

alternatives are intended to streamline our rules and procedures. Our goals are to reduce applicant and licensee burdens, realize fully the benefits of the Mass Media Bureau's current electronic filing initiative, and preserve the public's ability to participate fully in our broadcast licensing processes. These proposals are designed to reduce filing burdens and increase the efficiency of application processing. Any significant alternatives presented in the comments will be considered.

F. Federal Rules that Overlap, Duplicate, or Conflict with the Proposed Rules

The initiatives and proposed rules raised in this proceeding do not overlap, duplicate or conflict with any other rules.

It is further ordered, that the Commission's Office of Public Affairs, Reference Operations Division, SHALL SEND a copy of this Notice, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration. A copy of this IRFA will also be published in the **Federal Register**.

Paperwork Reduction Act

This NPRM contains either a proposed or modified information collection. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collections contained in this NPRM, as required by the Paperwork Reduction Act of 1995, Public Law No. 104-13. Public and agency comments are due at the same time as other comments on this NPRM; OMB comments are due 60 days from date of publication of this NPRM in the **Federal Register**. Comments should address: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

OMB Approval Number: None.

Title: NPRM—Streamlining of Mass Media Applications, Rules and Processes.

Form Nos.: FCC 301 (3060-0027), FCC 302-AM (3060-0627), FCC 302-FM (3060-0506), FCC 302-TV (3060-0029), FCC 307 (3060-0407), FCC 314 (3060-0031), FCC 315 (3060-0032), FCC 316 (3060-0009), FCC 340 (3060-0034), FCC 345 (3060-0075), FCC 346 (3060-0016), FCC 347 (3060-0017), FCC 349 (3060-0405), FCC 350 (3060-0404), FCC 398 (3060-0754), FCC 5072 (change of address form), FCC 323 (3060-0010)/FCC 323-E (3060-0084)

Type of Review: New collection.

Respondents: Businesses or other for-profit, not-for-profit institutions.

Number of Respondents: 13,767 (this number includes respondents for all forms listed above).

Estimated Time Per Response: Varies from 2.5 hours to 1,016 hours (this represents the lowest burden/highest burden forms).

Frequency of Response: Reporting requirement, on occasion.

Estimated Cost to Respondent: \$65,898,600 (this number represents a total of all information collections involved).

Estimated Total Annual Burden: 174,082 hours (this number represents a total of all information collections).

Needs and Uses: With this NPRM, the Commission seeks comment on streamlining broadcast applications and licensing procedures, reducing administrative and filing requirements and eliminating rules and procedures that no longer advance key regulatory objectives. The Commission also seeks comment on whether to mandate electronic filing for broadcast application and reporting forms.

[FR Doc. 98-10309 Filed 4-16-98; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 644

[Docket No. 980413091-8091-01; I.D. 030998B]

RIN 0648-AK90

Options for Implementing Vessel Monitoring Systems Requirements for Highly Migratory Species Fisheries

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

ACTION: Advance notice of proposed rulemaking (ANPR); request for comments.

SUMMARY: NMFS is requesting comments on options for implementing a recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT), requiring each member country with vessels greater than 24 meters (78.74 ft) in overall length and fishing for ICCAT species on the high seas outside the fisheries jurisdiction (Exclusive Economic Zone, EEZ) of that country, to adopt a pilot program for a satellite-based vessel monitoring system (VMS). The 3-year ICCAT-recommended VMS pilot program is to be implemented effective January 1, 1999.

DATES: Written comments on this ANPR must be received on or before June 1, 1998.

ADDRESSES: Written comments should be addressed to Rebecca Lent, Chief, Highly Migratory Species Management Division (F/SF1), Office of Sustainable

Fisheries, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT:

Buck Sutter, 813-570-5447; fax: 813-570-5364; or Jill Stevenson, 301-713-2347; fax: 301-713-1917.

SUPPLEMENTARY INFORMATION:

Background

At the 1997 annual meeting held in Madrid, Spain, ICCAT adopted a recommendation that each member country institute a VMS pilot project for vessels greater than 24 meters (78.74 ft) in total length fishing on the high seas outside the EEZ of a member country. The ICCAT recommendation calls for each member country to require the installation of a VMS unit on 10 percent of the vessels or on 10 qualified vessels, whichever is greater, that target fisheries under ICCAT jurisdiction. In order for the United States to meet ICCAT obligations, 10 U.S. vessels must be equipped with operational VMS units by January 1, 1999.

The Secretary of Commerce has the responsibility, under the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*), to implement ICCAT recommendations. Fisheries that are affected by the ICCAT recommendation include those that target Atlantic swordfish and Atlantic tuna (Atlantic albacore, bluefin, bigeye, skipjack and yellowfin tunas) in waters outside the U.S. EEZ. NMFS is developing a program to implement the ICCAT recommendation and is seeking public comments before proceeding with program development and implementation by January 1, 1999. A draft plan of the U.S. program must be provided to ICCAT by June 1, 1998.

The U.S. Atlantic swordfish fishery is managed under the Fishery Management Plan for Atlantic Swordfish and its implementing regulations at 50 CFR part 630, under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) and ATCA. The Atlantic tunas fishery is managed under the authority of ATCA and regulations at 50 CFR part 285. Commercial vessels of the United States fishing in the Atlantic Ocean must obtain federal fisheries permits to land swordfish and tunas (50 CFR 630.4 and 50 CFR 285.21, respectively). In addition, under the High Seas Fishing Compliance Act (HSFCA) of 1995 and its implementing regulations (50 CFR part 300), U.S. vessels fishing beyond the EEZ are required to obtain a HSFCA permit and comply with applicable requirements, including reporting.

The ICCAT VMS pilot program applies only to vessels larger than 24

meters (78.74 ft) fishing for highly migratory species on the high seas, outside the EEZ of a member country. The most direct mechanism NMFS has to identify U.S. vessels that fulfill these ICCAT requirements is to query the HSFCA database for vessels that meet the ICCAT size criteria. The subset of HSFCA permitted vessels 79 feet and larger was further reduced by identifying which vessels also hold an Atlantic swordfish and/or Atlantic tuna permit. NMFS estimates that approximately 33 U.S. vessels meet all ICCAT requirements. However, some of these vessels (e.g., trawling vessels) do not target highly migratory fish species, but hold HMS permits to allow retention of incidentally caught swordfish and tunas. These vessels would not be included in the pilot program because the ICCAT recommendation specifies selection of vessels targeting species under ICCAT jurisdiction. Excluding these trawling vessels, approximately 20 U.S. commercial vessels fit the criteria set forth by the ICCAT recommendation for the VMS pilot program; therefore, the United States must have at least 10 vessels equipped with operational VMS units by January 1, 1999, to meet ICCAT obligations.

VMS is an automated, real-time, satellite-based tracking system coupled with a Global Positioning System (GPS) that obtains accurate position reports of vessels at sea. Real-time vessel location information is sent automatically from a transceiver on board the fishing vessel. ICCAT requires that any VMS used in the pilot program: (1) be tamper proof; (2) be fully automatic and operational at all times regardless of environmental conditions; (3) provide real time data; and (4) provide latitude and longitude, with a position accuracy of 500 meters or better. Several companies manufacture and distribute VMS units. Not all systems, however, are compatible. NMFS has initially determined that system compatibility is necessary to avoid confusion and to establish effective, cost-efficient communication protocols. The use of VMS by NMFS in other fisheries is discussed in 59 FR 15180, March 31, 1994. In addition to the four ICCAT VMS requirements listed above, the following system parameters have been identified by NMFS for the use of VMS in other fisheries, and will be required components for the ICCAT VMS pilot program: (1) A fully integrated International Maritime Satellite (Inmarsat)-C and GPS Transceiver; (2) flexible position reporting capabilities; (3) acceptance (e.g., trawling vessels) by

the International Maritime Organization as meeting the requirements for the Global Maritime Distress and Safety System; (4) password protected configuration to prevent unauthorized reconfiguration of the transceiver; (5) incorporation of a low-cost data reporting mode over the signal channel to allow the transmission of the vessel identifier and the location of the vessel; (6) capability of sending and receiving Telex, E-mail and computer data; (7) secure, private two-way communications; (8) capability to poll the transceiver unit remotely to determine vessel position; (9) ability to automatically generate position reports during power up, power down, antennae disconnection, and antenna blockage; (10) global coverage; and (11) ability to store and forward communication.

The installation of a VMS unit on board high-seas fishing vessels will provide several benefits to the vessel and the supporting industries. A VMS transceiver is capable of sending and receiving confidential communications (data and text messages) with the addition of a personal computer. A personal computer, however, is not part of the required system for the ICCAT VMS pilot program, although there would be benefits to the vessel owner or operator. Secure communications with business partners, owners and/or seafood dealers could provide participating vessels a mechanism to market their products in a manner that could enhance ex-vessel price and increase the vessel's competitive advantage. The captain and crew could also communicate with family regardless of distance from shore. The communication linkage with shore, via the VMS units, would allow a vessel to fish more efficiently and decrease the incidence of interrupted trips. For example, broken gear could be ordered while at sea, and shipped to a convenient location or brought out on another vessel, reducing the time wasted traveling to retrieve needed gear that could otherwise have been spent fishing.

The VMS units will provide an enhanced safety feature to the fishing vessel. Qualified VMS units have a safety feature on the transceiver that could be easily activated so that an immediate distress signal could be sent from anywhere in the Atlantic Ocean and alert rescue authorities of the vessel's exact real-time position. The VMS unit would also provide the added safety of a second GPS on board. For example, in the Hawaii longline pilot VMS study between January 1, 1996, and March 15, 1997, the U.S. Coast

Guard estimated that the VMS assisted in approximately 120 search and rescue cases.

Another benefit could be that vessels targeting swordfish that participate in the ICCAT VMS program would be eligible for the 1998 directed swordfish closure VMS pilot program. Under that program, a vessel with a qualified VMS unit can apply for an Exempted Fishing Permit and will be allowed to retain swordfish on board the fishing vessel after the directed swordfish fishery has closed, provided all requirements to participate in that program are met. Swordfish can then be offloaded in a location and time that maximizes ex-vessel price. Information on the current swordfish pilot program can be obtained from NMFS, Highly Migratory Species Division (SEE ADDRESSES). NMFS is also investigating the possibility of providing low-interest loans for this program through the Fishing Finance Program.

The ICCAT VMS pilot study will allow NMFS to monitor vessel position on a real-time basis anywhere in the Atlantic Ocean. All automated data reports received by NMFS to monitor vessel positions will be treated consistent with NMFS guidelines for confidential information. In the Hawaii longline VMS study, NMFS determined that remote vessel monitoring greatly enhanced the effectiveness and efficiency in enforcing regulatory constraints on a high-seas fishery. Installation of VMS units enabled law enforcement to monitor a high percentage of the vessels participating in the longline fishery, at a greatly reduced cost in comparison to traditional surveillance methods (i.e., aircraft and surface vessels).

The cost of the VMS is approximately \$3,500 to \$5,000 per vessel for the initial purchase of the equipment, including the transceiver and antenna. Installation of the equipment will cost approximately \$1,000, and communication charges for required automated position reports are about \$2.50 per day. Repair and maintenance costs may approach \$1,000 per year. Additional costs would include the purchase of an optional personal computer and text messages (approximately \$0.01 per character) that are sent or received by the vessel.

Alternatives

Should it be determined that rulemaking is necessary to implement this mandatory ICCAT program, NMFS is currently considering the following alternatives to implement the ICCAT VMS pilot program:

(1) NMFS would solicit 10 volunteers from the qualified HSFCA and Highly

Migratory Species (HMS) permit (Atlantic swordfish and Atlantic tunas) database with vessel lengths greater than 24 meters (78.74 ft) and utilizing longline gear to either purchase or use existing VMS equipment that qualifies under the requirements set forth in this Advanced Notice of Proposed Rulemaking (ANPR) for the duration of this 3-year project.

(2) NMFS would select 10 qualified vessels (holders of valid HSFCA and HMS permits, with vessel lengths greater than 24 meters (78.74 ft), and utilizing longline gear) and require purchase of a qualified VMS unit, as described by this ANPR. These vessels would be required to send automated position reports over the 3-year period covered by this pilot study.

(3) NMFS would require purchase of a qualified VMS unit, as described by this ANPR, by all holders of valid HSFCA and HMS permits with vessel lengths greater than 24 meters (78.74 ft), that fish with longline gear. These vessels would be required to send automated position reports over the 3-year period covered by this pilot study.

(4) NMFS would require purchase of a qualified VMS unit, as described by this ANPR, by all holders of an HMS

permit with a vessel length greater than 24 meters (78.74 ft) and utilizing longline gear, regardless of the possession of a HSFCA permit. These vessels would be required to send automated position reports over the 3-year period covered by this pilot study.

NMFS will not consider purchasing the individual VMS units for the ICCAT pilot program. The western Pacific longline pilot VMS program was funded by the government solely for the purposes of testing the application of VMS technology in longline fisheries. That study has been completed, and the study report is available from NMFS (See **ADDRESSES**). As a result of the success of the Hawaii VMS pilot program, NMFS has pursued the use of VMS in other fisheries to improve the enforcement of fisheries regulations. Installation of a VMS unit is now required by NMFS in other U.S. fisheries, at the vessel owners' or operators' expense, including, but not limited to, the Western Pacific Crustacean Fishery, Atlantic Sea Scallop Fishery, Northeast Multispecies Fishery, and Alaska Groundfish Fisheries. NMFS has convened an internal team to discuss the potential benefits of VMS in

HMS fisheries and will be preparing a required document to ICCAT by June 1, 1998, outlining the planned implementation of the ICCAT VMS pilot program for the United States.

Request For Comments

NMFS solicits comments on implementation of the ICCAT requirement to initiate, by January 1, 1999, a VMS pilot program for vessels larger than 24 meters (78.74 feet), that fish outside the United States EEZ. Comments received on this ANPR will assist NMFS in determining the options for rulemaking to implement the requirements of this international agreement.

Classification

This advance notice of proposed rule making has been determined to be not significant for purposes of E.O. 12866.

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

Dated: April 13, 1998.

Rolland A. Schmitten,

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

[FR Doc. 98-10243 Filed 4-16-98; 8:45 am]

BILLING CODE 3510-22-F