

eligible for and participated in the first auction for frequency block C, which began on December 18, 1995, will be eligible to bid in a reauction of licenses for frequency block C conducted after March 31, 1998.

(ii) The following restrictions will apply for any reauction of frequency block C licenses conducted after March 31, 1998:

(A) Applicants that elected to disaggregate 15 MHz of spectrum from any or all of their frequency block C licenses, as provided in subsection IV.B., Amendment of the Commission's Rules Regarding Installment Payment Financing for Personal Communications Services Licensees, *Second Report and Order*, WT Docket No. 97-82 (released October 16, 1997), will not be eligible to apply for such disaggregated licenses until 2 years from the start of the reauction of those licenses. The *Second Report and Order* is available in the FCC Reference Center, Room 239, 1919 M Street, NW., Washington, DC 20554.

(B) Applicants that surrendered any of their frequency block C licenses as provided in subsection IV.D. (the "prepayment option") Amendment of the Commission's Rules Regarding Installment Payment Financing for Personal Communications Services Licensees, *Second Report and Order*, WT Docket No. 97-82 (released October 16, 1997), will not be eligible to apply for the licenses that they surrendered to the Commission until 2 years from the start of the reauction of those licenses.

(C) For purposes of this paragraph, *applicant* shall mean the applicant and its affiliates and any present or former qualifying member of a control group and their affiliates.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

[OST Docket No. 1; Amdt. 1-291]

RIN 9000-AA02

Organization and Delegation of Powers and Duties; Secretarial Succession

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: The purpose of this amendment is to alter the order of Secretarial succession for the Department to reflect that the Federal Aviation Administrator now serves a statutory term of office.

DATES: The effective date of this amendment is October 24, 1997.

FOR FURTHER INFORMATION CONTACT: David K. Tochen, Office of the General Counsel, Department of Transportation, Washington, DC (202) 366-4710.

SUPPLEMENTARY INFORMATION: In 49 CFR 1.26, the order of succession to act as Secretary of Transportation is set forth: The Deputy Secretary, General Counsel, Assistant Secretary for Transportation Policy, Assistant Secretary for Aviation and International Affairs, Assistant Secretary for Governmental Affairs, Assistant Secretary for Budget and Programs, Associate Deputy Secretary, Saint Lawrence Seaway Development Corporation Administrator, and Assistant Secretary for Administration, in that order. The Saint Lawrence Seaway Development Corporation Administrator is included in the order of succession because that official has a statutory term of office, and therefore is more likely to be in office during a Presidential transition, when someone of that rank must act as Secretary. With the recent appointment of the first Federal Aviation Administrator to serve a statutory term of office (five years—see 49 USC 106(b), as amended by the Federal Aviation Administration Authorization Act of 1994, Public Law 103-305, Section 201, August 23, 1994), that official is also more likely to be in office during a Presidential transition, and is being substituted for the Saint Lawrence Seaway Development Corporation Administrator. This amendment reflects this change in the order of Secretarial Succession.

Since this amendment relates to Departmental management, procedures, and practice, notice and comment on it are unnecessary under 5 USC 553(b)(3)(A), and it may be made effective in less than 30 days after publication in the **Federal Register** under 5 USC 553(d)(2) as a change in internal policy.

List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organization and functions (Government agencies).

In consideration of the foregoing, Part 1 of Title 49, Code of Federal Regulations, is amended as follows:

PART 1—[AMENDED]

1. The authority citation continues to read as follows:

Authority: 49 USC 322; Public Law 101-522, 28 USC 2672, 31 USC 3711 (a)(2).

2. In § 1.26, paragraph (a) introductory text is republished and paragraph (a)(8) is revised to read as follows:

§ 1.26 Secretarial succession.

(a) The following officials, in the order indicated, shall act as Secretary of Transportation, in case of the absence or disability of the Secretary, until the absence or disability ceases, or, in case of a vacancy, until a successor is appointed:

- * * * * *
- (8) Federal Aviation Administrator.
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Issued in Washington, DC, on October 15, 1997.

Rodney E. Slater,

Secretary of Transportation.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 630

[Docket No. 970710171-7240-02; I.D. 041097A]

RIN 0648-AJ63

Atlantic Swordfish Fishery; Annual Quotas

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

ACTION: Final rule.

SUMMARY: NMFS issues this final rule to amend the regulations governing the Atlantic swordfish fishery to: establish the U.S. swordfish quota for the North Atlantic Ocean at 2,464 metric tons (mt) dressed weight (dw) for 1997, at 2,398.6 mt dw for 1998, and at 2,333.2 mt dw for 1999, with one half of each year's longline/harpoon subquota allocated to each of two semiannual fishing seasons (June 1 through November 30 and December 1 through May 31); define the South Atlantic swordfish stock and set a 188 mt dw quota for that stock for 1997, with one-half allocated to each of the two semiannual fishing seasons; and implement the same management measures for the South Atlantic swordfish stock as are currently in place for the North Atlantic stock.

DATES: All provisions of this final rule are effective October 21, 1997, except for the amendments to §§ 630.4(a), 630.7(c), (bb) and (cc), and 630.23(a) and (b) and the revision to § 630.21 which are effective November 20, 1997.

ADDRESSES: Copies of the Final Environmental Assessment/Regulatory Impact Review (EA/RIR) supporting this