

**§ 3277.12 What actions may BLM take if I am in noncompliance?**

(a) If BLM finds your operation to be in noncompliance, we may take the following action:

(1) Issue you a written Incident of Noncompliance, directing you to correct any deficiencies within a specific time period;

(2) Require you to mitigate unacceptable environmental impacts caused by your operation; or

(3) Revoke or suspend your utilization permit, after notice and a hearing in accordance with 43 CFR parts 4 and 1840.

(b) If the noncompliance continues or is of a serious nature, BLM will take one of the following actions:

(1) Enter your lease, and correct any deficiencies at your expense;

(2) Collect all or part of your bond;

(3) Direct modification or shutdown of your operations;

(4) Temporarily suspend your utilization permit if necessary to protect public health, safety or the environment. This temporary suspension will go into effect immediately, and remain in effect while any appeals are pending; or

(5) Initiate cancellation of the lease.

**Subpart 3278—Utilization Relief and Appeals****§ 3278.10 May I request a variance from notices to lessees, permit conditions of approval, and operational and other orders issued by BLM?**

Yes.

(a) Your request must include enough information to explain:

(1) Why the notice to lessees, permit condition of approval, geothermal resource operational order, or other orders issued by BLM cannot be met; and

(2) Why the variance is necessary to control your well, conserve natural resources, protect human health and safety, protect property, or protect the environment.

(b) BLM may approve your request verbally or in writing. We will follow up a verbal approval with written confirmation.

**§ 3278.11 Can I appeal a BLM decision regarding my utilization operations?**

You may file an appeal with BLM in accordance with the procedures of 43 CFR parts 4 and 1840.

[FR Doc. 96-25254 Filed 10-7-96; 8:45 am]

BILLING CODE 4310-84-P

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 97**

[WT Docket No. 96-188; FCC 96-375]

**Authorization of Visiting Foreign Amateur Operators to Operate Stations in the United States**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This action proposes to amend the amateur service rules to authorize citizens of certain countries in Europe and the Americas to operate stations while on short visits in the United States by facilitating implementation of two pending international reciprocal operating arrangements—European Conference of Postal and Telecommunications Administrations (CEPT) radio-amateur license and the Inter-American Convention on an International Amateur Radio Permit (CITEL/Amateur Convention). It is necessary so that U.S. amateur operators can operate in twenty-two European countries, eight South American countries, Mexico, and Honduras, and so that operators from those countries can operate their amateur stations in places where the amateur service is regulated by the Commission. The effect of the action will be to provide a convenient procedure for tourists, conference attendees, students, and professors whereby they can operate their amateur stations while visiting in the United States.

**DATES:** Comments are due on or before December 13, 1996. Reply Comments are due on or before January 13, 1997.

**FOR FURTHER INFORMATION CONTACT:** Maurice J. DePont, Federal Communications Commission, Wireless Telecommunications Bureau, Washington, DC 20554, (202) 418-0690.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, adopted September 9, 1996, and released September 20, 1996. The complete text of this Commission action is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC 20554. The complete text of this Notice of Proposed Rule Making may also be purchased from the Commission's copy contractor, International Transcription Services, Inc. (ITS, Inc.), 2100 Street, NW., Suite 140, Washington, DC 20037, Telephone number (202) 857-3800.

**Summary of Notice of Proposed Rule Making**

1. There are two pending reciprocal operating arrangements that will provide convenient ways for foreign amateur operators to operate stations in the United States. They are the European Conference of Postal and Telecommunications Administrations (CEPT) radio-amateur license and the Inter-American Convention on an International Amateur Radio Permit (CITEL/Amateur Convention).

2. With the United States as a participating non-CEPT country, citizens of our country could operate amateur stations temporarily in participating European countries, and their citizens could enjoy similar operating privileges in the United States.

3. The CITEL/Amateur Convention is an arrangement for countries in the Americas. Under the CITEL/Amateur Convention, individual amateur operators with an International Amateur Radio Permit (IARP) would have reciprocal operating privileges in each other's countries. The American Radio Relay League, Inc. (ARRL) has offered its services to the Department of State to issue IARPs on a non-discriminatory basis, at no cost, charge, or expense to the United States Government.

4. Under a CEPT radio-amateur license or an IARP, we do not anticipate that sophisticated station operations, such as beacon, repeater, or auxiliary station operations would be attempted. In addition, our rules do not permit these two new categories of licensees/permittees to engage in such sophisticated operations.

5. Citizens of European countries and countries in the Americas, such as tourists, students, professors, and conference attendees would benefit from the proposed convenient procedures. Likewise, United States citizens who travel in Europe or in the Americas for short visits would similarly benefit.

6. Comments are invited on the proposal.

7. This Notice of Proposed Rule Making is issued under the authority contained in 47 U.S.C. 154(i) and 303(r).

**List of Subjects in 47 CFR Part 97**

Foreign visitors, Radio, Treaties.  
Federal Communications Commission  
LaVera F. Marshall,  
*Acting Secretary.*

**Proposed Rules**

Part 97 of Chapter I of Title 47 of the Code of Federal Regulations is proposed to be amended as follows:

**PART 97—AMATEUR RADIO SERVICE**

1. The authority citation for Part 97 continues to read as follows:

Authority: 48 Stat. 1066, 1082, as amended; 47 U.S.C. §§ 154, 303. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. §§ 151–155, 301–609, unless otherwise noted.

2. Section 97.3 is amended by redesignating paragraphs (a)(12) through (a)(23) and paragraphs (a)(24) through (a)(46) as paragraphs (a)(13) through (a)(24) and paragraphs (a)(26) through (a)(48) and by adding new paragraphs (a)(12) and (a)(25) to read as follows:

**§ 97.3 Definitions.**

(a) \* \* \*

(12) *CEPT radio-amateur license.* A license issued by a country belonging to the European Conference of Postal and Telecommunications Administrations (CEPT) that has adopted Recommendation T/R 61–01 (Nice 1985, revised in Paris 1992 and by correspondence August 1992).

\* \* \* \* \*

(25) *IARP.* International Amateur Radio Permit. A document issued pursuant to the terms of the Inter-American Convention on an International Amateur Radio Permit by a country signatory to that Convention, other than the United States. Montrouis, Haiti. AG/doc.3216/95.

\* \* \* \* \*

3. Section 97.5 is amended by adding new paragraphs (c)(3) and (c)(4) to read as follows:

**§ 97.5 Station license required.**

\* \* \* \* \*

(c) \* \* \*

(3) A CEPT radio-amateur license issued to the person by the country of which the person is a citizen. The person must not:

(i) Be a resident alien or citizen of the United States, regardless of any other citizenship also held;

(ii) Hold an FCC-issued amateur operator license nor reciprocal permit for alien amateur licensee;

(iii) Be a prior amateur service licensee whose FCC-issued license was revoked, suspended for less than the balance of the license term and the suspension is still in effect, suspended for the balance of the license term and relicensing has not taken place, or surrendered for cancellation following notice of revocation, suspension or monetary forfeiture proceedings; or

(iv) Be the subject of a cease and desist order that relates to amateur service operation and which is still in effect.

(4) An IARP issued to the person by the country of which the person is a citizen. The person must not:

(i) Be a resident alien or citizen of the United States, regardless of any other citizenship also held;

(ii) Hold an FCC-issued amateur operator license nor reciprocal permit for alien amateur licensee;

(iii) Be a prior amateur service licensee whose FCC-issued license was revoked, suspended for less than the balance of the license term and the suspension is still in effect, suspended for the balance of the license term and relicensing has not taken place, or surrendered for cancellation following notice of revocation, suspension or monetary forfeiture proceedings; or

(iv) Be the subject of a cease and desist order that relates to amateur service operation and which is still in effect.

\* \* \* \* \*

4. In § 97.7, new paragraphs (c) and (d) are added to read as follows:

**§ 97.7 Control operator required.**

\* \* \* \* \*

(c) A CEPT radio-amateur license issued to the person by the country of which the person is a citizen. The person must not:

(1) Be a resident alien or citizen of the United States, regardless of any other citizenship also held;

(2) Hold an FCC-issued amateur operator license nor reciprocal permit for alien amateur licensee;

(3) Be a prior amateur service licensee whose FCC-issued license was revoked, suspended for less than the balance of the license term and the suspension is still in effect, suspended for the balance of the license term and relicensing has not taken place, or surrendered for cancellation following notice of revocation, suspension or monetary forfeiture proceedings; or

(4) Be the subject of a cease and desist order that relates to amateur service operation and which is still in effect.

(d) An IARP issued to the person by the country of which the person is a citizen. The person must not:

(1) Be a resident alien or citizen of the United States, regardless of any other citizenship also held;

(2) Hold an FCC-issued amateur operator license nor reciprocal permit for alien amateur licensee;

(3) Be a prior amateur service licensee whose FCC-issued license was revoked, suspended for less than the balance of the license term and the suspension is still in effect, suspended for the balance of the license term and relicensing has not taken place, or surrendered for cancellation following notice of

revocation, suspension or monetary forfeiture proceedings; or

(4) Be the subject of a cease and desist order that relates to amateur service operation and which is still in effect.

5. In § 97.107, paragraph (c) is revised and new paragraphs (d) and (e) are added to read as follows:

**§ 97.107 Alien control operator privileges.**

\* \* \* \* \*

(c) The privileges available to a control operator holding a valid CEPT radio-amateur license are as specified in sections 97.207, 97.209, 97.211, 97.213, 97.215, 97.219, and 97.221 of subpart C of this part, and in Section 97.301 of subpart D of this part, provided the holder:

(1) Complies with the terms of the agreement between the CEPT and the United States;

(2) Is not a resident alien or citizen of the United States;

(3) Has not been in any area where radio services are regulated by the FCC for more than 180 days within the immediately preceding five years;

(4) Does not hold an FCC-issued operator/primary station license grant; and

(5) Does not hold an FCC-issued reciprocal permit.

(d) The privileges available to a control operator holding a valid IARP are as specified in sections 97.207, 97.209, 97.211, 97.213, 97.215, 97.219, and 97.221 of subpart C of this part, and in Section 97.301 of subpart D of this part, provided the holder:

(1) Complies with the terms and conditions of the *Inter-American Convention on an International Amateur Radio Permit* (AG/doc.3216/95);

(2) Is not a resident alien or citizen of the United States;

(3) Has not been in any area where radio services are regulated by the FCC for more than 180 days within the immediately preceding five years;

(4) Does not hold an FCC-issued operator/primary station license grant; and

(5) Does not hold an FCC-issued reciprocal permit.

(e) At any time the FCC may, in its discretion, modify, suspend, or cancel the reciprocal permit for alien amateur licensee, or the amateur service privileges of any Canadian amateur service licensee, CEPT radio-amateur licensee or IARP permittee within or over any area where radio services are regulated by the FCC.

6. § 97.119, paragraph (f) is revised to read as follows:

**§ 97.119 Station identification.**

\* \* \* \* \*

(f) When the station is transmitting under the authority of a reciprocal permit for alien amateur licensee, a CEPT radio-amateur license, or an IARP, an indicator consisting of the appropriate letter-numeral designating the station location must be included before, after, or both before and after, the call sign issued to the station by the licensing country. When the station is transmitting under the authority of an amateur service license issued by the Government of Canada, the station location indicator must be included after or both before and after the call sign. At least once during each intercommunication, the identification announcement must include the geographical location as nearly as possible by city and state, commonwealth or possession.

7. In § 97.301, the introductory text of paragraphs (a) and (b) are revised to read as follows:

**§ 97.301 Authorized frequency bands.**

\* \* \* \* \*

(a) For a station having a control operator who has been granted a Technician, Technician Plus, General, Advanced, or Amateur Extra Class operator license or who holds a CEPT radio-amateur license or IARP of any class:

\* \* \* \* \*

(b) For a station having a control operator who has been granted an Amateur Extra Class operator license or who holds a CEPT radio-amateur license Class 1 license or Class 1 IARP:

\* \* \* \* \*

[FR Doc. 96-25425 Filed 10-07-96; 8:45 am]

BILLING CODE 6712-01-P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 575

#### Consumer Information Regulations

**AGENCY:** National Highway Traffic Safety Administration, Department of Transportation.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the request for public comments on proposed collections of information, which was published Wednesday, August 28, 1996 (61 FR 44391). The regulations related to the information reporting requirements for consumer information contained in 49 CFR Part 575 sections 575.103 and 575.105.

**DATES:** Comments must be received on or before October 28, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mr. Edward Kosek (202) 366-2590 (not a toll-free call).

#### SUPPLEMENTARY INFORMATION:

##### Background:

Reinstatement of OMB Clearance for 49 CFR Part 575—Consumer Information Regulations. NHTSA must ensure that motor vehicle manufacturers comply with 49 CFR Part 575, Consumer Information Regulation Part 575.103—Truck camper loading and Part 575.105—Utility Vehicles.

##### List of Subjects in 49 CFR Part 575

Truck-camper loading, Utility vehicles, Reporting and recordkeeping requirements.

Accordingly, the notice is corrected by revising the following text to include information that was inadvertently omitted:

*Description of the need for the information and proposed use of the information*—In order to ensure that motor vehicle manufacturers are complying with 49 CFR Part 575, NHTSA needs consumer information from manufacturers of new light trucks and utility vehicles before this information is distributed to prospective purchasers and first purchasers of a vehicle. For each report, the manufacturer will provide technical information related to performance and safety of light trucks and utility vehicles.

For truck-camper loading, the information provided may be used to reduce overloading and improper load distribution in truck-camper combinations, in order to prevent accidents resulting from the adverse effects of these conditions on vehicle steering and braking.

For utility vehicles, the information provided is used to alert drivers that the particular handling and maneuvering characteristics of utility vehicles require special driving practices when those vehicles are operated on paved roads.

*Description of the likely respondents (including estimated number, and proposed frequency of response to the collection of information)*—NHTSA anticipates that no more than 15 vehicle manufacturers will be affected by the reporting requirements. NHTSA does not believe any of these 15 motor vehicle manufacturers are small businesses (i.e., manufacturers that employ less than 500 persons), since each manufacturer employs more than 500 persons. Manufacturers of light trucks and utility vehicles must file one

response annually, which may be amended only if the information changes as a result of a new model being introduced.

Issued on: September 23, 1996.

L. Robert Shelton,

Acting Associate Administrator for Safety Performance Standards.

[FR Doc. 96-25778 Filed 10-07-96; 8:45 am]

BILLING CODE 4910-59-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 229

[I.D. 093096C]

#### Atlantic Offshore Cetacean Take Reduction Plan; Public Meeting

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

**ACTION:** Public scoping meeting; request for comments.

**SUMMARY:** NMFS announces its intention to begin scoping for the preparation of an Environmental Impact Statement (EIS) or Environmental Assessment (EA) for anticipated proposed rulemaking under the Take Reduction Plan provisions of the Marine Mammal Protection Act (MMPA). The intended effect is to reduce the incidental mortality and serious injury of marine mammals in the course of commercial fishing operations.

**DATES:** The scoping meeting will be held on October 22, 1996, from 7 p.m. until 10 p.m. Written comments on the scope of the EIS or EA must be submitted by November 23, 1996.

**ADDRESSES:** The scoping meeting will be held at the Inn at the Crossing, 801 Greenwich Avenue, Warwick, RI 02886, (401) 732-6000. Scoping comments and requests for additional information should be sent to Doug Beach, National Marine Fisheries Service, Northeast Regional Office, One Blackburn Drive, Gloucester, MA 01930-2298, fax (508) 281-9301.

**FOR FURTHER INFORMATION CONTACT:** Doug Beach, (508) 281-9254, fax (508) 281-9301, or Victoria Cornish, (301) 713-2322, fax (301) 713-0376.

**SUPPLEMENTARY INFORMATION:** Section 118(f) of the MMPA requires NMFS to develop and implement a Take Reduction Plan that is intended to assist in the recovery or that prevents the depletion of each strategic marine mammal stock(s) that interacts with