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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 0**

[ET Docket No. 01-278; FCC 04-98]

**Radio Frequency Identification**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** On May 24, 2004 (69 FR 29459), the Commission published final rules in the Third Report and Order. The Third Report and Order allows for operation of improved radio frequency identification systems in the 433.5-434.5 MHz ("433 MHz") band. This document contains a correction to the § 0.457 (d)(1)(vii), which was inadvertently added.

**DATES:** Effective June 23, 2004.

**FOR FURTHER INFORMATION CONTACT:** Hugh VanTuyl (202) 418-7506, e-mail *Hugh.VanTuyl@fcc.gov*, Office of Engineering and Technology.

**SUPPLEMENTARY INFORMATION:** The Federal Communications Commission published a document proposing to amend parts 0 and 15 in the **Federal Register** of May 24, 2004 (69 FR 29459). This document corrects the **Federal Register** as it appeared. In FR Doc. 04-

11537, published on May 24, 2004 (69 FR 29459), the Commission is correcting § 0.457 (d)(1)(vii), to read as § 0.457 (d)(1)(vi). In rule FR Doc. 04-11537 published on May 24, 2004 (69 FR 29459), the Commission is correcting § 0.457 (d)(1)(vii), to read as § 0.457 (d)(1)(vi).:

On page 29464, in the first column, the paragraph designation is corrected to read as § 0.457 (d)(1)(vi).

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-13487 Filed 6-15-04; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 648**

[Docket No.031104274-4011-02; I.D. 060804G]

**Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Closure of the Quarter II Fishery for Loligo Squid**

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

**ACTION:** Closure.

**SUMMARY:** NMFS announces that the directed fishery for Loligo squid in the

Exclusive Economic Zone (EEZ) will be closed effective June 19, 2004. Vessels issued a Federal permit to harvest Loligo squid may not retain or land more than 2,500 lb (1.13 mt) of *Loligo* squid per trip for the remainder of the quarter (through June 30, 2004). This action is necessary to prevent the fishery from exceeding its Quarter II quota and allow for effective management of this stock.

**DATES:** Effective 0001 hours, June 19, 2004, through 2400 hours, June 30, 2004.

**FOR FURTHER INFORMATION CONTACT:** Don Frei, Fishery Management Specialist, 978-281-9221, fax 978-281-9135, e-mail *don.frei@noaa.gov*.

**SUPPLEMENTARY INFORMATION:**

Regulations governing the Loligo squid fishery are found at 50 CFR part 648. The regulations require specifications for maximum sustainable yield, initial optimum yield, allowable biological catch, domestic annual harvest (DAH), domestic annual processing, joint venture processing and total allowable levels of foreign fishing for the species managed under the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan. The procedures for setting the annual initial specifications are described in § 648.21.

The 2004 specification of DAH for *Loligo* squid was set at 16,872.4 mt (69 FR 4861, February 2, 2004). This amount is allocated by quarter, as shown below.

TABLE. *Loligo* SQUID QUARTERLY ALLOCATIONS.

Quarter	Percent	Metric Tons <sup>1</sup>	Research Set-aside
I (Jan-Mar) .....	33.23	5,606.7	N/A
II (Apr-Jun) .....	17.61	2,971.2	N/A
III (Jul-Sep) .....	17.3	2,918.9	N/A
IV (Oct-Dec) .....	31.86	5,375.6	N/A
Total .....	100	16,872.4	127.5

<sup>1</sup>Quarterly allocations after 127.6 mt research set-aside deduction.

Section 648.22 requires NMFS to close the directed *Loligo* squid fishery in the EEZ when 80 percent of the quarterly allocation is harvested in Quarters I, II and III, and when 95 percent of the total annual DAH has been harvested. NMFS is further required to notify, in advance of the closure, the Executive Directors of the Mid-Atlantic, New England, and South Atlantic Fishery Management Councils; mail notification of the closure to all holders of *Loligo* squid permits at least 72 hours before the effective date of the

closure; provide adequate notice of the closure to recreational participants in the fishery; and publish notification of the closure in the **Federal Register**. The Administrator, Northeast Region, NMFS, based on dealer reports and other available information, has determined that 80 percent of the DAH for *Loligo* squid in Quarter II will be harvested. Therefore, effective 0001 hours, June 19, 2004, the directed fishery for *Loligo* squid is closed and vessels issued Federal permits for *Loligo* squid may not retain or land more than

2,500 lb (1.13 mt) of *Loligo*. Such vessels may not land more than 2,500 lb (1.13 mt) of *Loligo* during a calendar day. The directed fishery will reopen effective 0001 hours, July 1, 2004, when the Quarter III quota becomes available.

**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.*

Dated: June 9, 2004.

**Alan D. Risenhoover,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 04-13588 Filed 6-10-04; 3:45 pm]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 040521153-4153-01; I.D. 043004C]

RIN 0648-AS20

#### Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Observer Program

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

**ACTION:** Final rule; correcting amendment.

**SUMMARY:** NMFS issues this final rule, correcting amendment to the regulations governing the North Pacific Groundfish Observer Program (Observer Program). This action is necessary to correct previous rulemakings and to provide consistency with current regulations. This final rule is intended to promote the goals and objectives of the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area and the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMPs).

**DATES:** Effective on June 16, 2004.

**FOR FURTHER INFORMATION CONTACT:** Jason Anderson, 907-586-7228 or [jason.anderson@noaa.gov](mailto:jason.anderson@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

NMFS manages the U.S. groundfish fisheries of the Gulf of Alaska (GOA) and the Bering Sea and Aleutian Islands management area (BSAI) in the Exclusive Economic Zone off Alaska under the FMPs. The North Pacific Fishery Management Council (Council) prepared the FMPs pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Regulations implementing the FMPs appear at 50 CFR part 679. General regulations that pertain to U.S. fisheries appear at subpart H of 50 CFR part 600.

The Council adopted and NMFS approved and implemented the Interim Groundfish Observer Program in 1996

(61 FR 56425, November 1, 1996). Regulations implementing the Observer Program provide the regulatory framework for the collection of data by observers to obtain information necessary for the conservation and management of the groundfish fisheries managed under the FMPs. Further, the regulations authorize mandatory observer coverage requirements for vessels and shoreside processors and establish vessel, processor, and observer provider responsibilities relating to the Observer Program.

A final rule to amend regulations governing the Observer Program was published in the **Federal Register** on December 6, 2002 (67 FR 72595). The intent of the final rule was to: (1) extend the applicability period of the regulations which would have otherwise expired on December 31, 2002; (2) clarify and improve observer certification and decertification processes; (3) change the duties and responsibilities of observers and observer providers to eliminate ambiguities and strengthen regulations; and (4) grant NMFS the authority to place NMFS staff and other qualified persons aboard vessels and at shoreside or stationary floating processors to increase NMFS' ability to interact effectively with observers, fishermen, and processor employees.

Subsequent to the publication of the December 6, 2002 (67 FR 72595) final rule in the **Federal Register**, NMFS staff discovered several errors in 50 CFR part 679. This correcting amendment corrects those errors in the CFR by updating terminology and cross references, removing redundant text, and consolidating some paragraphs for additional clarity and consistency. The following amendments are technical and non-substantive in nature and have no relationship to compliance by the public. For these reasons, prior notice and comment are unnecessary and NOAA is proceeding to this final rule to effectuate the correcting amendment to the regulations.

##### Need for Corrections

In § 679.1(f), the date of "December 31, 2002" is changed to "December 31, 2007" to reflect the current expiration date of the regulations governing the Observer Program.

Currently, observers must successfully complete a "briefing" prior to their deployment and receive an endorsement which reflects the type of briefing they completed. This rule amends section 679.2 by changing the word "certification" to "endorsement" within the definition of "Briefing" for

consistency with current terminology elsewhere in the regulations.

Also in § 679.2, the definitions of "Affiliates," "Decertification," "Direct financial interest" and "Suspension" contain the terms "observer contractor" or "observer contractors." This term, "observer contractor," was changed to "observer provider," which is defined elsewhere in § 679.2. This action removes this term "observer contractor" and replaces it with "observer provider" for consistency with other text in 50 CFR 679.

In § 679.50(i)(2)(ii), the colon after the end of the paragraph title is replaced with a period.

In § 679.50(i)(2)(i)(C)(4), the reference to (i)(2)(ix)(C) is removed and replaced with (i)(2)(x)(C).

In § 679.50(i)(2)(ii)(A), the reference to (i)(2)(ix)(E) is removed and replaced with (i)(2)(x)(E).

In § 679.50(i)(2)(iii)(B), the reference to (i)(2)(ix)(C) is removed and replaced with (i)(2)(x)(C).

The last sentence at § 679.50(i)(2)(vi)(E) which reads, "Unless alternate arrangements are approved by the Observer Program Office," is redundant with the first line of the next paragraph. The provision is restated for no particular reason. This final rule removes this redundant text from (i)(2)(vi)(E).

The term "Stationary floating processor" is defined at § 679.2. Regulations at § 679.50(i)(2)(vii)(D), (i)(2)(ix), (i)(3)(i)(A), (i)(3)(i)(B), (i)(3)(i)(C), (i)(3)(ii), (j)(2)(i)(A)(i), (j)(2)(i)(A)(ii), and (j)(2)(i)(A)(iii) use terminology which is inconsistent with this definition, including "floating stationary processors," "floating stationary processing facility," "floating stationary processor facility," "floating processor facilities," and "floating processor." For consistency within the regulations, this final rule removes these terms and replaces them with "stationary floating processor" or "stationary floating processors."

The title to § 679.50(i)(2)(x)(G) is revised to read "Observer provider contracts" to better characterize the contents of the paragraph, consistent with other paragraphs in this section. The title to paragraph (i)(2)(x)(I) was inadvertently omitted. This final rule also adds the title "Other reports" to paragraph (i)(2)(x)(I) for consistency with other paragraphs in this section.

Observer coverage requirements for vessels are specified at § 679.50(c) and for shoreside or stationary floating processors at § 679.50(d). Regulations at § 679.50(i)(2)(x)(G)(i) and (i)(2)(x)(G)(2) together reference all of the observer coverage requirements for vessels at