly Migratory Species Management Division, Office of Sustainable Fisheries (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3282.

**FOR FURTHER INFORMATION CONTACT:** John Kelly, 301-713-2347, or Mark Murray-Brown, 508-281-9260.

**SUPPLEMENTARY INFORMATION:** The Atlantic tuna fisheries are managed under the authority of the ATCA. ATCA authorizes the Secretary of Commerce (Secretary) to issue regulations as may be necessary to carry out the recommendations of ICCAT. The authority to issue regulations has been delegated from the Secretary to the Assistant Administrator for Fisheries, NOAA (AA).

At its 1996 meeting, ICCAT recommended that the Contracting Parties whose vessels have been actively fishing for bluefin in the western Atlantic institute a scientific monitoring quota of 2,354 mt each year for 1997 and 1998. When allocating the U.S. share of 1344.4 mt for 1997, NMFS takes into consideration the contribution of each fishing category to catch-per-unit-effort (CPUE) indices for the purposes of stock

assessment. However, NMFS also considers the effect of allocations on the traditional user groups and takes into account recent trends in fishing fleet activity.

Background information about the need for revisions to Atlantic tunas fishery regulations was provided in the preamble to the proposed rule (62 FR 19296, April 21, 1997) and is not repeated here. These regulatory changes will improve NMFS' ability to implement the ICCAT recommendations and further the management objectives for the Atlantic tuna fisheries.

**Relation to Proposed Consolidation**

The regulatory amendments contained in this final rule were originally written to be consistent with a proposed rule consolidating all regulations pertaining to Atlantic highly migratory species under 50 CFR part 630 (61 FR 57361, November 6, 1996). A final rule consolidating the regulations has not yet been issued. Thus, for the Atlantic tunas regulations contained in this final rule to be effective prior to the consolidation, they must be written to conform with existing text at 50 CFR part 285. The regulatory amendments contained in this final rule will eventually be incorporated into the final consolidated regulations at 50 CFR part 630. Copies of the proposed consolidation rule may be obtained by writing (see **ADDRESSES**) or calling the contact person (see **FOR FURTHER INFORMATION CONTACT**).

**Fishing Category Quotas**

No changes have been made to the proposed quotas. The ABT fishing category quotas for the 1997 fishing year are as follows: General category—633 mt; Harpoon Boat category—53 mt; Purse Seine category—250 mt; Angling category—265 mt; Incidental category—110 mt; and Reserve—33 mt.

The Angling category quota is subdivided as follows: No more than 6 mt may be large medium or giant ABT and no more than 108 mt may be school ABT. The quota for school ABT is further subdivided as 51 mt for the southern area and 57 mt for the northern area. The 151 mt of large school/small medium ABT is further subdivided as 71 mt for the southern area and 80 mt for the northern area.

The Incidental category quota is subdivided as follows: 86 mt to longline vessels operating south of 34° N. lat.; 23 mt to longline vessels operating north of 34° N. lat.; and 1 mt to fishermen using traps, fixed gear, and purse seines in the non-tuna fisheries. Although this final rule establishes a 1997 quota of 1 mt for the Incidental Other category, a catch of