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(iv) * * *

Regional Solicitor, Rocky Mountain Region, U.S. Department of the Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215;

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Subpart L—Special Rules Applicable to Surface Coal Mining Hearings and Appeals

3. The authority citation for subpart L of part 4 continues to read as follows:

Authority: 30 U.S.C. 1256, 1260, 1261, 1264, 1268, 1271, 1272, 1275, 1293; 5 U.S.C. 301.

§ 4.1109 [Amended]

4. In § 4.1109(a)(2), the seven undesignated paragraphs are designated as (i) through (vii).

5. In § 4.1109, newly designated paragraphs (a)(2) (iii), (v), and (vii) are revised to read as follows:

§ 4.1109 Service.

(a) * * *

(2) * * *

(iii) For mining operations in Colorado, Montana, North Dakota, South Dakota, and Wyoming, including mining operations located on Indian lands within those States: Regional Solicitor, Rocky Mountain Region, U.S. Department of the Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215; Telephone: (303) 231-5350; FAX: (303) 231-5360.

* * * * *

(v) For the challenge of permitting decisions affecting mining operations located on Indian lands within Arizona, California, and New Mexico: Regional Solicitor, Rocky Mountain Region, U.S. Department of the Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215; Telephone: (303) 231-5350; FAX: (303) 231-5360.

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(vii) For the challenge of permitting decisions affecting mining operations in Washington: Regional Solicitor, Rocky Mountain Region, U.S. Department of the Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215; Telephone: (303) 231-5350; FAX: (303) 231-5360.

* * * * *

Dated: June 12, 1996.

Brooks B. Yeager,

Acting Assistant Secretary—Policy, Management and Budget.

[FR Doc. 96-19392 Filed 8-1-96; 8:45 am]

BILLING CODE 4310-79-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 20

[CC Docket No. 94-102; FCC 96-264]

Compatibility of Wireless Services With Enhanced 911

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Federal Communications Commission has adopted a Report and Order and Further Notice of Proposed Rulemaking that creates rules to govern the availability of basic 911 services and the implementation of Enhanced 911 (E911) for wireless services. (The summary of the Further Notice of Proposed Rulemaking portion of this decision may be found elsewhere in this edition of the Federal Register). The primary goal of this proceeding is to promote safety of life and property through the use of wireless communications, ensure broad availability of wireless 911 services, by creating a uniform, nationwide standard concerning the processing of 911 calls from wireless handsets, and establish a timetable for the development and deployment of technologies that will enable wireless carriers and emergency service providers to identify the location of wireless 911 callers.

EFFECTIVE DATE: October 1, 1996.

FOR FURTHER INFORMATION CONTACT: Peter G. Wolfe, Policy Division, Wireless Telecommunications Bureau, (202) 418-1310.

SUPPLEMENTARY INFORMATION: This is a summary of the Report and Order ("R&O") portion of the Commission's Report and Order and Further Notice of Proposed Rulemaking in CC Docket No. 94-104; FCC 96-264, adopted June 12, 1996, and released July 26, 1996. The summary of the Further Notice of Proposed Rulemaking portion of this decision may be found elsewhere in this edition of the Federal Register. The complete text of this R&O is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W. Washington, D.C., and may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street, N.W., Suite 140, Washington, D.C. 20037.

Synopsis of the Report and Order

1. In the R&O, the Commission adopted several requirements and made them applicable to all cellular licensees,

broadband Personal Communications Service (PCS), and certain Specialized Mobile Radio (SMR) licensees.¹ These SMR providers include 800 MHz and 900 MHz SMR licensees that hold geographic area licensees, as well as incumbent wide area SMR licensees defined as licensees who have obtained extended implementation authorizations in the 800 MHz or 900 MHz SMR service, either by waiver or under Section 90.629 of the Commission's Rules. The covered SMR providers include only licensees that offer real-time, tow-way switched voice service that is interconnected with the public switched network, either on a stand-alone basis or packaged with other telecommunications services. These classes of licensees are hereafter referred to as "covered carriers." Certain other SMR licensees and Mobile Satellite Service (MSS) carriers are exempt from our requirements.

2. For basic 911 services, the R&O first requires that, not later than 12 months after the effective date of the rules adopted in this proceeding, covered carriers must process and transmit to any appropriate PSAPs all 911 calls made from wireless mobile handsets which transmit a code identification,² including calls initiated by roamers. The processing and transmission of such calls shall not be subject to any user validation or similar procedure that otherwise may be invoked by the covered carrier.

3. In the case of 911 calls made from wireless mobile handsets that do not transmit a code identification, not later than 12 months after the effective date of the rules adopted in this proceeding, covered carriers must process and transmit such calls to any appropriate PSAP which previously has issued a formal instruction to the carrier

¹ The Notice of Proposed Rulemaking initiating this proceeding may be found at 59 FR 54878, November 2, 1994.

² The term "code identification," when used in this Order in conjunction with 911 calls, means (1) in the case of calls transmitted over the facilities of a covered carrier other than a Specialized Mobile Radio carrier that is subject to the requirements of this Order, a call originated from a mobile unit which has a Mobile Identification Number (MIN); and (2) in the case of calls transmitted over the facilities of a Specialized Mobile Radio carrier that is subject to the requirements of this Order, a call originated from a mobile unit which has the functional equivalent of a MIN. A MIN is a 34-bit binary number that a PCS or cellular handset transmits as part of the process of identifying itself to wireless networks. Each handset has one MIN, and it is derived from the ten-digit North American Numbering Plan (NANP) telephone number that is programmed into the handset by a CMRS provider generally when it initiates service for a new subscriber. See, e.g., EIA/TIA Standard 553, Mobile Station—Land Station Compatibility Specification, September 1989, at 2.3.1.

involved that the PSAP desires to receive such calls from the carrier.

4. Not later than 12 months after the effective date of the rules adopted in this proceeding, covered carriers must be capable of transmitting calls by individuals with speech or hearing disabilities through devices used in conjunction with or as a substitute for traditional wireless mobile handsets, e.g., through the use of Text Telephone Devices (TTY) to local 911 services.

5. The implementation and deployment of enhanced 911 (E911) features and functions will be accomplished in two phases. Under Phase I, not later than 12 months after the effective date of the rules adopted in this proceeding, covered carriers must have initiated the actions necessary to enable them to relay a caller's Automatic Number Identification (ANI) and the location of the base station or cell site receiving a 911 call to the designated PSAP. Not later than 18 months after the effective date of the rules adopted in this R&O, such carriers must have completed these actions. These capabilities will allow the PSAP attendant to call back if the 911 call is disconnected.

6. Under Phase II, not later than five years after the effective date of the rules adopted in this proceeding, covered carriers are required to achieve the capability to identify the latitude and longitude of a mobile unit making a 911 call, within a radius of no more than 125 meters in 67 percent of all cases.

7. The E911 (Phase I and Phase II) requirements imposed upon covered carriers in the Order shall apply only if (1) a carrier receives a request for such E911 services from the administrator of a PSAP that is capable of receiving and utilizing the data elements associated with the services; and (2) a mechanism for the recovery of costs relating to the provision of such services is in place. If the carrier receives a request less than 6 months before the implementation dates of Phase I and Phase II, then it must comply with the Phase I and Phase II requirements within 6 months after the receipt of the notice specifying the request.

8. Covered carriers, in coordination with the public safety organizations, are also directed to resolve certain E911 implementation issues, including grade of service and interface standards, through industry consensus in conjunction with standard-setting bodies.

Final Regulatory Flexibility Analysis

9. As required by Section 603 of the Regulatory Flexibility Act, 5 U.S.C. 603 (RFA), an Initial Regulatory Flexibility

Analysis (IRFA) was incorporated in the Notice. The Commission sought written public comments on the proposals in the Notice, including on the IRFA. The Commission's Final Regulatory Flexibility Analysis (FRFA) in this Order conforms to the RFA, as amended by the Contract With America Advancement Act of 1996, Public Law No. 104-121, 110 Stat. 847 (1996) (CWAAA).³

I. Need For and Objective of the Rules

10. This Report and Order adopts policies concerning the operation of 911 and enhanced 911 (E911) emergency calling service and the services provided by cellular, broadband personal communications services (PCS), and geographic area specialized mobile radio (SMR) licensees. Commenters responding to the Notice in this proceeding have identified a number of ways in which 911 and E911 might be available through the use of wireless telephones, and have indicated that more widely available 911 and E911 services will save lives and property. Commenters also have indicated that various enhancements to wireless 911 service, such as the ability of the carrier to provide precise caller location information to the public safety answering point administrators, would make significant contributions to the effectiveness of wireless 911 services.

11. We find that the benefit of providing for more widely available and more effective 911 and E911 services for users of wireless telephones exceed any negative effects that may result from the promulgation of rules for this purpose. Thus, we conclude that the public interest is served by requiring that wireless telephones operate effectively with E911 systems.

II. Summary of Issues Raised by the Public Comments In Response to the Initial Regulatory Flexibility Analysis

12. No comments were submitted in direct response to the Initial Regulatory Flexibility Analysis. In general comments on the Notice, however, a number of commenters raised issues that might affect small entities. Most of the wireless industry supported exemption for site-specific Specialized Mobile Radio (SMR) licensees due to their limited interconnection with the public switched network. Rural cellular providers argued that they should be exempted from E911 requirements because of the high expense in low density markets, as well as the lack of

emergency service provider capabilities in such markets.

III. Projected Reporting, Recordkeeping and Other Compliance Requirements of the Rule

13. There are no general reporting or recordkeeping requirements. There are, however, requirements for a group of trade and consumer organizations to report to the Commission on the status of industry discussions of technical standards and other implementation issues. We assume that these reports will be prepared by the professional staff of these associations, and we do not intend to impose any unnecessary burdens or costs on the entities involved in the preparation and submission of the reports. The rule will require cellular, broadband PCS, and geographic area SMR licensees to upgrade their equipment so that:

(1) 911 calls from wireless mobile handsets which transmit a code identification will be transmitted without delay or credit verification.

(2) 911 calls from any mobile handset will be transmitted without delay or credit verification to any emergency service provider who requests that they be transmitted.

(3) 911 calls may be transmitted by speech or hearing impaired individuals through Text Telephone Devices.

(4) Emergency service providers will be enabled to call back 911 calls which are disconnected.

(5) Emergency service providers will be sent the location of the 911 caller within a radius of 125 meters by longitude and latitude in 67 percent of all cases.

14. These upgrades will require engineering and construction work on switches, protocols, and network architectures. We recognize that full implementation of wireless E911 will incur additional expenses. However, we have found that E911 service to be in the public interest and that these relatively fixed costs will be spread over a widening base of subscribers as wireless subscribership grows, lowering unit costs per subscriber.

IV. Description and Estimate of Small Entities Subject to the Rules

15. The rule adopted in this Report and Order will apply to providers of cellular, broadband PCS, and geographic area 800 MHz and 900 MHz Specialized Mobile Radio (SMR) services, including licensees who have obtained extended implementation authorizations in the 800 MHz or 900 MHz SMR services, either by waiver or under Section 90.629 of the Commission's Rules. However, the rule will apply to SMR

³ Subtitle II of the CWAAA is "The Small Business Regulatory Enforcement Fairness Act of 1996," (SBREFA), codified at 5 U.S.C. § 601.

licensees only if they offer real-time, two-way voice service that is interconnected with the public switched network.

a. Estimates for Cellular Licensees

16. The Commission has not developed a definition of small entities applicable to cellular licensees. Therefore, the applicable definition of small entity is the definition under the Small Business Administration (SBA) rules applicable to radiotelephone companies. This definition provides that a small entity is a radiotelephone company employing fewer than 1,500 persons.⁴ Since the Regulatory Flexibility Act amendments were not in effect until the record in this proceeding was closed, the Commission was unable to request information regarding the number of small cellular businesses and is unable at this time to make a precise estimate of the number of cellular firms which are small businesses.

17. The size data provided by the SBA does not enable us to make a meaningful estimate of the number of cellular providers which are small entities because it combines all radiotelephone companies with 500 or more employees.⁵ We therefore used the 1992 Census of Transportation, Communications, and Utilities, conducted by the Bureau of the Census, which is the most recent information available. That census shows that only 12 radiotelephone firms out of a total of 1,178 such firms which operated during 1992 had 1,000 or more employees.⁶ Therefore, even if all 12 of these large firms were cellular telephone companies, all of the remainder were small businesses under the SBA's definition. We assume that, for purposes of our evaluations and conclusions in the Final Regulatory Flexibility Analysis, all of the current cellular licensees are small entities, as that term is defined by the SBA. Although there are 1,758 cellular licenses, we do not know the number of cellular licensees, since a cellular licensee may own several licenses.

18. We assume that all of the current rural cellular licensees are small

businesses. Comments filed by small business associations, the Organization for the Protection and Advancement of Small Telephone Companies (OPASTCO), state that $\frac{2}{3}$ of its 440 members provide cellular service, and comments filed by the Rural Cellular Association (RCA) state that its members serve 80 cellular service areas. We recognize that these numbers represent only part of the current rural cellular licensees because there might be other rural companies not represented by either association.

b. Estimates for Broadband PCS Licensees

19. The broadband PCS spectrum is divided into six frequency blocks designated A through F. Pursuant to 47 CFR § 24.720(b), the Commission has defined "small entity" for Blocks C and F licensees as firms that had average gross revenues of less than \$40 million in the three previous calendar years. This regulation defining "small entity" in the context of broadband PCS auctions has been approved by the SBA.⁷

20. The Commission has auctioned broadband PCS licenses in Blocks A, B, and C. We do not have sufficient data to determine how many small businesses under the Commission's definition bid successfully for licenses in Blocks A and B. As of now, there are 90 non-defaulting winning bidders that qualify as small entities in the Block C auction. Based on this information, we conclude that the number of broadband PCS licensees affected by the rule adopted in this Report and Order includes the 90 non-defaulting winning bidders that qualify as small entities in the Block C broadband PCS auction.

21. At present, no licenses have been awarded for Blocks D, E, and F for spectrum. Therefore, there are no small businesses currently providing these services. However, a total of 1,479 licenses will be awarded in the D, E, and F Block broadband PCS auctions, which are scheduled to begin on August 26, 1996. Eligibility for the 493 F Block licensees is limited to "entrepreneur" with the average gross revenues of less than \$125 million. However, we cannot estimate how many small businesses under the Commission's definition will win F Block licensees, or D and E Block licensees. Given the facts that nearly all radiotelephone companies have fewer than 1,000 employees and that no reliable estimate of the number of

prospective D, E, and F Block licensees can be made, we assume, for purposes of our evaluations and conclusions in this FRFA, that all of the licenses will be awarded to small entities, as that term is defined by the SBA.

c. Estimates for SMR Licensees

22. Pursuant to 47 C.F.R. 90.814(b)(1), the Commission has defined "small entity" for geographic area 800 MHz and 900 MHz SMR licenses as firms that had average gross revenues of less than \$15 million in the three previous calendar years. This regulation defining "small entity" in the context of 800 MHz and 900 MHz SMR has been approved by the SBA.⁸

23. The rule adopted in this Report and Order applies to SMR providers in the 800 MHz and 900 MHz bands that either hold geographic area licenses or have obtained extended implementation authorizations. We do not know how many firms provide 800 MHz or 900 MHz geographic area SMR service pursuant to extended implementation authorizations, nor how many of these providers have annual revenues of less than \$15 million. Since the Regulatory Flexibility Act amendments were not in effect until the record in this proceeding was closed, the Commission was unable to request information regarding the number of small businesses in this category. We do know that one of these firms has over \$15 million in revenues. We assume, for purposes of our evaluations and conclusions in this FRFA, that all of the remaining existing extended implementation authorizations are held by small entities, as that term is defined by the SBA.

24. The Commission recently held auctions for geographic area licenses in the 900 MHz SMR band. There were 60 winning bidders who qualified as small entities under the Commission's definition in the 900 MHz auction. Based on this information, we conclude that the number of geographic area SMR licensees affected by the rule adopted in this Report and Order includes these 60 small entities.

25. No auctions have been held for 800 MHz geographic area SMR licenses.

⁴ 13 CFR § 121.201, Standard Industrial Classification (SIC) Code 4812.

⁵ U. S. Small Business Administration 1992 Economic Census Employment Report, Bureau of the Census, U.S. Department of Commerce, SIC Code 4812 (radiotelephone communications industry data adopted by the SBA Office of Advocacy).

⁶ U.S. Bureau of the Census, U.S. Department of Commerce, 1992 Census of Transportation, Communications, and Utilities, UC92-S-1, Subject Series, Establishment and Firm Size, Table 5, Employment Size of Firms: 1992, SIC Code 4812 (issued May 1995).

⁷ See Implementation of Section 309(j) of the Communications Act—Competitive Bidding, PP Docket No. 93-253, Fifth Report and Order, 9 FCC Rcd 5532, 5581-84 (1994).

⁸ See Amendment of Parts 2 and 90 of the Commission's Rules to Provide for the Use of 200 Channels Outside the Designated Filing Areas in the 896-901 MHz and the 935-940 MHz Bands Allotted to the Specialized Mobile Radio Pool, PR Docket No. 89-583, Second Order on Reconsideration and Seventh Report and Order, 11 FCC Rcd 2639, 2693-702 (1995); Amendment of Part 90 of the Commission's Rules to Facilitate Future Development of SMR Systems in the 800 MHz Frequency Band, PR Docket No. 93-144, First Report and Order, Eighth Report and Order, and Second Further Notice of Proposed Rulemaking, 11 FCC Rcd 1463 (1995).

Therefore, no small entities currently hold these licenses. A total of 525 licenses will be awarded for the upper 200 channels in the 800 MHz geographic area SMR auction. However, the Commission has not yet determined how many licenses will be awarded for the lower 230 channels in the 800 MHz geographic area SMR auction. There is no basis to estimate, moreover, how many small entities within the SBA's definition will win these licenses. Given the facts that nearly all radiotelephone companies have fewer than 1,000 employees and that no reliable estimate of the number of prospective 800 MHz licensees can be made, we assume, for purposes of our evaluations and conclusions in this FRFA, that all of the licenses will be awarded to small entities, as that term is defined by the SBA.

V. Steps Taken To Minimize the Burdens on Small Entities

26. The Commission in this proceeding has considered comments on ways of achieving wider 911 availability and E911 compatibility with wireless telephone services. In doing so, the Commission has adopted alternatives which minimize burdens placed on small entities. First, it has limited the regulations to mass market two-way voice services. In doing so, it excluded small local specialized mobile services which provide mainly dispatch services and do not provide the mass market services which most users rely on to send 911 calls. It has also excluded mobile satellite systems. Second, it provided for waivers for small rural cellular carriers, and also provided that most services would not be required unless specifically requested by the local emergency service providers. Third, it has taken industry concerns into account by basing the schedule for implementing E911 on that recommended by the Consensus Agreement between the Cellular Telephone Industry Association and public safety organizations, which does not require caller location information until five years after the rules adopted in the Order become effective. Finally, it has made the E911 requirements conditional on (1) a request by a local emergency service provider that is capable of receiving and using the information; and (2) a mechanism for the recovery of costs relating to the provision of the service. Therefore, the burden on small entities will be offset by the requirement that a cost recovery mechanism will be in place before their E911 obligations need to be implemented.

VI. Significant Alternatives Considered and Rejected

27. The Commission rejected the alternative proposal that the rules should be applicable to all providers of Commercial Mobile voice services because not all CMRS services are mass market voice services whose users expect to be able to use them to call 911. Specifically, the Commission found that the costs of requiring local SMR services to comply with the rules would outweigh the benefits and application of the rules to them, and would give them an incentive to eliminate their interconnection to the public network, which would not be in the public interest. The Commission did not exempt rural cellular carriers from these requirements, as requested by some of commenters, but instead provided for waivers. The Consensus Agreement between the Cellular Telephone Industry Association and public safety organizations indicated that the signatories would work with rural cellular carriers to resolve their problems in good faith, and that the issue of how such carriers would be treated need not delay the final rule, which would be required in the public interest. Instead, reviewing the need for applying the rules to rural cellular carriers could be reviewed on an individualized basis. Moreover, the Commission relied on the representations that many emergency service providers do not use 911 in rural areas, so that the requirement that the emergency service providers would have to request and be capable of receiving and using the E911 services would protect carriers from the obligation to provide unneeded services. Further, the requirement that there be a cost recovery mechanism would protect small carriers from having to absorb excessive costs.

28. The Commission rejected proposals to delay the provision of the upgrades necessary to expand the availability of 911 and the accuracy of location technology because these upgrades will result in saving lives and property and because the requirements of the rules were included in the Consensus Agreement. We rejected the argument that imposing 911 availability requirements on wireless carriers would competitively disadvantage wireless carriers, since several wireless carriers have been voluntarily transmitting 911 calls without a validation requirement. Moreover, the Commission rejected proposals that Federal grade of service and other standards should be developed by the Commission, and instead determined that parties should

be allowed to develop standards with monitoring by the Commission, since these issues require a level of expertise which can best be achieved by intra-industry discussions.

VII. Report to Congress

29. The Commission shall send a copy of this Final Regulatory Flexibility Analysis along with this Order in a report to Congress pursuant of the Small Business Regulatory Enforcement Fairness Act of 1996, codified at 5 U.S.C. Section 801(a)(1)(A). A copy of this RFA will also be published in the Federal Register.

Ordering Clauses

30. Accordingly, it is ordered that the rule amendments specified below shall become effective October 1, 1996.

31. It is further ordered That the Petition of the Ad Hoc Alliance for Public Access to 911 is granted in part, as set forth in the text of the Order.

32. It is further ordered That the signatories to the Consensus Agreement, the Personal Communications Industry Association, and the Ad Hoc Alliance for Public Access to 911 file joint annual reports within 30 days after the end of each calendar year, as set forth in the text of this Order.

33. It is further ordered That the signatories to the Consensus Agreement, the Personal Communications Industry Association, and Telecommunications for the Deaf, Inc. file a joint report within one year of the effective date of the rules adopted herein, as set forth in the text of the Order.

34. This action is taken pursuant to Sections 1, 4(i), 201, 208, 215, 303, and 309 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 201, 208, 215, 303, 309.

List of Subjects in 47 CFR Part 20

Communications common carriers,
Federal Communications Commission.

Federal Communications Commission.

William F. Caton,
Acting Secretary.

Rule Changes

Part 20 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 20—COMMERCIAL MOBILE RADIO SERVICES

1. The authority citation for Part 20 continues to read as follows:

Authority: Sections 4, 303 and 332, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, and 332.

2. Section 20.03 is amended by adding the following definitions in alphabetical order to read as follows:

§ 20.3 Definitions.

Automatic Number Identification. A system which permits the identification of the caller's telephone number.

* * * * *

Code Identification. A Mobile Identification Number for calls carried over the facilities of a cellular or Broadband PCS licensees, or the functional equivalent of a Mobile Identification Number in the case of calls carried over the facilities of a Specialized Mobile Radio Services.

* * * * *

Mobile Identification Number. A 34-bit number that is a digital representation of the 10-digit directory telephone number assigned to a mobile station.

* * * * *

Pseudo Automatic Number Identification. A system which identifies the location of the base station or cell site through which a mobile call originates.

Public Safety Answering Point. A point that has been designated to receive 911 calls and route them to emergency service personnel.

* * * * *

3. Section 20.18 is added to read as follows:

§ 20.18 911 Service.

(a) The following requirements are only applicable to Broadband Personal Communications Services (part 24, subpart E of this chapter) and Cellular Radio Telephone Service (part 22, subpart H of this chapter), Geographic Area Specialized Mobile Radio Services in the 800 MHz and 900 MHz bands (included in part 90, subpart S of this chapter) and offer real-time, two-way voice service that is interconnected with the public switched network, and Incumbent Wide Area SMR Licensees.

(b) As of October 1, 1997, licensees subject to this section must process all 911 calls which transmit a Code Identification and must process all 911 wireless calls which do not transmit a Code Identification where requested by the administrator of the designated Public Safety Answering Point which is capable of receiving and utilizing the data elements associated with 911 service.

(c) As of October 1, 1997, licensees subject to this section must be capable of transmitting 911 calls from individuals with speech or hearing disabilities through means other than mobile radio handsets, e.g., through the use of Text Telephone Devices.

(d) As of April 1, 1998, licensees subject to this section must relay the telephone number of the originator of a 911 call and the location of the cell site or base station receiving a 911 call from any mobile handset or text telephone device accessing their systems to the designated Public Service Answering Point through the use of Pseudo Automatic Number Identification and Automatic Number Identification.

(e) As of October 1, 2001, licensees subject to this section must provide to the designated Public Service Answering Point the location of a 911 call by longitude and latitude within a radius of 125 meters using root mean square techniques.

(f) The requirements set forth in paragraphs (d) and (e) of this section shall be applicable only if the administrator of the designated Public Service Answering Point has requested the services required under those paragraphs and is capable of receiving and utilizing the data elements associated with the service, and a mechanism for recovering the costs of the service is in place.

[FR Doc. 96-19662 Filed 8-1-96; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[I.D. 072996C]

Atlantic Tuna Fisheries; Closure

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

ACTION: Fishery closure.

SUMMARY: NMFS closes the Angling category fishery for large school and small medium Atlantic bluefin tuna (ABT). Closure of this fishery is necessary because the annual quota of 100 metric tons (mt) of large school and small medium ABT allocated to the Angling category is projected to be attained by July 31, 1996. The intent of this action is to prevent overharvest of the quota established for this fishery.

EFFECTIVE DATE: The closure is effective from 2330 hours local time July 31 through December 31, 1996.

FOR FURTHER INFORMATION CONTACT: Bill Hogarth, 301-713-2347.

SUPPLEMENTARY INFORMATION: Regulations implemented under the authority of the Atlantic Tunas

Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of ABT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285.

Implementing regulations for the Atlantic tuna fisheries at 50 CFR 285.22 provide for a total annual quota of large school and small medium ABT (measuring between 47 inches (119 cm) and 73 inches (185 cm) total curved fork length) to be harvested from the regulatory area. The Assistant Administrator for Fisheries, NOAA (AA), is authorized under § 285.20(b)(1) to monitor the catch and landing statistics and, on the basis of those statistics, to project a date when the catch of ABT will equal any quota under § 285.22. The AA is further authorized under § 285.20(b)(1) to prohibit fishing for, or retention of, ABT by those fishing in the category subject to the quota when the catch of tuna equals the quota established under § 285.22. The AA has determined, based on the reported catch and estimated fishing effort, that the annual quota of large school and small medium ABT will be attained by July 31, 1996. Fishing for, catching, possessing, or landing any large school or small medium ABT must cease by 2330 hours local time on July 31, 1996.

However, anglers may continue to fish for ABT 47 inches (119 cm) or greater under the NMFS tag and release program (50 CFR 285.27). The Angling category fishery for school ABT (measuring between 27 inches (69 cm) and 47 inches (119 cm)) in the waters off Delaware and south was previously closed on July 25, 1996 (61 FR 38656, July 25, 1996). The Angling category fishery for school ABT for waters off New Jersey and states north (north of 38°47' N. lat.) is not affected by this closure, and continues to remain open.

Classification

This action is taken under 50 CFR 285.20(b) and 50 CFR 285.22 and is exempt from review under E.O. 12866.

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

Dated: July 29, 1996.

Richard W. Surdi,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96-19635 Filed 7-29-96; 5:02 pm]

BILLING CODE 3510-22-F