

face previously unidentified impediments in depowering air bags. Further, since no price increases are associated with the rule, small organizations and small governmental units are not to be affected in their capacity as purchasers of vehicles.

C. Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980 (P.L. 96-511), there are no requirements for information collection associated with this rule.

D. National Environmental Policy Act

NHTSA has also analyzed this rule under the National Environmental Policy Act and determined that it will not have a significant impact on the human environment.

E. Executive Order 12612 (Federalism)

NHTSA has analyzed this rule in accordance with the principles and criteria contained in E.O. 12612, and has determined that this rule will not have significant federalism implications to warrant the preparation of a Federalism Assessment.

F. Civil Justice Reform

This rule does not have any retroactive effect. Under 49 U.S.C. 30103, whenever a Federal motor vehicle safety standard is in effect, a State may not adopt or maintain a safety standard applicable to the same aspect of performance which is not identical to the Federal standard, except to the extent that the state requirement imposes a higher level of performance and applies only to vehicles procured for the State's use. 49 U.S.C. 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. That section does not require resubmission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

Comments

Interested persons are invited to submit comments on this document. It is requested but not required that 10 copies be submitted.

All comments must not exceed 15 pages in length (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 15-page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the

complete submission, including the purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the NHTSA Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation. 49 CFR part 512.

All comments received by NHTSA before the close of business on the comment closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Comments received too late for consideration in regard to this rulemaking action will be considered as suggestions for further rulemaking action. Comments on the document will be available for inspection in the docket. The NHTSA will continue to file relevant information as it becomes available in the docket after the closing date, and recommends that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

List of Subjects in 49 CFR Part 571

Imports, Incorporation by reference, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

In consideration of the foregoing, 49 CFR part 571 is amended as follows:

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

1. The authority citation for part 571 of title 49 continues to read as follows:

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

2. Section 571.208 is amended by revising S3 to read as follows:

§ 571.208 Standard No. 208; Occupant crash protection.

* * * * *

S3. *Application.* This standard applies to passenger cars, multipurpose passenger vehicles, trucks, and buses. In addition, S9, *Pressure vessels and explosive devices*, applies to vessels designed to contain a pressurized fluid

or gas, and to explosive devices, for use in the above types of motor vehicles as part of a system designed to provide protection to occupants in the event of a crash. Notwithstanding any language to the contrary, any vehicle manufactured after March 19, 1997 and before September 1, 2001 that is subject to a dynamic crash test requirement conducted with unbelted dummies may meet the requirements specified in S13 instead of the applicable unbelted requirement. For vehicles manufactured before September 1, 1998, compliance with S13 shall, for purposes of Standards No. 203 and 209, be deemed as compliance with the unbelted frontal barrier requirements of S5.1 of this section.

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Issued on: May 8, 1997.

Ricardo Martinez,
Administrator.

[FR Doc. 97-12640 Filed 5-9-97; 2:01 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 630

[I.D. 112696C]

RIN 0648-AI23

Atlantic Swordfish Fishery; Request for Comments on Drift Gillnet Emergency Closure

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

ACTION: Emergency closure; request for comments.

SUMMARY: On December 5, 1996, NMFS published an emergency closure for the drift gillnet fishery for swordfish in the Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea, from December 1, 1996, through May 29, 1997. NMFS is requesting comments from the public on this emergency closure.

DATES: Comments must be submitted on or before May 29, 1997.

ADDRESSES: Comments on the emergency rule should be sent to Rebecca Lent, Chief, Highly Migratory Species Division, Office of Sustainable Fisheries (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3282.

FOR FURTHER INFORMATION CONTACT: John Kelly, 301-713-2347 or Mark Murray-Brown, 508-281-9260.

SUPPLEMENTARY INFORMATION: NMFS published in the **Federal Register** an emergency closure of the drift gillnet fishery for swordfish in the Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea, from December 1, 1996, through May 29, 1997 (61 FR 64486, December 5, 1996). The emergency closure was made effective while NMFS continues with consultation under section 7 of the Endangered Species Act (ESA) for Atlantic swordfish fisheries due to new information regarding the status of the northern right whale (*Eubaleana glacialis*). The closure was necessary to ensure that, pending consultation on this fishery, no irreversible and irretrievable commitment of resources is made that has the effect of foreclosing the formulation or implementation of any reasonable and prudent alternative measures. Additional background on the reasons for the action are detailed in the emergency closure and are not repeated here.

This emergency closure is to remain effective until May 29, 1997, or until completion of consultation with the issuance of a biological opinion on the swordfish drift gillnet fishery, whichever comes first. To date, a biological opinion is pending and NMFS is continuing with consultation under the ESA.

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

Dated: May 7, 1997.

Bruce Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 97-12529 Filed 5-8-97; 4:42 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 674 and 679

[Docket No. 970326069-7069-01; I.D. 022597F]

RIN 0648-AJ38

Fisheries of the Exclusive Economic Zone Off Alaska; High Seas Salmon Fishery Off Alaska; Correction

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

ACTION: Final rule; correction.

SUMMARY: NMFS issued a final rule (I.D. 022597F), which was published in the **Federal Register** on April 23, 1997 (62 FR 19686). The final rule consolidated

50 CFR part 674 into 50 CFR part 679 as part of the President's Regulatory Reform Initiative. This document contains a correction to that final rule.

EFFECTIVE DATE: May 23, 1997.

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

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of this correction removed 50 CFR part 674, the regulations implementing the Salmon Fishery Management Plan, and consolidated the regulations contained therein into 50 CFR part 679, Fisheries of the Exclusive Economic Zone (EEZ) off Alaska. It was not intended to make substantive changes to existing regulations. The action was intended to provide the public with a single reference source for the Federal fisheries regulations specific to the EEZ off Alaska and result in regulations that are more concise and easier to use.

Need for Correction

As published, the final rule revised the definition of "Authorized fishing gear" to include the "hand troll gear" and "power troll gear", the authorized gears as defined in 50 CFR part 674 for the salmon fishery off Alaska. However, the introductory text for the term "Authorized fishing gear" did not contain the terms "dive" and "scallop dredge". Dive gear and scallop dredges were designated as authorized fishing gear in the scallop fishery off Alaska by a final rule published in the **Federal Register** on July 23, 1996 (61 FR 38099). NMFS inadvertently removed the terms from the introductory text in the consolidation.

Correction of Publication

Accordingly, the publication on April 23, 1997 (62 FR 19686), of the final regulations (I.D. 022597F), which was the subject of FR Doc. 97-10462 is corrected as follows:

On page 19687, in the third column, in § 679.2, the introductory paragraph of the definition of "Authorized fishing gear" is revised by adding the term "dive," after the word "means" and by adding the term "scallop dredge," after the term "pot-and-line,"

Authority: 16 U.S.C. 773 *et seq.*, 1801 *et seq.*, and 3631 *et seq.*

Dated: May 7, 1997.

Rolland A. Schmitten,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 97-12530 Filed 5-13-97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 678

[I.D. 050197B]

Atlantic Shark Fisheries; Quota Adjustment

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

ACTION: Quota adjustment.

SUMMARY: NMFS announces that the catch of large coastal sharks in the Atlantic, Caribbean, and Gulf of Mexico was 958 metric tons (mt) during the first semiannual 1997 season. Because of the overharvest of this category quota, the second semiannual 1997 quota is adjusted accordingly.

DATES: Effective July 1, 1997.

FOR FURTHER INFORMATION CONTACT: C. Michael Bailey, John Kelly or Margo Schulze at 301-713-2347; or Buck Sutter at 813-570-5324.

SUPPLEMENTARY INFORMATION:

The Atlantic, Caribbean, and Gulf of Mexico shark fisheries are managed by NMFS according to the Fishery Management Plan (FMP) for Atlantic Sharks prepared by NMFS under authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*). Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR part 678.

Section 678.24(b) of the regulations provides for two semi-annual quotas of 642 mt of large coastal sharks to be harvested from Atlantic, Caribbean, and Gulf of Mexico waters by commercial fishermen. The first semiannual quota was available for harvest from January 1 through June 30, 1997.

The Assistant Administrator for Fisheries, NOAA, is authorized under § 678.24(c) to adjust the semiannual quota to reflect actual catches during the preceding semiannual period. Final data indicate that the catch of large coastal shark species from January through April 7, 1997, totaled 958 mt, which is 316 mt more than the established quota. Therefore, the adjusted quota for large coastal shark species for the second 1997 semiannual period is decreased from 642 mt to 326 mt. The adjusted quota of 326 mt is available for the period July 1 through December 31, 1997.