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James K. Buckles,

Acting Manager, Air Traffic Division, Eastern Region.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 902

50 CFR Part 600

[Docket No. 970304043-7145-03; I.D. 061397A]

RIN 0648-AJ59

Magnuson-Stevens Act Provisions; Foreign Fishing Vessels in Internal Waters; Reporting Requirements

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

ACTION: Final rule, technical amendment and correction.

SUMMARY: On May 19, 1997, NMFS published a final rule implementing new reporting requirements for foreign fishing vessels (FFV's) operating in the internal waters of a state. This document corrects a typographical error in that final rule and makes a technical amendment to clarify that the reporting of the location of where fish were harvested must include the name and official vessel number of the vessel of the United States that harvested the fish.

DATES: Effective June 26, 1997.

ADDRESSES: Comments regarding burden-hour estimates for the collection-of-information requirements contained in this final rule should be sent to George H. Darcy, F/SF3, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, and the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20503 (Attention: NOAA Desk Officer).

FOR FURTHER INFORMATION CONTACT: George H. Darcy, 301-713-2341.

SUPPLEMENTARY INFORMATION: On May 19, 1997, NMFS published a final rule at 62 FR 27182 that implemented reporting requirements for FFV's operating in the internal waters of a state, to reflect the October 1996 amendments to the Magnuson-Stevens Act (16 U.S.C. 1801 *et seq.*). Additional background for that action is contained

in the preamble to the final rule and in the preamble to the proposed rule that was published March 20, 1997, at 62 FR 13360, and is not repeated here.

Following publication of the final rule, it was recognized that the reporting element added at 50 CFR 600.508(f)(2)(i)(D), which requires that the harvest location of the fish received for processing be reported, was not sufficiently explicit. In order for NMFS to properly account for such harvested fish, the harvest location information must include the name and official number of the vessel of the United States that harvested the fish. This technical amendment makes that reporting requirement explicit by revising § 600.508(f)(2)(i)(D). Such information is expected to be maintained as a normal part of conducting business and does not materially change the burden hour estimates published in the preamble to the May 19, 1997, final rule.

Because section 3507(c)(B)(i) of the Paperwork Reduction Act (PRA) requires agencies to inventory and display a current control number assigned by the Director, OMB, for each agency information collection, the May 19, 1997, final rule also amended 15 CFR 902.1(b) by adding the control number for the approved collection of information. A typographical error in the final rule transposed the numerals in the OMB approval number that was added to the table in 15 CFR 902.1(b); this final rule corrects that error. Under NOAA Administrative Order 205-11, 7.01, dated December 17, 1990, the Under Secretary for Oceans and Atmosphere has delegated to the Assistant Administrator for Fisheries, NOAA, the authority to sign material for publication in the **Federal Register**.

Classification

Because this technical amendment makes only a minor, non-substantive clarification and correction to an existing rule, prior notice and opportunity for public comment would serve no purpose. Accordingly, the Assistant Administrator for Fisheries, under 5 U.S.C. 553(b)(B), for good cause finds that prior notice and opportunity for public comment are unnecessary. For the same reasons, there is good cause under 5 U.S.C. 553(d) not to delay the effective date of the technical amendment for 30 days.

Because this rule is being issued without prior comment, it is not subject to the Regulatory Flexibility Act requirement for a regulatory flexibility analysis and none has been prepared.

This rule contains a collection-of-information requirement subject to the

PRA. This collection has been approved by OMB under control number 0648-0329. Public reporting burden is estimated to average 0.5 hours per response to fill out and submit each weekly report to the Regional Administrator, including 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 burden estimates, or any other aspect of this data collection, including suggestions for reducing the burden, to NMFS and OMB (see **ADDRESSES**).

Notwithstanding any other provision of law, no person is required to respond to, nor shall a 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.

This rule makes minor technical changes to a rule that has been determined to be not significant under E.O. 12866. No changes in the regulatory impact previously reviewed and analyzed will result from implementation of this technical amendment.

List of Subjects

15 CFR Part 902

Reporting and recordkeeping requirements.

50 CFR Part 600

Fisheries, Fishing.

Dated: June 23, 1997.

Rolland A. Schmitten,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set out in the preamble, 15 CFR chapter IX and 50 CFR chapter VI are amended as follows:

15 CFR Chapter IX

PART 902—NOAA INFORMATION COLLECTION REQUIREMENTS UNDER THE PAPERWORK REDUCTION ACT: OMB CONTROL NUMBERS

1. The authority citation for part 902 continues to read as follows:

Authority: 44 U.S.C. 3501 *et seq.*

2. In § 902.1, paragraph (b), the table is amended by revising the entry for 50 CFR 600.508 to read as follows:

§ 902.1 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

* * * * *

(b) * * *

CFR part or section where the information collection requirement is located	Current OMB control number (all numbers begin with 0648-)
* * *	* *
50 CFR	* *
600.508	-0329
* * *	* *

50 CFR Chapter VI

PART 600—MAGNUSON ACT PROVISIONS

3. The authority citation for part 600 continues to read as follows:

Authority: 5 U.S.C. 561 and 16 U.S.C. 1801 *et seq.*

4. In § 600.508, paragraph (f)(2)(i)(D) is revised to read as follows:

§ 600.508 Fishing operations.

- * * *
- (f) * * *
- (2) * * *
- (i) * * *

(D) Location(s) from which the fish received were harvested and the name and official number of the vessel of the United States that harvested the fish.

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[FR Doc. 97-16772 Filed 6-25-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Federal Highway Administration

23 CFR Parts 1200 and 1205

[NHTSA Docket No. 93-55, Notice 5]

RIN 2127-AG69

Uniform Procedures for State Highway Safety Programs

AGENCY: National Highway Traffic Safety Administration and Federal Highway Administration, DOT.

ACTION: Interim final rule; request for comments.

SUMMARY: This document establishes new uniform procedures governing the implementation of State highway safety programs. It amends existing requirements by providing a more flexible system under which States are responsible for setting highway safety goals and implementing programs to achieve those goals.

This document is being issued as an interim final rule to provide guidance to

the States before the start of fiscal year 1998. The agencies request comments on the rule. The agencies will publish a notice responding to the comments received and, if appropriate, will amend provisions of the regulation.

DATES: This interim final rule becomes effective June 26, 1997. Comments on this interim rule are due no later than August 11, 1997.

ADDRESSES: Comments should refer to the docket number set forth above and be submitted (preferably in 10 copies) to the Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Docket hours are from 9:30 a.m. to 4 p.m. Monday through Friday.

FOR FURTHER INFORMATION CONTACT: In NHTSA, Marlene Markison, Office of State and Community Services, 202-366-2121; John Donaldson, Office of the Chief Counsel. In FHWA, Mila Plosky, Office of Highway Safety, 202-366-6902; Michael Falk, 202-366-0834.

SUPPLEMENTARY INFORMATION:

A. Statutory Requirements

The Highway Safety Act of 1966 (23 U.S.C. 401 *et seq.*) established a formula grant program to improve highway safety in the States. As a condition of the grant, the Act provides that the States must meet certain requirements contained in 23 U.S.C. 402.

Section 402(a) requires each State to have a highway safety program, approved by the Secretary of Transportation, which is designed to reduce traffic crashes and the deaths, injuries, and property damage resulting from those crashes. Section 402(b) sets forth the minimum requirements with which each State's highway safety program must comply. For example, the Secretary may not approve a program unless it provides that the Governor of the State is responsible for its administration through a State highway safety agency which has adequate powers and is suitably equipped and organized to carry out the program to the satisfaction of the Secretary. Additionally, the program must authorize political subdivisions of the State to carry out local highway safety programs and provide a certain minimum level of funding for these local programs each fiscal year. The enforcement of these and other continuing requirements is entrusted to the Secretary and, by delegation, to the National Highway Traffic Safety Administration (NHTSA) and the Federal Highway Administration (FHWA) (the agencies).

When it was originally enacted in 1966, the Highway Safety Act required the agencies to establish uniform standards for State highway safety programs to assist States and local communities in implementing their highway safety programs. Eighteen such standards were established and, until 1976, the Section 402 program was directed principally toward achieving State and local compliance with these standards. Over time, State highway safety programs matured and, in 1976, the Highway Safety Act was amended to provide for more flexible implementation of the program. States were no longer required to comply with every uniform standard or with each element of every uniform standard. As a result, the standards became more like guidelines for use by the States, and management of the program shifted from enforcing standards to using the standards as a framework for problem identification, countermeasure development, and program evaluation. In 1987, Section 402 of the Highway Safety Act was amended, formally changing the standards to guidelines.

Another amendment to the Highway Safety Act required the Secretary to determine, through a rulemaking process, those programs "most effective" in reducing crashes, injuries, and deaths, taking into account "consideration of the States having a major role in establishing (such) programs." The Secretary was authorized to revise the rule from time to time. The Act, as amended, provides that only those programs established under the rule as most effective in reducing crashes, injuries and deaths would be eligible for Federal financial assistance under the Section 402 program. In accordance with this provision, the agencies have identified, over time, nine such programs, the "National Priority Program areas." These programs appear in a rule at 23 CFR part 1205, discussed further below, under the heading "Current Regulations."

B. Current Regulations

1. Part 1200

In recent years, the agencies have administered the Section 402 program in accordance with an implementing regulation, Uniform Procedures for State Highway Safety Programs (23 CFR part 1200). That regulation, portions of which are amended by today's action, contains detailed procedures governing the content and Federal approval of a "Highway Safety Plan," to be submitted each fiscal year by the States. In particular, under the regulation each