

located beyond 16 km (10 miles) from a TV Channel 13 Grade B contour, the HAAT shall not exceed 152.5m (500 feet).

(b) No CTS antenna shall be located within 61m (200 feet) of a residential dwelling.

(c) Except as noted in paragraph (d) of this section, the RTU antenna must be an integral part of the RTU unit.

(d) In buildings with multiple subscribers (10 or more) RTUs can be connected to a master external antenna. The external antenna cannot be more than 6.1m (20 feet) above ground or above an existing man made structure (other than an antenna structure) and is subject to § 95.861.

§ 95.861 Interference.

(a) When an IVDS system suffers harmful interference within its service area from or causes harmful interference to another IVDS system, the licensees of both systems must cooperate and resolve the problem by mutually satisfactory arrangements. If the licensees are unable to do so, the Commission may impose restrictions including, but not limited to, specifying the transmitter power, antenna height, or area or hours of operation of the stations concerned.

(b) The use of any frequency segment at a given geographical location may be denied when, in the judgment of the Commission, its use in that location is not in the public interest; the use of a frequency segment specified for the IVDS system may be restricted as to specified geographical areas, maximum power, or other operating conditions.

(c) Each IVDS system licensee must inform all households located both within a TV Channel 13 station Grade B predicted contour and the CTS service area of the potential for interference from an IVDS system. The IVDS system licensee must also inform those potentially affected households that it will eliminate any objectionable interference caused to television reception by the IVDS system. This notification shall be made no more than two weeks before and no more than two weeks after initiation of IVDS service in that area.

(d) Each IVDS system licensee must provide upon request, and install free of charge, an interference reduction device to any household within a TV Channel 13 station Grade B predicted contour that experiences interference due to a component CTS or RTU.

(e) Each IVDS system licensee must investigate and eliminate interference to television broadcasting and reception, from its component CTSs and RTUs, within 30 days of the time it is notified

in writing, by either an affected television station, an affected viewer, or the Commission, of an interference complaint. Should the licensee fail to eliminate the interference within the 30 day period, the CTS or RTU causing the interference must discontinue operation.

(f) The boundaries for each IVDS service area, as defined in § 95.803, are the limit of interference protection for an IVDS system.

§ 95.863 Duty cycle.

The maximum duty cycle of each RTU shall not exceed 5 seconds per hour, or, alternatively, not exceed one percent within any 100 millisecond interval.

[FR Doc. 92-4541 Filed 3-6-92; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Parts 73 and 76

[MM Docket No. 91-168, FCC 92-55]

Sponsorship Identification Requirements

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission has reconsidered and revised its rules concerning compliance with the sponsorship identification requirements applicable to political advertisements. This action modifies the requirements recently adopted in the Commission's Report and Order, 57 FR 189 (Jan. 3, 1992) in this docket, released December 23, 1991, 7 FCC Rcd 678 (1992). Due to the urgent need for clarity in this area and the immediacy of numerous primary elections in this important campaign year, it has been determined that the Commission should act promptly to adopt the modified requirements set forth in the text without awaiting completion of the full comment cycle for petitions for reconsideration. Because we do not wish to impose undue burdens upon candidates or broadcasters and seek to minimize disruption of commercials already prepared, political advertisements need not comply with the specific standards adopted herein until April 1, 1992. In the interim, political advertisements will be deemed to satisfy the Commission's sponsorship identification requirements if they comply with either the standards adopted in this Order, or the standards applicable following the December Report and Order.

EFFECTIVE DATE: April 1, 1992.

FOR FURTHER INFORMATION CONTACT: Diane Hofbauer, Office of General

Counsel, Federal Communications Commission (202) 632-6990.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Memorandum Opinion and Order in Codification of the Commission's Political Programming Policies, MM Docket No. 91-168. The item was adopted February 12, 1992 and released February 14, 1992. The full text of this ruling is available for inspection and copying during normal business hours in the FCC Dockets Branch (rm. 230), 1919 M Street, NW., Washington, DC. The full text of this item may also be purchased from the Commission's copy contractor, Downtown Copy Center, 1114 21st Street, NW., Washington, DC 20036 (202) 452-1422.

Summary of Memorandum Opinion and Order

1. In our December Report and Order, 57 FR 189 (Jan. 3, 1992) we imposed both an audio and video sponsorship identification requirement for televised political advertisements, but declined to adopt specific objective measurement criteria to use to assess compliance with the video obligation. In response to petitions for reconsideration addressing these particular decisions, we have decided to delete the audio identification requirement and to impose specific, objective standards for video sponsorship identification.

2. In the Notice of Proposed Rulemaking, 56 FR 30526 (July 3, 1991), 6 FCC Rcd. 5707 (1991) in this proceeding, the Commission asked for comment on the possibility of requiring both audio and visual sponsorship identification for television advertisements. Even though most commenters did not address this specific issue, in the Report and Order we adopted the proposal, because we believed that providing both audio and visual information would better inform the public.

3. Petitions for reconsideration were filed by both the Democratic and Republican National Committees objecting to the new audio identification requirement. According to petitioners, adoption of this additional obligation has imposed an excessive burden upon political advertising, particularly with respect to shorter advertisements, such as 10 or 15 second spots. Upon further reflection we agree that requiring any additional audio component that would be of sufficient duration to ensure adequate identification to the average listener may well be unduly burdensome to candidates, particularly for short spot announcements. Thus, upon reconsideration, we have determined that the additional audio identification

requirement should not be imposed, and we hereby eliminate that obligation.

4. In the Report and Order we decided that further objective visual requirements were unnecessary. In view of our decision to delete the audio identification rule, however, we believe that the record in this proceeding indicates that certain minimal standards should be articulated with respect to video identification. Thus, we shall henceforth require that in the case of any television political advertisement concerning candidates for public office, the sponsor shall be identified with letters equal to or greater than four percent of the vertical picture height that air for no less than four seconds. Specific visual identification requirements will satisfy the need for more objective guidelines cited by the majority of commenters, will ensure that the sponsor of political advertisements is readily apparent to viewers, and do not appear to be unduly burdensome from a compliance perspective.

5. Commenters originally opposing adoption of specific standards for sponsorship identification were concerned primarily that it would be too difficult to implement with precision the time duration and size requirements. We emphasize that the reasonableness standard traditionally employed by the Commission in evaluating compliance with the Commission's regulations will apply to enforcement of these requirements. We have determined that, rather than imposing undue burdens upon broadcasters, adoption of these standards will significantly assist stations by providing clear standards for compliance with the statutory requirement.

6. Several commenters suggested that if the Commission imposed definitive sponsorship identification standards, broadcasters should have the right to require pre-airing submissions to ensure that advertisements met the Commission's standards. In view of our decision to adopt specific standards for visual identifications with which broadcasters must now comply, we agree that, under normal circumstances, stations must have the right to pre-screen the sponsorship identification element of a political advertisement to ensure that it meets the new standards. However, where there is not enough time for a broadcaster to pre-screen the sponsorship identification in a political advertisement, we will permit the station to run the ad for the first time without risking a Commission finding of a section 317 violation. In the event the station cannot add the required visual identification immediately without

taking extraordinary measures, we will allow the station to add only an aural identification, so long as the proper visual identification needed is added within one business day of its first airing. Stations may not refuse to air political advertisements lacking adequate sponsorship identification, but are obligated to add their own identification. We note, however, that licensees need not provide additional time, free of charge, in order to satisfy the sponsorship identification rules, but may include the necessary information within the advertisement itself. Finally, we emphasize that nothing in this ruling alters our prior policies requiring that political advertisements contain information that is sufficient to allow viewers to identify the real sponsor of the ad.

7. Accordingly, *It is ordered*, That the Petitions for Reconsideration filed by People for the American Way and Media Access Project; CBS, Inc.; Capital Cities/ABC, Inc.; The Democratic National Committee and The Democratic Senatorial Committee; The Republican National Committee and The National Republican Senatorial Committee and The National Republican Congressional Committee; National Association of Broadcasters; Multi-Media, Inc.; and A.H. Belo Corporation *et al.* are granted to the extent indicated herein.

8. *It is further ordered*, That, pursuant to authority contained in sections 317, 303(r), and 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. 317, 303(r), 154(i), the Commission's Rules are amended as set forth below effective April 1, 1992.

List of Subjects

47 CFR Part 73

Television broadcasting.

47 CFR Part 76

Administrative practice and procedure, Cable television, Equal employment opportunity, Political candidates, Reporting and recordkeeping requirements.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

Rule Changes

Parts 73 and 76 of title 47 of the Code of Federal Regulations are amended to read as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

2. Section 73.1212 is amended by removing the last sentence in paragraph (a)(2)(i) and adding a new paragraph (a)(2)(ii) to read as follows:

§ 73.1212 Sponsorship identification; list retention; related requirements.

(a) * * *

(2) * * *

(ii) In the case of any television political advertisement concerning candidates for public office, the sponsor shall be identified with letters equal to or greater than four percent of the vertical picture height that air for not less than four seconds.

* * * * *

PART 76—[AMENDED]

3. The authority citation for part 76 continues to read as follows:

Authority: Secs. 2, 3, 4, 301, 307, 308, 309, 48 Stat., as amended, 1064, 1065, 1066, 1081, 1082, 1083, 1084, 1085; 47 U.S.C. 152, 153, 154, 301, 303, 307, 308, 309.

4. Section 76.221(a) is amended by revising the last sentence to read as follows:

§ 76.221 Sponsorship identification; list retention; related requirements.

(a) * * * In the case of any political advertisement cablecast under this paragraph that concerns candidates for public office, the sponsor shall be identified with letters equal to or greater than four percent of the vertical picture height that air for not less than four seconds.

* * * * *

[FR Doc. 92-5286 Filed 3-6-92; 8:45 am]

BILLING CODE 6712-01-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 1809

Interim Change to NASA FAR Supplement Prohibiting Contract Awards to Persons Misusing "Made in America" Labels

AGENCY: National Aeronautics and Space Administration.

ACTION: Interim rule with request for comments.

SUMMARY: NASA has revised the NASA FAR Supplement, Subpart 1809.1, to prohibit the award of prime and subcontracts to persons who violate a statutory prohibition against misuse of "Made in America" labels. Public Law 102-195, the NASA Fiscal Year 1992 Authorization Act, states that a person who violates that prohibition is not

eligible for a procurement carried out with amounts authorized under that act.

DATES: This interim rule is effective March 9, 1992; comments must be received by April 8, 1992.

ADDRESSES: Comments should be addressed to Mr. Kenneth I. Jeffries, Procurement Analyst, Procurement Policy Division (Code HP), NASA Headquarters, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Mr. Kenneth I. Jeffries, Telephone: (202) 453-8253.

SUPPLEMENTARY INFORMATION:

Background

Section 18 of the Fiscal Year 1992 NASA Authorization Act (Pub. L. 102-195) states that a person shall not intentionally affix a label bearing the inscription "Made in America", or any inscription with that meaning, to any product sold in or shipped to the United States, if that product is not a domestic product. It also states that a person violating that prohibition shall not be eligible for any contract or subcontract for a procurement carried out with amounts authorized under that act. NASA is implementing the requirement against contracting with persons who wrongfully affix "Made in America" labels by amending subpart 1809.1, Debarment, Suspension, and Ineligibility, to require contracting officers to exclude such persons from NASA prime contracts and subcontracts.

Regulatory Flexibility Act

This interim rule is not expected to have a significant impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq. It is impossible to accurately estimate the number of small entities that will be impacted. Owing to the recent passage of this legislation, the number of entities fraudulently affixing such labels is not known. However, it is anticipated that few, if any, entities doing business with NASA violate the prohibition.

Paperwork Reduction Act

This interim rule does not impose any reporting or recordkeeping requirements which require the approval of OMB under 44 U.S.C. 3501, et seq.

List of Subjects in 48 CFR Part 1809

Government procurement.
Darleen A. Druryun,
Assistant Administrator for Procurement.

1. The authority citation for 48 CFR part 1809 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

PART 1809—CONTRACTOR QUALIFICATIONS

1809.104-70 [Added]

2. Section 1809.104-70 is added to read as follows:

1809.104-70 Ineligibility for NASA contracts and subcontracts.

(a) Public Law 102-195 (the NASA Fiscal Year 1992 Authorization Act) states that a person shall not intentionally affix a label bearing the inscription "Made in America," or any inscription with that meaning, to any product sold in or shipped to the United States, if that product is not a domestic product. A person who violates that prohibition is not eligible for a procurement carried out with amounts authorized under that act, including any subcontract under such a contract.

(b) Contracting officers shall report to the Assistant Administrator for Procurement (Code HP) any violation of this prohibition.

(c) For purposes of this section, the term "domestic product" means a product that—

(1) Is manufactured or produced in the United States; and

(2) At least 50 percent of the cost of the articles, materials, or supplies of which are mined, produced, or manufactured in the United States.

[FR Doc. 92-5380 Filed 3-6-92; 8:45 am]

BILLING CODE 7510-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 672

[Docket No. 911176-2018]

Groundfish of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.
ACTION: Notice of closure.

SUMMARY: NMFS is establishing a directed fishing allowance and is prohibiting directed fishing for Pacific cod in the Western Regulatory area of the Gulf of Alaska (GOA), statistical area 61. This action is necessary to prevent the total allowable catch (TAC) for Pacific cod in the Western Regulatory area from being exceeded. The intent of this action is to promote optimum use of groundfish while conserving Pacific cod stocks.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), March 5, 1992, through 12 midnight, A.l.t., December 31, 1992.

FOR FURTHER INFORMATION CONTACT:

Patsy A. Bearden, Resource Management Specialist, Fisheries Management Division NMFS, (907) 586-7228.

SUPPLEMENTARY INFORMATION: The domestic and foreign groundfish fisheries in the exclusive economic zone of the GOA are managed by the Secretary of Commerce under the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) under the Magnuson Fishery Conservation and Management Act. The FMP was prepared by the North Pacific Fishery Management Council under the Magnuson Fishery Conservation and Management Act and is implemented by regulations appearing at 50 CFR 611.92 and parts 620 and 672.

The amount of a species or species group apportioned to a fishery is TAC, as stated in § 672.20(a)(2). Under the final notice of specifications (57 FR 2844, January 24, 1992), the amount apportioned to Pacific cod for the Western Regulatory area was set at 23,500 metric tons (mt).

Under § 672.20(c)(2), the Director of the Alaska Region, NMFS (Regional Director), has determined that the amount of Pacific cod apportioned to the Western Regulatory area will soon be reached. Therefore, NMFS is establishing a directed fishing allowance of 22,500 mt, and is setting aside the remaining 1,000 mt of the current apportionment as bycatch to support other anticipated groundfish fisheries. The Regional Director has determined that the directed fishery soon will catch its directed fishing allowance. Consequently, under § 672.20(c)(2), NMFS is prohibiting directed fishing for Pacific cod in the Western Regulatory area, effective from 12 noon, A.l.t., March 5, 1992, through 12 midnight, A.l.t., December 31, 1992.

After this closure, in accordance with § 672.20(g)(3), amounts of Pacific cod retained on board a vessel in the Western Regulatory area may not equal or exceed 20 percent of the amount of all other fish species retained at the same time by the vessel during the same trip as measured in round weight equivalents.

Classification

This action is taken under 50 CFR 672.20 and is in compliance with Executive Order 12291.

List of Subjects in 50 CFR Part 672

Fisheries, Reporting and recordkeeping requirements.

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