

List of Subjects in 46 CFR Part 381

Freight, Maritime carriers, Reporting requirements.

Accordingly, 46 CFR part 381 is amended as follows:

PART 381—CARGO PREFERENCE—U.S.-FLAG VESSELS

1. The authority citation for part 381 is revised to read as follows:

Authority: 46 App. U.S.C. 1114(b), 1122(d), 1241(b) and 1241e-o.

§ 381.3 [Amended]

2. Section 381.3 is amended as follows:

a. In paragraph (a) remove the words "Maritime Administration, Cargo Preference Control Center, Transportation Building" and add, in their place, "Office of National Cargo and Compliance, Maritime Administration, U.S. Department of Transportation".

b. In paragraph (c) remove the words "Maritime Administration, Cargo Preference Control Center" and add, in their place, "Office of National Cargo and Compliance".

§ 381.5 [Amended]

3. Section 381.5 introductory text is amended to add the words "and the Food Security Act of 1985" after the words "all preference cargoes required by that Act".

§ 381.6 [Amended]

4. Section 381.6(b) is amended to remove the telephone number "Area Code 202 phone 967-3325" and add, in its place, "(202) 366-4610".

Dated: April 9, 1992.

By Order of the Maritime Administrator,

James E. Saari,

Secretary, Maritime Administration.

[FR Doc. 92-8826 Filed 4-14-92; 8:45 am]

BILLING CODE 4910-81-M

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 15**

[ET Docket No. 91-150; FCC 92-163]

Provision of Additional Frequencies for Auditory Assistance Devices for the Hearing Impaired

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission is adopting rules that expand the frequency bands in which unlicensed auditory assistance devices are permitted to cooperate. This

change is necessary because hearing-impaired persons using auditory assistance devices in the frequency bands currently available to them are experiencing interference from licensed radio transmitters. This action will improve the ability of educational institutions to meet the needs of hearing-impaired students and enhance the participation of hearing-impaired individuals at public gatherings.

EFFECTIVE DATE: May 15, 1992.

FOR FURTHER INFORMATION CONTACT: George Harenberg, Technical Standards Branch, Office of Engineering and Technology, (202) 653-7314.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order (R&O) in Gen. Docket No. 91-150, FCC 92-163, adopted on March 25, 1992 and released on April 7, 1992. The full text of this R&O, including the final regulatory flexibility analysis, is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Downtown Copy Center, (202) 452-1422 1114 21st Street NW., Washington, DC 20036.

Summary of Notice

1. Auditory assistance devices operate on a no-licensed basis under part 15 of the Commission's rules. In a petition for rule making filed on December 12, 1989, Phonic Ear, Inc. ("Phonic Ear") stated that auditory assistance devices have been experiencing increasing amounts of interference due to growth in use of the 72-73 MHz and 75.4-76 MHz bands by the land mobile services. Phonic Ear claimed that the interference has degraded the performance of auditory assistance devices to the point where some educational institutions are now unable to use auditory assistance devices in many of their classrooms. In order to correct this situation, Phonic Ear requested that the frequency bands which auditory assistance devices are permitted to use be expanded to include the 74.6-74.8 MHz and 75.2-75.4 MHz bands. This spectrum became available for fixed and mobile services after the two guardbands protecting aeronautical marker beacons at 75.0 MHz were narrowed from 400 kHz to 200 kHz on January 1, 1990. Phonic Ear stated that auditory assistance devices would not experience significant interference on the 74.6-74.8 MHz and 75.2-75.4 MHz bands because there is no existing use of these frequencies and any potential new services on these frequencies must be

limited to a maximum power of one watt.

2. On May 24, 1991, the Commission adopted a Notice of Proposed Rule Making (Notice), released June 18, 1991, 56 FR 28735 (June 24, 1991), proposing to amend Part 15 of the rules (47 CFR part 15) to allow auditory assistance devices to be operated in the 74.6-74.8 MHz and 75.2-75.4 MHz bands. The Commission also proposed to allow general part 15 usage of these frequency bands at the reduced radiated emission limits contained in 47 CFR 15.209. Three parties opposed allowing these frequencies to be used for auditory assistance devices. The Manufacturer's Radio Frequency Advisory Committee and the Telemotive Industrial Group of Maxtec International Corporation expressed concern about possible interference to future land mobile operations on the same frequencies. The Association for Maximum Service Television stated that operation of auditory assistance devices could cause interference to television reception.

3. Based on the record in this proceeding, the Commission finds that auditory assistance device users need additional frequencies to remedy interference problems and to meet increasing demands for service. More specifically, the Commission believes that the public interest is best served by making the frequency bands 74.6-74.8 MHz and 75.2-75.4 MHz available for use by auditory assistance devices, as proposed in the Notice.

4. The Commission was not persuaded that auditory assistance devices operating in the new frequency bands device will cause harmful interference to land mobile operations in the same frequency bands or to television reception. Furthermore, the Commission did not believe it was necessary to prohibit usage of the 74.6-74.8 MHz and 75.2-75.4 MHz frequency bands by other radio users.

5. In light of the foregoing considerations, the Commission is amending part 15 of the rules to allow auditory assistance devices and other part 15 devices to operate in the 74.6-74.8 MHz and 75.2-75.4 MHz bands. The administrative and technical requirements for operation in these bands are identical to those existing before this amendment.

6. Accordingly, it is ordered that under the authority contained in sections 4(i), 302, and 303 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 302, and 303, Part 15 of the Commission's Rules and Regulations are amended as set forth

below. These rules are effective May 15, 1992. *It is further ordered that this proceeding is terminated.*

List of Subjects in 47 CFR Part 15

Americans with disabilities, Communications equipment, Computer technology, Education of handicapped, Handicapped, Labelling, Radio, Reporting and recordkeeping requirements, Security, Telephone, Wiretapping and electronic surveillance.

Federal Communications Commission.
William F. Caton,
Acting Secretary.

Title 47 of the Code of Federal Regulations, part 15 is amended as follows:

PART 15—RADIO FREQUENCY DEVICES

1. The authority citation for part 15 continues to read as follows:

Authority: Sec. 4, 302, 303, 304, and 307 of the Communications Act of 1934, as amended, 47 U.S.C. 154, 302, 303, 304, and 307.

2. Section 15.205 paragraph (a) is revised to read as follows:

§ 15.205 Restricted bands of operation.

(a) Except as shown in paragraph (d) of this section, only spurious emissions are permitted in any of the frequency bands listed below:

MHz	MHz	MHz	GHz
0.090-0.110	156.7-156.9	2200-2300	9.0-9.2
0.49-0.51	162.0125-167.17	2310-2390	9.3-9.5
2.1735-2.1905	167.72-173.2	2483.5-2500	10.6-12.7
8.362-8.366	240-285	2655-2900	13.25-13.4
13.36-13.41	322-335.4	3260-3267	14.47-14.5
25.5-25.67	399.9-410	3332-3339	15.35-16.2
37.5-38.25	608-614	3345.8-3358	17.7-21.4
73-74.6	960-1240	3600-4400	22.01-23.12
74.8-75.2	1300-1427	4500-5250	23.6-24.0
108-121.94	1435-1626.5	5350-5460	31.2-31.8
123-138	1660-1710	7250-7750	36.43-36.5
149.9-150.05	1718.8-1722.2	8025-8500	Above 38.6

3. The heading of § 15.237 is revised to read as follows:

§ 15.237 Operation in the bands 72.0-73.0 MHz, 74.6-74.8 MHz and 75.2-76.0 MHz.

[FR Doc. 92-8728 Filed 4-14-92; 8:45 am]
BILLING CODE 6712-01-M

DEPARTMENT OF DEFENSE

48 CFR Chapter 2

Department of Defense Acquisition Regulations; Defense Federal Acquisition Regulation Supplement

CFR Correction

In title 48 of the Code of Federal Regulations, chapter 2 (parts 201 to 251), revised as of December 31, 1991, item 2 of the editorial note and the listing of manuals and supplements contained on pages four and five should be removed and the following note inserted:

Note: Although the text of Manuals and Supplements to the Defense FAR Supplement are not published in the Code of Federal Regulations, they were listed for the convenience of the user. All of the Supplements have been deleted. The only manuals which remain in effect are: Armed Services Pricing Manual (1986) and Armed Services Pricing Manual, Volume 2, Price Analysis (1987).

BILLING CODE 1505-01-D

INTERSTATE COMMERCE COMMISSION

49 CFR Parts 1011 and 1152

[Ex Parte No. 274 (Sub-No. 12C)]

Rail Abandonments—Public Use Conditions—Revision

AGENCY: Interstate Commerce Commission.

ACTION: Final rule.

SUMMARY: The Commission modifies its regulations concerning the imposition of public use conditions in abandonments for the sake of clarity and the convenience of those seeking public use conditions. The modifications: (1) Impose deadlines for the filing of requests for such conditions, (2) clarify that public use conditions may be sought in all abandonment proceedings, and (3) clarify the date when our jurisdiction to impose such conditions expires. The modifications appear below.

EFFECTIVE DATE: These changes are effective on April 15, 1992.

FOR FURTHER INFORMATION CONTACT: Richard B. Felder: (202) 927-5610, [TDD for hearing impaired: (202) 927-5721].

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision in Ex Parte No. 274 (Sub-No. 12C). To purchase a copy of this decision, write to, call, or

pick up in person from: Dynamic Concepts, Inc., room 2229, Interstate Commerce Commission Building, Washington, DC 20423. Telephone (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services, (202) 927-5721.]

Environmental and Energy Considerations

We conclude that this action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Regulatory Flexibility Analysis

Pursuant to 5 U.S.C. 603, the Commission is required to examine specifically the impact of this action on small business and small organizations. We conclude that this decision will not have a significant impact on a substantial number of small entities because its purpose is merely to clarify and codify our current regulations and practices.

List of Subjects

49 CFR Part 1011

Authority delegations, Organization and functions.

49 CFR Part 1152

Administrative practice and procedure, Railroads.

Decided: April 3, 1992.

By the Commission, Chairman Philbin, Vice Chairman McDonald, Commissioners Simmons, Phillips, and Emmett, Sidney L. Strickland, Jr., Secretary.

For reasons set forth in the preamble, title 49, chapter X, parts 1011 and 1152 of the Code of Federal Regulations are amended as follows:

PART 1011—COMMISSION ORGANIZATION; DELEGATIONS OF AUTHORITY

1. The authority citation for part 1011 continues to read as follows:

Authority: 49 U.S.C. 10301, 10302, 10304, 10305, 10321; 31 U.S.C. 9701; 5 U.S.C. 553.

§ 1011.8 [Amended]

2. Section 1011.8(c)(3) is amended by insertion of the following after the first word on the first line: "to impose public use conditions in abandonment application proceedings and whether".

PART 1152—ABANDONMENT AND DISCONTINUANCE OF RAIL LINES AND RAIL TRANSPORTATION UNDER 49 U.S.C. 10903

3. The authority citation for part 1152 continues to read as follows:

Authority: 5 U.S.C. 553, 559, and 704; 11 U.S.C. 1170; 16 U.S.C. 1247(d), and 1248; and 49 U.S.C. 10321, 10362, 10505, 10903, 10904, 10905, 10906, 11161, and 11163.

§ 1152.25 [Amended]

4. Section 1152.25(a)(2)(iv) is amended by removing the words "(See § 1152.28(a)(2))".

5. Section 1152.25(c)(1) is amended by adding after the first sentence: "Requests for public use conditions (see § 1152.28(a)(3)) may be filed no later than 10 days after the date of publication in the Federal Register of the notice of findings that the public convenience and necessity require or permit the abandonment or discontinuance."

6. Section 1152.28 is amended by adding the following new paragraph (a)(3) and by adding a sentence to the end of paragraph (b) as follows:

§ 1152.28 Public use procedures.

(a) * * *

(3) For applications filed under part 1152, subpart C, a request for a public use condition must be filed not more than 10 days from the date of publication of the notice of findings in the Federal Register. A decision on the public use request will be issued by the Director of the Office of Proceedings prior to the effective date of the abandonment. For abandonment exemptions under part 1152, subpart F

or exemptions granted on the basis of an individual petition filed under 49 U.S.C. 10505, a request for a public use condition must be filed not more than 20 days from the date of publication of the notice of exemption in the Federal Register.

(b) * * * Jurisdiction to impose such conditions expires after 180 days from the effective date of the decision authorizing the abandonment or discontinuance.

§ 1152.50 [Amended]

7. In § 1152.50, paragraph (a)(2) is amended by adding the words "and § 1152.28" immediately following the work "1152.27".

[FR Doc. 92-8714 Filed 4-14-92; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 380

[Docket No. 920378-2078]

Antarctic Marine Living Resources Convention Act of 1984

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final rule.

SUMMARY: The Secretary of Commerce (Secretary) amends the regulations governing harvesting and reporting of Antarctic living marine resource catches. The regulations implement conservation and management measures promulgated by the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR or Commission) and accepted in whole by the Government of the United States to regulate catches in Convention for the Conservation of Antarctic Marine Living Resources (Convention) statistical reporting area 48 and subarea 58.4. These measures restrict the use of gear, restrict the directed taking and bycatch of certain species of fish, prohibit the taking of other species, require real-time and other reporting of the harvest of certain species, and require notification when Commission members are considering initiating a new fishery.

EFFECTIVE DATE: April 15, 1992.

ADDRESSES: A copy of the framework environmental assessment may be obtained from the Assistant Administrator for Fisheries, NOAA, National Marine Fisheries Service, 1335 East-West Highway, Silver Spring, MD 20910.

Comments regarding burden estimates or collection of information aspects of this rule should be sent to Robin Tuttle, National Marine Fisheries Service, 1335 East-West Highway, room 7250, Silver Spring, MD 20910, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC, Attention: Paperwork Reduction Act Project 0648-0194.

FOR FURTHER INFORMATION CONTACT: Robin Tuttle (NMFS International Organizations and Agreements Division), 301-713-2282.

SUPPLEMENTARY INFORMATION:

Background

At its annual meeting in Hobart, Tasmania, in 1986, CCAMLR, of which the United States is a member, adopted a conservation measure requiring the Commission at subsequent meetings to adopt limitations on catch, or equivalent measures, binding for species upon which fisheries are permitted in Convention subarea 48.3 (South Georgia), depicted at figure 1 of 50 CFR part 380. The Commission has, in addition, adopted measures that apply to other Convention subareas.

The measures concerning the 1991/92 fishing season adopted by CCAMLR at its annual meeting in 1991 are based upon the advice of the Scientific Committee and take into account research conducted by Commission members and the reports and recommendations of the Scientific Committee's Working Groups on Fish Stock Assessment; Krill; and CCAMLR Ecosystem Monitoring Program (CEMP). The 1991/92 fishing season is defined as the period from November 2, 1991, to the end of the Commission meeting in 1992 (likely November 6, 1992). The measures were announced and public comments invited (until February 3, 1992) by Federal Register notice on January 6, 1992 (57 FR 421). No comments were received.

(i) Subarea 48.3

The Commission took most of its actions with respect to subarea 48.3 and adopted the following measures for the 1991/92 fishing season:

The total catch of *Dissostichus eleginoides* (Patagonian toothfish) is limited to 3,500 tons. Catch-and-effort data is due on an every-5-day reporting period.

Directed fishing on *Champscephalus gunnari* (mackerel icefish), *Notothenia gibberifrons* (humped rockcod), *Chaenocephalus aceratus* (blackfin icefish), *Pseudochaenichthys georgianus* (South Georgia icefish), *Notothenia*