

basis. A station's analysis shall include measures taken to:

(i) Disseminate its equal employment opportunity program to job applicants and employees;

(ii) Review seniority practices to ensure that such practices are non-discriminatory;

(iii) Examine rates of pay and fringe benefits for employees having the same duties, and eliminating any inequities based upon race, ethnic origin, color, religion, or sex discrimination;

(iv) Assess the productivity of recruiting sources;

(v) Utilize media for recruitment purposes in a manner that will contain no indication, either explicit or implicit, of a preference for one race, ethnic origin, color, religion or sex over another;

(vi) Offer promotions of qualified minorities and women in a nondiscriminatory fashion to positions of greater responsibility;

(vii) Where union agreements exist, cooperate with the union or unions in the development of programs to assure qualified minority persons or women of equal opportunity for employment, and include an effective non-discrimination clause in new or renegotiated union agreements; and

(viii) Avoid the use of selection techniques or tests that have the effect of discriminating against qualified minority groups or women.

(3) Retain records to prove that it has satisfied the requirements of (c)(1) and (c)(2) of this section. Such recordkeeping shall include:

(i) Listings of recruiting sources utilized for each vacancy and the date the vacancy was filled;

(ii) Dated copies of all advertisements, bulletins and letters announcing vacancies; and

(iii) Compilations totaling the race, ethnic origin, and gender of all applicants generated by each recruiting source according to vacancy.

(d) *Mid-term review for television broadcast stations.* The Commission will conduct a mid-term review of the employment practices of each broadcast television station four years following the station's most recent license expiration date as specified in § 73.1020 of this part. Television licensees are required to submit a narrative statement, as described in paragraph (c)(2) of this section, four months before the date specified in the previous sentence.

(e) *Enforcement.* The Commission will review a station's EEO program at renewal time and may conduct random audits, including on-site audits, throughout the license term to enforce this rule.

(f) *Sanctions.* The Commission may impose appropriate sanctions for any violation of this rule.

PART 76—CABLE TELEVISION SERVICE

5. The authority citation for part 76 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 153, 154, 301, 302, 303, 303a, 307, 308, 309, 312, 315, 317, 325, 503, 521, 522, 531, 532, 533, 534, 535, 536, 537, 543, 544, 544a, 545, 548, 552, 554, 556, 558, 560, 561, 571, 572, 573.

6. Section 76.75 is amended by revising paragraphs (b), (c) and (f) and by adding paragraph (g) to read as follows:

§ 76.75 EEO program requirements.

* * * * *

(b) Recruit for every job vacancy in its operation. A job filled by an internal promotion is not considered a vacancy for which recruitment is necessary. Nothing in this section shall be interpreted to require a cable entity to grant preferential treatment to any individual or group based on race, ethnic origin, color, or gender.

(c) Retain records to prove that it has satisfied the requirements of (b) and (f) of this section. Such recordkeeping shall include:

(1) Listings of recruiting sources utilized for each vacancy and the date the vacancy was filled;

(2) Dated copies of all advertisements, bulletins and letters announcing vacancies; and

(3) Compilations totaling the race, ethnic origin, and gender of all applicants generated by each recruiting source according to vacancy.

* * * * *

(f) Analyze its efforts to recruit, hire, promote and use services without discrimination on the basis of race, ethnic origin, color, religion, and gender and explain any difficulties encountered in implementing its equal employment opportunity program. As part of its Form 395-A/395-M supplemental investigation, an employment unit shall submit a statement detailing its analysis of such efforts for the previous 12 months. Analysis should occur on an ongoing basis. A unit's analysis shall include measures taken to:

(1) Where union agreements exist, cooperate with the union or unions in the development of programs to assure qualified minority persons or women of equal opportunity for employment, and include an effective non-discrimination clause in new or renegotiated union agreements;

(2) Review seniority practices to ensure that such practices are non-discriminatory;

(3) Examine rates of pay and fringe benefits for employees having the same duties, and eliminating any inequities based upon race, ethnic origin, color, religion, age, or sex discrimination;

(4) Assess the productivity of recruiting sources;

(5) Utilize media for recruitment purposes in a manner that will contain no indication, either explicit or implicit, of a preference for one race, ethnic origin, color, religion, age, or sex over another; and

(6) Avoid the use of selection techniques or tests that have the effect of discriminating against qualified minority groups or women.

(g) The Commission may impose appropriate sanctions for cable entities not found to be in compliance with paragraphs (b), (c), or (f) of this section.

[FR Doc. 98-32013 Filed 11-30-98; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[I.D. 111998B]

Fisheries of the Northeastern United States; Northeast Multispecies Fishery, Atlantic Sea Scallop Fishery, and Atlantic Salmon Fishery; Fishery Management Plan (FMP) Amendments to Designate Essential Fish Habitat (EFH)

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

ACTION: Notice of availability of an omnibus amendment to FMPs; request for comments.

SUMMARY: NMFS announces that the New England Fishery Management Council (NEFMC) has submitted for review and approval by the Secretary of Commerce (Secretary) an omnibus amendment that includes Amendment 11 to the Northeast Multispecies FMP, Amendment 9 to the Atlantic Sea Scallop FMP, and Amendment 1 to the Atlantic Salmon FMP. The document also includes Amendment 1 to the Monkfish FMP prepared jointly by NEFMC and the Mid-Atlantic Fishery Management Council (MAFMC). Because MAFMC has not yet adopted Monkfish Amendment 1, the FMP amendment is not being considered for Secretarial approval at this time. Finally, the omnibus amendment includes the EFH components of the

Atlantic Herring FMP that is being developed by the NEFMC. The EFH information for Atlantic Herring will be incorporated by reference into the Atlantic Herring FMP when that FMP is submitted for Secretarial approval. These EFH provisions implement the requirements of section 303(a)(7) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The omnibus amendment describes and identifies EFH for the specified fisheries, discusses measures to address the effects of fishing on EFH, and identifies other actions for the conservation and enhancement of EFH. The amendment includes no new fishery management measures, so no regulations are proposed.

DATES: Public comments must be received on or before February 1, 1999.

ADDRESSES: Comments on this amendment should be sent to Jon C. Rittgers, Acting Regional Administrator, One Blackburn Drive, Gloucester, MA 01930-2298. Please mark the outside of the envelope: "Comments on Essential Fish Habitat Amendment."

Copies of the amendment and the environmental assessment are available from the Executive Director, New England Fishery Management Council, 5 Broadway, Saugus, MA 01906-1036.

FOR FURTHER INFORMATION CONTACT: Jonathan M. Kurland, Assistant Habitat Program Coordinator, 978-281-9204.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Act requires that each Regional Fishery Management Council submit any FMP or FMP amendment it prepares to NMFS for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving an FMP or FMP amendment, immediately publish a notice in the **Federal Register** that the FMP or amendment is available for public review and comment. Therefore, NMFS solicits comments on the approval, disapproval, or partial approval of these amendments.

The portions of the omnibus EFH amendment that NMFS presently is considering for approval would designate EFH in waters of the United States for 14 species of groundfish, as well as Atlantic sea scallops and Atlantic salmon. The MAFMC has not yet adopted Monkfish Amendment 1. Once adopted, the NEFMC will submit Amendment 1 for Secretarial review and a notice of availability will be published in the **Federal Register**. The omnibus amendment also includes the EFH components of the Atlantic Herring FMP that is being developed by NEFMC.

The EFH information for herring will be incorporated by reference into the Atlantic Herring FMP when that FMP is submitted for Secretarial review and a notice of availability will be published in the **Federal Register**. NMFS will consider approval, disapproval, or partial approval of Amendment 1 to the Monkfish FMP and the EFH components of the Atlantic Herring FMP separately after their submission by the NEFMC, following separate notices of availability.

The omnibus amendment would also designate Habitat Areas of Particular Concern (HAPC) for Atlantic salmon and juvenile Atlantic cod in accordance with 50 CFR 600.815(a)(9). Although no new management measures are proposed for these HAPC, the Atlantic cod HAPC would be protected from potential adverse effects from fishing by maintaining the existing restrictions on fishing for the region known as Closed Area II on Georges Bank, pursuant to 50 CFR 648.81(b). In addition to the original rationale for implementing Closed Area II in 1994 (reducing overfishing of severely depleted groundfish stocks, as noted in the preamble to the emergency interim rule published in the **Federal Register** on December 12, 1994 (59 FR 63926)), under the omnibus amendment these management measures would be retained for habitat protection reasons.

NMFS solicits comments on the approval, disapproval, or partial approval on Amendment 11 to the Northeast Multispecies FMP, Amendment 9 to the Atlantic Sea Scallop FMP, and Amendment 1 to the Atlantic Salmon FMP. To be considered, comments must be received by close of business on February 1, 1999; that does not mean postmarked or otherwise transmitted by that date.

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

Dated: November 24, 1998.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 98-31996 Filed 11-30-98; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[I.D. 112498A]

RIN 0648-AL52

Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Amendment 11

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

ACTION: Notice of availability of an amendment to a fishery management plan; request for comments.

SUMMARY: NMFS announces that the Pacific Fishery Management Council (Council) has submitted Amendment 11 to the Pacific Coast Groundfish Fishery Management Plan (FMP) for Secretarial review. The amendment was prepared with the intention of bringing the FMP into compliance with provisions of the Sustainable Fisheries Act (SFA) regarding overfishing, bycatch, essential fish habitat, and fishing communities. This action also is intended to improve the types and amounts of scientific information available for use in stock assessments and management of the Pacific coast groundfish fishery.

DATES: Comments on Amendment 11 must be received on or before February 1, 1999.

ADDRESSES: Comments on Amendment 11 or supporting documents should be sent to William Stelle, Administrator, Northwest Region, NMFS, Sand Point Way NE., BIN C15700, Seattle, WA 98115-0070; or to William Hogarth, Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213.

Copies of Amendment 11 and the Environmental Assessment/Regulatory Impact Review are available from Larry Six, Executive Director, Pacific Fishery Management Council, 2130 SW Fifth Ave., Suite 224, Portland, OR 97201.

FOR FURTHER INFORMATION CONTACT: Yvonne deReynier at 206-526-6140, Jim Morgan at 562-980-4000, or the Pacific Fishery Management Council at 503-326-6352.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires that each Regional Fishery Management Council submit any amendment to an FMP to NMFS for review and approval,