

12612 and has determined that this final rule does not have sufficient implications for federalism to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this final rule and concluded that, under paragraph 2.B.2.e(34)(c) of Commandant Instruction M16475.1B, this final rule is categorically excluded from further environmental documentation. This final rule would have no direct environmental impact. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

List of Subjects in 46 CFR Part 16

Drug testing, Marine safety, Reporting and recordkeeping requirements, Safety, Transportation.

PART 16—CHEMICAL TESTING

Accordingly, the interim rule amending 46 CFR part 16 which was published at 61 FR 66612 on December 18, 1996, is adopted as a final rule without change.

Dated: June 18, 1997.

G.N. Naccara,

Captain, U.S. Coast Guard, Acting Assistant Commandant for Marine Safety and Environmental Protection.

[FR Doc. 97-16523 Filed 6-23-97; 8:45 am]

BILLING CODE 4910-14-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CC Docket No. 91-281; FCC 97-103]

Caller ID

AGENCY: Federal Communications Commission.

ACTION: Final rule; petition for reconsideration.

SUMMARY: On March 25, 1997, the Commission released an Order that exempts several categories of telephone lines from the Caller Identification ("Caller ID") blocking and unblocking rules. The Commission found that the exemptions from the blocking and unblocking requirements were warranted because the record stated that the calling party number ("CPN") is rarely passed to interconnecting carriers from certain telephone lines. The Order also affirmed that the Commission's Caller ID rules and policies apply to party lines, hotel and motel lines, and

call return services, such as automatic call return (ACR).

DATES: Effective June 24, 1997.

ADDRESSES: Federal Communications Commission, 1919 M Street, NW, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Kathy Harvey or Debra Harper at (202) 418-2320, Common Carrier Bureau, Network Services Division.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Order, CC Docket No. 91-281, adopted March 21, 1997 and released March 25, 1997. The full text of this decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, DC 20554, and may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 1919 M Street, NW, Washington, DC 20554. The rules do not impose paperwork collection obligations.

Synopsis of the Order

In this Order we examined the technical and economic feasibility of requiring carriers to provide blocking and unblocking features. In response to new information, we re-examined the Caller ID rules and policies, and modified the rules governing payphones. We also established new rules to govern local exchange carriers ("LECs") without blocking and unblocking capabilities, and private branch exchange ("PBX") and related systems. In addition, we affirmed that our current Caller ID rules and policies applied to party lines, hotel and motel lines, and call return services, such as Automatic Call Return (ACR).

After further consideration, we concluded that LECs with SS7, but without CLASSTM software, are not required to pass the CPN. We also concluded that, to the extent that a LEC passes CPN to an interconnecting carrier, it must provide subscribers with blocking and unblocking capabilities. Additionally, we modified our policies on payphone lines and found that carriers are not required to provide blocking and unblocking capabilities on these lines.

We further concluded that PBX and Centrex systems must provide some type of blocking and unblocking capabilities if, and only if, they pass CPN to the public switched network ("PSN"). We determined that Centrex systems that pass CPN to the PSN, and that currently employ *6 or *8 for functions other than blocking and unblocking, may continue to use such codes. Providers of Centrex service,

however, must still offer users blocking and unblocking capabilities in some manner if CPN is passed.

Finally, we affirmed that hotel and motel lines not served by a PBX, and party lines, require blocking and unblocking capabilities and that carriers are prohibited from processing ACR requests when the original call was made with a privacy request.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

Rules Changes

Accordingly part 64 of title 47 is amended as follows:

PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

1. The authority citation for part 64 continues to read as follows:

Authority: Section 4, 48 Stat. 1066, as amended; 47 U.S.C. 154, unless otherwise noted. Interpret or apply secs. 201, 218, 225, 226, 227, 48 Stat. 1070, as amended, 1077; 47 U.S.C. 201-4, 218, 225, 226, 227 unless otherwise noted.

2. Section 64.1601 is amended by revising paragraphs (a), (b), (d) introductory text, (d)(1), (d)(2), (d)(3), and adding new paragraph (d)(4) to read as follows:

§ 64.1601 Delivery requirements and privacy restrictions.

(a) *Delivery.* Except as provided in paragraph (d) of this section, common carriers using Signaling System 7 and offering or subscribing to any service based on Signaling System 7 functionality are required to transmit the calling party number (CPN) associated with an interstate call to interconnecting carriers.

(b) *Privacy.* Except as provided in paragraph (d) of this section, originating carriers using Signaling System 7 and offering or subscribing to any service based on Signaling System 7 functionality will recognize *67 dialed as the first three digits of a call (or 1167 for rotary or pulse dialing phones) as a caller's request that the CPN not be passed on an interstate call. Such carriers providing line blocking services will recognize *82 as a caller's request that the CPN be passed on an interstate call. No common carrier subscribing to or offering any service that delivers CPN may override the privacy indicator associated with an interstate call. Carriers must arrange their CPN-based services, and billing practices, in such a manner that when a caller requests that the CPN not be passed, a carrier may not reveal that caller's number or name, nor may the carrier use the number or name

to allow the called party to contact the calling party. The terminating carrier must act in accordance with the privacy indicator unless the call is made to a called party that subscribes to an ANI or charge number based service and the call is paid for by the called party.

* * * * *

(d) *Exemptions.* Section 64.1601(a) and (b) shall not apply when:

(1) A call originates from a payphone.

(2) A local exchange carrier with Signaling System 7 capability does not have the software to provide *67 or *82 functionalities. Such carriers are prohibited from passing CPN.

(3) A Private Branch Exchange or Centrex system does not pass end user CPN. Centrex systems that rely on *6 or *8 for a function other than CPN blocking or unblocking, respectively, are also exempt if they employ alternative means of blocking or unblocking.

(4) CPN delivery—

(i) Is used solely in connection with calls within the same limited system, including (but not limited to) a Centrex system, virtual private network, or Private Branch Exchange;

(ii) Is used on a public agency's emergency telephone line or in conjunction with 911 emergency services, or on any entity's emergency assistance poison control telephone line; or

(iii) Is provided in connection with legally authorized call tracing or trapping procedures specifically requested by a law enforcement agency.

[FR Doc. 97-16482 Filed 6-23-97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 960805216-7111-06; I.D. 061797B]

Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for North Carolina

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Commercial quota harvest.

SUMMARY: NMFS announces that the scup commercial quota for the 1997 Summer period (May 1, 1997 - October 31, 1997) available to the State of North Carolina has been harvested. Vessels issued a commercial Federal fisheries permit for the scup fishery may not land scup in North Carolina for the remainder of the 1997 Summer period, unless additional quota becomes available through a transfer. Regulations governing the scup fishery require publication of this notification to advise the State of North Carolina that the quota allocated for the 1997 Summer period has been harvested and to advise vessel and dealer permit holders that no commercial quota is available for landing scup in North Carolina for the remainder of the Summer period.

DATES: Effective 0001 hrs, local time (l.t.), June 18, 1997, through 2400 hrs, l.t., October 31, 1997.

FOR FURTHER INFORMATION CONTACT: Lucy Helvenston, 508-281-9347.

SUPPLEMENTARY INFORMATION: Regulations governing the scup fishery are found at 50 CFR part 648. Section 648.120(d) requires annual specification of a commercial quota that is allocated into two Winter periods: January-April (Winter I) and November-December (Winter II); and one Summer period: May-October (Summer) (62 FR 27978, May 22, 1997). The Winter periods are allocated coastwide among the states from Maine to North Carolina and the Summer period is allocated on a state-by-state basis from Maine to North Carolina. The process to set the annual commercial quota and the percent allocated to each state for the Summer period are described in 50 CFR § 648.120.

The total commercial quota for scup for the 1997 Summer period is set equal to 2,337,000 lb (1,060,045 kg) (62 FR 27978, May 22, 1997). The percent allocated to vessels landing scup in North Carolina is 0.02688 percent, or 628 lb (285 kg).

Section 648.120(d)(6) provides that any overages of the commercial quota for a Summer period landed in any state

will be deducted from that state's quota for the following Summer period.

Section 648.121(b) requires the Administrator, Northeast Region, NMFS (Regional Administrator), to monitor states' commercial quotas and to determine when a state's commercial quota is harvested. The Regional Administrator is further required to publish notification in the **Federal Register** advising a state and notifying Federal vessel and dealer permit holders that, effective upon a specific date, the state's commercial quota has been harvested and no commercial quota is available for landing scup in that state for the Summer period. The Regional Administrator has determined, based on dealer reports and other available information, that the State of North Carolina's commercial quota for the Summer period has been harvested.

The regulations at § 648.4(b) provide that Federal permit holders must agree as a condition of the permit not to land scup in any state that the Regional Administrator has determined no longer has commercial quota available. Therefore, effective 0001 hrs, l.t., June 18, 1997, through 2400 hrs, l.t., October 31, 1997, further landings of scup in North Carolina by vessels holding commercial Federal fisheries permits are prohibited for the remainder of the 1997 Summer period, unless additional quota becomes available through a transfer and is announced in the **Federal Register**. Federally permitted dealers are also advised that they may not purchase scup from Federally permitted vessels that land in North Carolina for the remainder of the Summer period, or until additional quota becomes available, effective the date above.

Classification

This action is required by 50 CFR part 648 and is exempt from review under E.O. 12286.

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

Dated: June 18, 1997.

Bruce Morehead,

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

[FR Doc. 97-16404 Filed 6-18-97; 4:08 pm]

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