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[FR Doc. 03-15767 Filed 6-24-03; 8:45 am]

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**FEDERAL COMMUNICATIONS
COMMISSION****47 CFR Part 25**

[IB Docket 98-21; FCC 02-110]

**Policies and Rules for the Direct
Broadcast Satellite Service; Correction****AGENCY:** Federal Communications
Commission.**ACTION:** Correcting amendments.**SUMMARY:** This document contains a
correction to final regulations which
were published Wednesday, August 7,
2002 (67 FR 51110). The regulations
relates to Policy and Rules for the Direct
Broadcast Satellite Service.**DATES:** Effective June 25, 2003.**FOR FURTHER INFORMATION CONTACT:**
Selina Y. Khan, Attorney Advisor,
Satellite Division, International Bureau,
telephone (202) 418-7282 or via the
Internet at skhan@fcc.gov.**SUPPLEMENTARY INFORMATION:****Background**

The final rule document published on
Wednesday, August 7, 2002 publishes
47 CFR 25.114 by adding paragraph
(c)(22) instead of paragraph (c)(23).

Need for Correction

As published, the final regulations
contain an error which may prove to be
misleading and are in need of
clarification.

List of Subjects in 47 CFR Part 25

Satellites.

Federal Communications Commission.

Marlene H. Dortch,
Secretary.

■ Accordingly, 47 CFR part 25 is
corrected by making the following
correcting amendments:

**PART 25—SATELLITE
COMMUNICATIONS**

■ 1. The authority citation for part 25
continues to read as follows:

Authority: U.S.C. 701744. Interprets or
applies 47 U.S.C. 51, 154, 302, 303, and 307,
unless otherwise noted.

§ 25.114 [Amended]

■ 2. Amend § 25.114 by redesignating
the second paragraph (c)(22) as
paragraph (c)(23).

[FR Doc. 03-15963 Filed 6-24-03; 8:45 am]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric
Administration****50 CFR Part 635**[Docket No. 030617153-3153-01; I.D.
061203E]

RIN 0648-AR29

**Atlantic Highly Migratory Species
(HMS) Fisheries; Vessel Monitoring
Systems (VMS)****AGENCY:** National Marine Fisheries
Service (NMFS), National Oceanic and
Atmospheric Administration (NOAA),
Department of Commerce.**ACTION:** Final rule; amendment of
effective date.**SUMMARY:** This document amends the
effective date for the requirement to
have a NOAA-approved, VMS unit
installed and operating on any vessel
leaving port to fish for HMS with
pelagic longline gear on board to
September 1, 2003.**DATES:** Effective September 1, 2003.**ADDRESSES:** To obtain copies of the list
of NOAA-approved VMS mobile
transmitting units and NOAA-approved
VMS communications service providers,
write to NMFS Office for Law
Enforcement (OLE), 8484 Georgia
Avenue, Suite 415, Silver Spring, MD
20910.**FOR FURTHER INFORMATION CONTACT:** For
information regarding the requirement
contact Chris Rilling, Highly Migratory
Species Management Division (F/SF1),
Office of Sustainable Fisheries, National
Marine Fisheries Service, 1315 East-
West Highway, Silver Spring, MD
20910, phone 301-713-2347. For
current listing of approved VMS units
contact Mark Oswell, Outreach
Specialist, phone 301-427-2300, fax
301-427-2055. For questions regarding
VMS installation and activation
checklists, contact Jonathan Pinkerton,
National VMS Program Manager, phone
301-427-2300, fax 301-427-2055.

The public may acquire this notice,
installation checklist, and relevant
updates via the "fax-back" service, or at
the OLE website [http://
www.nmfs.noaa.gov/ole/vms.html](http://www.nmfs.noaa.gov/ole/vms.html).

SUPPLEMENTARY INFORMATION: On May
28, 1999, NMFS issued a regulation (64
FR 29090) codified at 50 CFR 635.69(a),
requiring all commercial pelagic
longline vessels fishing for Atlantic
HMS to install a NMFS-approved VMS
unit. Due to litigation, the requirement
was stayed indefinitely on October 1,
2000 (66 FR 1907, January 10, 2001). On

October 15, 2002, the U.S. District Court
for the District of Columbia issued a
final order upholding the VMS
regulation. Following the favorable
court ruling, NMFS began working to
reinstate the VMS requirement.

On March 11, 2003, NMFS published
a notice in the **Federal Register** (68 FR
11534) and corrected it on March 27,
2003 (68 FR 14949), to provide a list of
the NMFS-approved VMS units for use
by pelagic longline vessels in the
Atlantic Highly Migratory Species
(HMS) Fisheries and set forth relevant
features of each VMS. The notification
was issued to update and replace the
approval notice published on September
9, 1999. An additional type approval
notice was published on May 1, 2003
(68 FR 23285).

NMFS also submitted a request to the
Office of Management and Budget
(OMB) to reinstate approval for VMS
information collection under the
provisions of the Paperwork Reduction
Act. A notice regarding this collection
was published in the **Federal Register**
on November 18, 2002 (67 FR 69506).
The second notice of OMB review was
published in the **Federal Register** on
March 19, 2003 (68 FR 13280). OMB
approved the VMS information
collection request on May 10, 2003.

The placement of VMS units on
fishing vessels in this fishery will
enable NMFS to determine vessel
locations and will complement the
Agency's efforts to monitor and enforce
compliance with applicable regulations.
Because fishermen need time to
purchase and install VMS, the VMS rule
will be effective September 1, 2003,
which provides approximately 60 days
for affected fishermen to come into
compliance.

Classification

This action is published under the
authority of the Magnuson-Stevens
Fishery Conservation and Management
Act. The Assistant Administrator (AA)
has determined that implementation of
a VMS program in the pelagic longline
fishery is necessary to monitor and
enforce closed areas implemented to
reduce bycatch. The AA finds that good
cause exists to waive the requirement to
provide prior notice and the
opportunity for comment, pursuant to
authority set forth at 5 U.S.C. 553(b)(B),
as such procedures would be
unnecessary and contrary to the public
interest. This amendment establishes a
new effective date for the HMS VMS
rule, which had been suspended due to
litigation. NMFS provided for prior
notice and comment before
promulgating the HMS VMS rule in
1999, then provided for additional

public comment pursuant to a court order. The court upheld the rule on all counts and issued a final order in October, 2002. Subsequently, NMFS renewed its Paperwork Reduction Act (PRA) approval, which included additional public comment on the information collection under the rule, and completed type approvals for VMS units for the fishery. This amendment does not change any substantive provisions of the HMS VMS rule, but provides a new effective date, as the original date was suspended because of the court case. Further delay of this rule to provide additional opportunity for public comment is contrary to the public interest because fishing is currently underway, and VMS would facilitate efficient allocation of limited enforcement resources to meet management objectives, including time and area closures established to protect juvenile fish and protected species. U.S. Atlantic pelagic longline vessels operate in fishing areas in the Atlantic Ocean, Caribbean Sea, and Gulf of Mexico, and given increased commitments to homeland security, VMS will play an important role in determining deployment of at-sea resources.

This rule refers to collection-of-information requirements subject to the PRA and which have been approved by OMB under control number 0648-0372. Public reporting burden for these requirements is estimated to average 4 hours for installation of equipment, 2 hours for annual maintenance of the equipment (beginning in the second year), 0.3 seconds per automated position report from the automated equipment, and 5 minutes to complete and return a one-time installation checklist. These estimates include the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this data collection, including suggestions for reducing the burden, to NMFS (see **FOR FURTHER INFORMATION CONTACT**) and OMB at the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC. 20503 (Attention: NOAA Desk Officer).

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number.

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

Dated: June 20, 2003.

John Oliver,

Deputy Assistant Administrator for Operations, National Marine Fisheries Service.

[FR Doc. 03-16085 Filed 6-24-03; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 000629197-3147-04; I.D. 032900A]

RIN 0648-AN06

Atlantic Highly Migratory Species (HMS); Monitoring of Recreational Landings; Retention Limit for Recreationally Landed North Atlantic Swordfish; Technical Amendment

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

ACTION: Final rule; technical amendment.

SUMMARY: This document clarifies and corrects a cross-reference in final regulations that were published in the **Federal Register** of Tuesday, January 7, 2003. The final rule amended the regulations governing Atlantic billfish and North Atlantic swordfish recreational fisheries.

DATES: Effective on June 25, 2003.

FOR FURTHER INFORMATION CONTACT: Russell Dunn or Richard A. Pearson at 727-570-5447.

SUPPLEMENTARY INFORMATION: In a final rule published on January 7, 2003, (68 FR 711), an amendment to § 635.5(c) inadvertently contained an incorrect reference in the last sentence. The sentence indicated that HMS tournament landings must be reported to NMFS as specified under § 635.5(c) of the section. HMS tournament landing reports are actually specified and described under § 635.5(d) of the section. This amendment to the final rule removes the incorrect reference to tournament reporting at § 635.5(c) and replaces it with the correct reference to tournament reporting as specified at § 635.5(d).

Classification

This rule is published under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the

Atlantic Tunas Convention Act. The Assistant Administrator for Fisheries, NOAA (AA), has determined that this rule is consistent with the Magnuson-Stevens Act and other applicable laws.

The AA finds that good cause exists to waive the requirement to provide prior notice and the opportunity for comment, pursuant to authority set forth at 5 U.S.C. 553(b)(B), as such procedures would be unnecessary. This rule makes a minor, non-substantive change to correct an incorrect reference to another regulation. Because this rule makes non-substantive or de minimus changes to the existing regulations, the AA also finds good cause, under 5 U.S.C. 553(d), not to delay for 30 days the effective date of this action. NMFS has the ability to rapidly communicate the amendments in this rule to fishery participants through its FAX network and HMS Information Line.

Because prior notice and opportunity for public comment are not required for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

This action is not significant under the meaning of Executive Order 12866.

List of Subjects in 50 CFR Part 635

Fisheries, Fishing, Fishing vessels, Foreign relations, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Statistics, Treaties.

Dated: June 19, 2003.

John Oliver,

Deputy Assistant Administrator for Operations, National Marine Fisheries Service.

■ Accordingly, 50 CFR part 635 is corrected by making the following correcting amendment:

PART 635—ATLANTIC HIGHLY MIGRATORY SPECIES

■ 1. The authority citation for part 635 continues to read as follows:

Authority: 16 U.S.C. 971 *et seq.*; 16 U.S.C. 1801 *et seq.*

■ 2. In § 635.5, the last sentence in paragraph (c) introductory text is revised to read as follows:

§ 635.5 Recordkeeping and reporting.

* * * * *

(c) *Anglers.* * * * Tournament landings must be reported as specified under paragraph (d) of this section.

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[FR Doc. 03-16087 Filed 6-24-03; 8:45 am]

BILLING CODE 3510-22-S