

investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

#### *Executive Order 12866*

The Department of State does not consider this rule to be a "significant regulatory action" under Executive Order 12866, section 3(f), Regulatory Planning and Review. In addition, the Department is exempt from Executive Order 12866 except to the extent that it is promulgating regulations in conjunction with a domestic agency that are significant regulatory actions. The Department has nevertheless reviewed the regulation to ensure its consistency with the regulatory philosophy and principles set forth in that Executive Order.

#### *Executive Order 13132*

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with section 6 of Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to require consultations or warrant the preparation of a federalism summary impact statement.

#### *Paperwork Reduction Act*

This rule does not impose any new reporting or record-keeping requirements subject to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

#### **List of Subjects in 22 CFR Part 62**

Cultural exchange programs.

Accordingly, 22 CFR part 62 is proposed to be amended as follows:

#### **PART 62—EXCHANGE VISITOR PROGRAM**

1. The authority citation for part 62 continues to read as follows:

**Authority:** 8 U.S.C. 1101(a)(15)(J), 1182, 1184, 1258; 22 U.S.C. 1431-1442, 2451-2460; Foreign Affairs Reform and Restructuring Act of 1998, Pub. L. 105-277, 112 Stat. 2681 *et seq.*; Reorganization Plan No. 2 of 1977, 3 CFR, 1977 Comp. p.200; E.O.12048 of March 27, 1978; 3 CFR, 1978 Comp. p. 168.

2. Amend § 62.20 by revising paragraph (i) and removing paragraph (j) to read as follows:

#### **§ 62.20 Professors and research scholars.**

\* \* \* \* \*

(i) *Duration of participation.* The permitted duration of program

participation for a professor or research scholar shall be as follows:

(1) *General limitation.* The professor and research scholar shall be authorized to participate in the Exchange Visitor Program for the length of time necessary to complete his or her program, which time shall not exceed five years. The five-year period of permitted program participation shall begin with the initial program start date listed on the DS-2019 pursuant to which professor or research scholar participant status is acquired and shall end five years from such date. It shall include time spent outside the United States.

(2) *Repeat Participation.* Individuals who have entered the United States under the Exchange Visitor Program as a professor or research scholar, or who have acquired such status while in the United States shall not be eligible for repeat participation as a professor or research scholar for a period of two years.

(3) *Change of category.* A change between the categories of professor and research scholar shall not extend an exchange visitor's permitted period of participation beyond five years.

(4) Extensions beyond the duration of participation are not permitted under this category.

Dated: June 4, 2002.

**Patricia S. Harrison,**

*Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.*

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#### **FEDERAL COMMUNICATIONS COMMISSION**

#### **47 CFR Parts 73 and 76**

[MM Docket No. 98-204; DA 02-1025]

#### **En Banc Hearing on Broadcast and Cable EEO Rules and Policies**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; clarification.

**SUMMARY:** On June 20, 2002, the Commission released a document announcing the June 24, 2002, *en banc* hearing to discuss issues and views on the Commission's proceeding to promulgate new broadcast and cable equal employment opportunity (EEO) rules. The intended effect of this action is to clarify the public notification of the Commission's *en banc* hearing.

**DATES:** The *en banc* hearing will convene from 10 a.m. to 1 p.m. on June 24, 2002.

**ADDRESSES:** The hearing will be held at the Federal Communications Commission, 445 12th Street, SW., Washington, DC in the Commission Meeting Room (Room TW-C305).

**FOR FURTHER INFORMATION CONTACT:** Jamila Bess Johnson, Media Bureau. (202) 418-7200.

#### **SUPPLEMENTARY INFORMATION:**

1. By a document dated and released June 20, 2002, the Federal Communications Commission announced that it will hold an *en banc* hearing open to the public. The purpose of the *en banc* is to assist the Commission in its examination of the EEO rules applicable to broadcast and cable entities.

2. The *en banc* hearing was previously announced in Public Notice DA 02-1025 (May 3, 2002), but that public notice inadvertently was not published in the **Federal Register**. Accordingly, the Commission re-released the public notice pursuant to § 0.605(e) of its rules, 47 CFR 0.605(e). The Commission determined that to the extent the previous public notice was insufficient for purposes of § 0.605, the prompt and orderly conduct of the Commission's business required that this notice be issued less than one week prior to the *en banc* hearing and that earlier notice was not practicable, since the failure to publish the earlier public notice was just discovered.

Federal Communications Commission.

**W. Kenneth Ferree,**  
*Chief, Media Bureau.*

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**BILLING CODE 6712-01-P**

#### **DEPARTMENT OF COMMERCE**

#### **National Oceanic and Atmospheric Administration**

#### **50 CFR Part 600**

[I.D. 061102B]

#### **Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits (EFPs)**

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

**ACTION:** Notification of a proposal for EFPs to conduct experimental fishing; request for comments.

**SUMMARY:** The Administrator, Northeast Region, NMFS (Regional Administrator) has made a preliminary determination that the subject EFP application

contains all the required information and warrants further consideration. The Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made to issue an EFP. Therefore, NMFS announces that the Regional Administrator proposes to issue an EFP that would allow one vessel to conduct fishing operations otherwise restricted by the regulations governing the fisheries of the Northeastern United States. The EFP would allow for an exemption to the black sea bass, *Centropristis striata*, closure requirements of the FMP. The experiment, coordinated by the Virginia Institute of Marine Sciences (VIMS), proposes to conduct fishing activities to compare black sea bass retention and discard rates using two different black sea bass pot escape vent configurations. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

**DATES:** Comments on this document must be received on or before 5 p.m. EST July 12, 2002.

**ADDRESSES:** Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on BSB Escape Vent EFP Proposal." Comments may also be sent via facsimile (fax) to (978) 281-9135.

**FOR FURTHER INFORMATION CONTACT:** Richard A. Pearson, Fishery Policy Analyst, 978-281-9279.

**SUPPLEMENTARY INFORMATION:** An application for an EFP was submitted to NMFS by VIMS on April 23, 2002. The EFP is being requested to facilitate a research project that would compare black sea bass retention and discard rates using two different escape vent configurations in black sea bass pots. Approximately 15 fishing trips would be conducted off the coasts of Maryland and Virginia during the autumn of 2002. To provide the greatest potential for fishing success, it would be necessary to allow the vessel to fish for, and possess, black sea bass during closures that may be implemented due to the attainment of the commercial quota. Black sea bass harvested during closure periods would

not be landed, and would be returned to the water as soon as practicable.

The project will compare differences in the escapement of undersized black sea bass (less than 11 inches (27.94 cm)) between currently mandated single, 2-inch (5.08-cm) square escape vents and an experimental design in which the entire parlor section of the trap is constructed of 2-inch (5.08-cm) square mesh. The objective of the research is to investigate the effectiveness of the experimental trap design at reducing the retention and discard of sublegal black sea bass, without affecting the retention rate of legal-sized black sea bass.

Traps with a single, 2-inch (5.08-cm) square escape vent would serve as controls. The experiment would use a randomized survey whereby three traps (one control and two experimental) are connected by rope at regular intervals and deployed. One rope, or "string," of traps would be deployed at 10 different fishing sites per trip. These sites will be in close enough proximity to allow the traps to be hauled twice per day. Sixty traps per day are proposed to be hauled (3/traps/string, 1 string/site, and 10 sites hauled twice daily). Approximately 15 day-long research fishing trips are proposed for the project during the autumn months of 2002. The fishing activity will occur primarily between Wachapreague, VA, and Ocean City, MD.

To facilitate the collection of data during periods with the greatest potential for fishing success, the EFP would exempt one commercial vessel from the closure regulations specified at 50 CFR part 648, subpart I, and allow the vessel to fish for and possess black sea bass during periods when the commercial fishery is closed due to attainment of the quarterly quota. VIMS researchers will be onboard the participating vessel during all research trips. Any black sea bass harvested during a closure period would not be allowed to be landed, and would be returned to the water as soon as practicable after measurement of the fish. The commercial vessel that would participate in the research project has two live tanks onboard, which should reduce any discard mortality to black sea bass that could occur during a closure. Therefore, the catch levels during closed seasons are not expected to have a detrimental impact on the black sea bass resource. Any landings that would occur during an open season would be reported in the Vessel Trip Report, as required, because the participating vessel possesses a commercial black sea bass moratorium permit.

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

Dated: June 21, 2002.

**Virginia M. Fay,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

[Docket No. 020612146-2146-01; I.D. 042602F]

**RIN 0648-AP90**

#### Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Quota Specifications and General Category Effort Controls

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

**ACTION:** Proposed initial 2002 quota specifications and General category effort controls; public hearings; request for comments.

**SUMMARY:** NMFS proposes initial specifications for the Atlantic bluefin tuna (BFT) fishery to set BFT quota and General category effort controls for the fishing year beginning June 1, 2002. The proposed initial quota specifications and effort controls are necessary to implement the 1998 recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT) establishing a rebuilding program for Western Atlantic BFT, which is required by the Atlantic Tunas Convention Act (ATCA), and to achieve domestic management objectives under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). NMFS will hold public hearings to receive comments from fishery participants and other members of the public regarding the proposed initial quota specifications and effort controls.

**DATES:** Written comments must be received on or before July 24, 2002.

The public hearings dates are:

1. July 8, 2002, 7 p.m.—9 p.m., Gloucester, MA.
2. July 9, 2002, 2 p.m.—4 p.m., Silver Spring, MD.
3. July 10, 2002, 7 p.m.—9 p.m., Atlantic Beach, NC.

**ADDRESSES:** Written comments on the proposed initial quota specifications and General category effort controls