

and reply comments. (FCC Public Notice, DA 96-105, released January 31, 1996.) (In response to requests for extension of time, the Commission subsequently revised the supplemental comment and reply period. (FCC Public Notice DA 96-177 and FCC Public Notice DA 96-291, published elsewhere in this issue.)) In the Public Notice, the Commission requested that these supplemental comments should be filed in CC Docket No. 90-337, Phase II, In the Matter of Regulation of International Accounting Rates (Second Further Notice of Proposed Rulemaking) (58 FR 3522, Jan. 11, 1993).

Summary of Policy Statement

1. With this Policy Statement the Commission introduces flexibility into its approach to the regulation of international accounting rates.

Specifically, the Commission is refocusing its regulatory approach to accounting rates in three ways:

2. First, it will increase regulatory support for new services that increase competitive pressure in the international market.

3. Second, it plans to tailor its accounting rates policies to reflect different market conditions such as: 1) monopoly or highly concentrated markets, 2) effectively competitive markets, and 3) developing countries' markets. In countries where a monopoly supplier, or supplier with significant market power, provides telecommunications services, the Commission will strengthen its existing accounting rates policies to encourage lower accounting rates. In countries with effective competition, the Commission will give U.S. carriers the flexibility to negotiate alternative settlement arrangements, even if they require a waiver of traditional Commission accounting rate policies. The Commission will also explore mechanisms specifically designed to assist developing countries during the transition to more competitive markets and lower accounting rates.

4. Finally it plans to restructure the benchmarks by which it measures progress in this area and will invite carriers to identify those foreign administrations most reluctant to lower accounting rates.

Ordering Clause

1. It is ordered that, pursuant to Sections 1, 4, 201-205, 211, 215, 218-220, and 303 of the Communications Act of 1934, as amended, 47 U.S.C. Sections 151, 154, 201-205, 211, 215, 218-220, and 303, this Policy Statement is Adopted, and March 19, 1996.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96-5188 Filed 3-18-96; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 620

[Docket No. 960126016-6070-02; I.D. 012696C]

RIN 0648-XX41

General Provisions for Domestic Fisheries; Amendment to Temporary Closure of Block Island to Some Fishing Gear Activity

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

ACTION: Emergency interim rule; amendment.

SUMMARY: In response to a request from the State of Rhode Island, NMFS has determined that it is necessary to modify the emergency interim rule that closed a portion of Federal waters off the coast of the State of Rhode Island, in Block Island Sound to protect public health, safety, and welfare. This action expands by approximately 28 square miles (73 square kilometers [km]) the area in which fishing for, landing, or possessing benthic crustaceans and mollusks, including but not limited to lobsters, clams, and crabs, is prohibited. Accordingly, the use and operation of lobster traps, trawl and dredge gear designed or used for fishing on the ocean bottom or any other gear designed for harvesting benthic crustaceans and mollusks is prohibited in the same area. This action also rescinds the prohibition on possessing, landing, or fishing for finfish, including squid, in the area with gear other than bottom trawl and dredge gear.

EFFECTIVE DATE: March 13, 1996, through May 1, 1996.

FOR FURTHER INFORMATION CONTACT: Regina L. Spallone at (508) 281-9221.

SUPPLEMENTARY INFORMATION: On January 19, 1996, an oil barge grounded and spilled more than 800,000 gallons (3.0 million liters) of heating oil into the waters of Block Island Sound, RI. On January 26, 1996, NMFS, at the request of and in conjunction with the State of Rhode Island, prohibited the harvest of seafood from an area of approximately 250 square miles (647 square km) in

Block Island Sound. The original area of closure was announced and defined in an emergency interim rule published in the Federal Register on February 1, 1996 (61 FR 3602).

Since the original closure became effective, state and Federal agencies have been testing the water, marine life, and sediment in and around the closed area for contamination. Seafood species have been subjected to inspection by sensory experts and chemical analysis.

In a portion of those lobsters and shellfish subjected to the tests, inspectors have discovered indications of oil adulteration. Some of the contaminated lobsters were taken from sites south of the established closure area. NMFS, therefore, at the request and recommendation of the state, is expanding the area in which fishing for and landing lobsters, clams, and crabs is prohibited. The enlarged area encompasses the sites to the south and east of Block Island where contaminated lobsters were collected. The area includes approximately 28 square miles of Federal waters. The coordinates of the full closed area are described in the rule text below.

Accordingly, this action prohibits the use and operation of fishing gear that has been determined most likely to take significant numbers of benthic crustaceans and mollusks, including but not limited to lobsters, clams, and crabs, in the expanded closed area. The following gear types fall into this category: Lobster traps, bottom trawl gear, and dredge gear. The following gear types have been determined not to take significant numbers of benthic crustaceans and mollusks and are exempted from this prohibition: Hook and line gear, mid-water trawls, weirs, purse seine gear, and sink gillnets. Recovery of gear previously deployed in the closed area in the exclusive economic zone is allowed if the fisher registers and complies fully with the State's gear retrieval program under the Department of Environmental Management. This action prohibits the new deployment of lobster traps in the area. Gear deployed prior to the closure and left in the area for the duration of the closure would not be in violation of this rule. Transit through the closed area and possession of benthic crustaceans and mollusks captured outside the area is allowed, provided that all fishing gear is stowed and unavailable for immediate use.

Finfish testing has indicated that the consumption of finfish does not pose a risk to human health. Therefore, NMFS, at the request and recommendation of the State of Rhode Island, is modifying

the closure to allow fishing for finfish except by bottom trawl or dredge.

The full extent of the ecological damage caused by the oil spill still is not known. The emergency nature of the adverse environmental condition created by the presence of oil in the area renders prior notice and opportunity to comment on a proposed closure contrary to the public interest.

Consequently, the emergency action authority vested in NMFS, on behalf of the Secretary of Commerce (Secretary), under section 305(c) of the Magnuson Fishery Conservation and Management Act, 16 U.S.C. 1855(c) is invoked to make the closure effective immediately.

This action will remain in effect from March 13, 1996, through May 1, 1996, unless circumstances change. An extension of the closure, if warranted, is possible for an additional 90 days under the Secretary's emergency rulemaking authority. The New England Fishery Management Council was informed of this action and has concurred with the implementation of additional measures, including an extension of the present closure, so long as such measures complement the State's regulations and are implemented at the State's request.

In a separate action, the areas discussed above will be closed to gillnetting, March 1 - March 31, 1996, as part of a larger area closure for the protection of migrating harbor porpoise, under Framework Adjustment 14 to the Northeast Multispecies Fishery Management Plan. Under the Framework Adjustment, gillnetters will not be allowed to operate in the closed area unless they elect to comply with protocols for an experimental fishery. The rules set forth below in no way amend the actions related to Framework Adjustment 14.

Classification

The Assistant Administrator for Fisheries, NOAA (AA), has determined that this rule is necessary to respond to an emergency situation and is consistent with the Magnuson Act and other applicable law.

The AA finds that failure to implement the actions in this rule that close additional areas to fishing for benthic crustaceans and mollusks could result in serious risk to public safety and human health. The foregoing constitutes good cause to waive the requirement to provide prior notice and the opportunity for public comment, pursuant to authority set forth at 5 U.S.C. 553(b)(B), as such procedures would be contrary to the public interest. Similarly, the need to implement these measures in a timely manner to address public safety, health, and welfare

constitutes a good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effectiveness.

Testing has determined that consumption of finfish doesn't pose a threat to human health. Finfish fishermen would suffer severe economic hardship unnecessarily if the current prohibition were to remain in effect. As such, the AA finds that the foregoing constitutes good cause to waive the requirement to provide prior notice and the opportunity for public comment, pursuant to authority set forth at 5 U.S.C. 553(b)(B), as such procedures would be contrary to the public interest. Further, as this provision relieves a restriction, it is made effective immediately pursuant to authority at 5 U.S.C. 553(d)(1).

This emergency rule has been determined to be not significant for the purposes of E.O. 12866.

This emergency rule is exempt from the procedures of the Regulatory Flexibility Act because this rule is not required to be issued with prior notice and opportunity for public comment.

List of Subjects in 50 CFR Part 620

Fisheries, Fishing.

Dated: March 13, 1996.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 620 is amended as follows:

PART 620—GENERAL PROVISIONS FOR DOMESTIC FISHERIES

1. The authority citation for part 620 continues to read as follows:

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

2. Section 620.7, paragraph (i) is revised and paragraphs (j) and (k) are added to read as follows:

§ 620.7 General prohibitions.

* * * * *

(i) Fish for in, or possess or land benthic crustaceans and mollusks, including but not limited to American lobsters, rock crabs, red crabs, blue crabs, jonah crabs, surf clams, ocean quahogs, sea scallops, mussels, periwinkles, and oysters from the Federal waters of Block Island Sound bounded as follows: From the point where LORAN line 25740 intersects with the 3-nautical mile (6-km) line south of Easton Point, RI, proceeding southwesterly along the 25740 line to its intersection with the 14470 line, thence south-southeasterly along the 14470 line to its intersection with the 43840 line, thence southwesterly along the 43840

line to its intersection with 14540 line, thence northwesterly along the 14540 line to its intersection with the 3-nautical mile (6-km) line south of Block Island, RI, thence northeasterly and along said 3-nautical mile (6-km) line to the northern intersection of the 3-nautical mile (6-km) line and the 14540 line, thence northwesterly along the 14540 line to the intersection of the 3-nautical mile (6-km) line, thence northeasterly along the 3-nautical mile (6-km) line to the starting point.

(j) Unless exempted in this paragraph, to deploy, use, fish with or operate lobster traps, trawl or dredge gear designed or used for fishing on the ocean bottom, or any other gear designed for or capable of catching benthic mollusks or crustaceans, in the area described in § 620(i). Hook and line gear, mid-water trawls, weirs, purse seine gear and sink gillnets are specifically exempted from this prohibition. Recovery of trap gear from the closed area is specifically exempted from this prohibition if the owner/fisher of said gear registers and complies fully with the State of Rhode Island Department of Environmental Management's gear retrieval program.

(k) Transit the area described in paragraph (i) of this section, unless all prohibited fishing gear is stowed and unavailable for immediate use in accordance with 50 CFR 625.24(f), 650.21(a)(2)(iii), and 651.20(c)(4)(i). [FR Doc. 96-6493 Filed 3-13-96; 5:04 pm]

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50 CFR Part 675

[Docket No. 950727194-6005-02; I.D. 062795C]

Groundfish of the Gulf of Alaska; Groundfish Fishery of the Bering Sea and Aleutian Islands Area; Consolidation of Regulations Including Recordkeeping and Reporting Requirements; Correction

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

ACTION: Correction to final regulations.

SUMMARY: This document contains corrections to final regulations (I.D. 062795C) which were published Tuesday, February 13, 1996 (61 FR 5608). The regulations related to recordkeeping and reporting information for groundfish of the Bering Sea and Aleutian Islands area.

EFFECTIVE DATE: March 19, 1996.

FOR FURTHER INFORMATION CONTACT: Patsy Bearden, 907-586-7228.