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**SUPPLEMENTARY INFORMATION:** The Commission's Notice of proposed rulemaking in this proceeding, published November 13, 1996 (61 FR 58160), proposed countervailing burdens on Japanese ocean carriers designed to adjust or meet apparent unfavorable conditions caused by Japanese port restrictions and requirements. Sixty days were allowed for filing comments. The current deadline is January 13, 1997.

Counsel for the Japanese Lines now has filed a request for a 45-day enlargement of the comment period to February 27, 1997. Counsel cite as justification for their request intergovernmental meetings regarding this matter scheduled for January 6-7, 1997, a week before comments are due, and the intervening holiday schedule. Counsel for Sea-Land Service, Inc. and American President Lines, Ltd. have responded in general opposition to the request, but state that they have no objection to a one-week extension of the filing deadline.

The Commission has determined that an extension limited to one week should be granted. This would move the filing deadline to January 20, 1997, which would provide roughly two weeks after completion of the intergovernmental meetings for parties to finalize and submit comments. This should be sufficient in the circumstances.

By the Commission  
Ronald D. Murphy,  
Assistant Secretary.  
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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 73 and 76

[Gen Docket No. 83-484; RM 3739; DA No. 96-2159]

### Personal Attack and Political Editorial Rules

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; notice of invitation to file updated comments.

**SUMMARY:** This Public Notice invites interested parties to file updated comments in General Docket No. 83-484 concerning the Commission's proposal to repeal or modify the personal attack and political editorial

rules. Comments were filed in that proceeding in 1983, but no Report and Order has been issued. The Commission has received petitions from the Radio-Television News Directors Association ("RTNDA") and other parties urging the Commission to repeal the personal attack and political editorial rules. In addition, on September 17, 1996, RTNDA filed in the United States Court of Appeals for the D.C. Circuit a Petition for a Writ of Mandamus, asking the Court to direct the Commission to act on a 1987 RTNDA petition seeking repeal of the rules. In view of the length of time that has passed since conclusion of the pleading cycle in General Docket No. 83-484, and in light of the Commission's subsequent decision to end enforcement of the fairness doctrine as described in the 1987 RTNDA petition, we believe it is appropriate to update the record in this proceeding by affording interested parties an opportunity to file additional comments in General Docket No. 83-484 concerning the Commission's proposal to repeal the rules.

**DATES:** Comments are due February 10, 1997, and reply comments are due March 12, 1997.

**ADDRESSES:** Federal Communications Commission, 2000 M Street, Room 543, Washington, DC, 20554.

**FOR FURTHER INFORMATION CONTACT:** Kim Matthews, Mass Media Bureau, (202) 418-2130.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Public Notice, released December 19, 1996, inviting updated comments regarding the personal attack and political editorial rules. The complete text of the Public Notice is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C., and also may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street, N.W., Suite 140, Washington, D.C. 20037.

### Synopsis of Public Notice

The Commission has received petitions from the Radio-Television News Directors Association ("RTNDA") and other parties urging the Commission to repeal the personal attack and political editorial rules, 47 CFR §§ 73.1920, 73.1930. In addition, on September 17, 1996, RTNDA filed in the United States Court of Appeals for the D.C. Circuit a Petition for a Writ of Mandamus, asking the Court to direct the Commission to act on a 1987 RTNDA petition seeking repeal of the

rules. By this Public Notice, interested parties are invited to file updated comments in the Commission's pending rulemaking proceeding concerning the above-referenced rules.

By way of background, in 1983 the Commission proposed to repeal or modify the personal attack and political editorial rules. See *Notice of Proposed Rulemaking*, Gen. Docket 83-484, RM-3739, 48 FR 28295 (June 21, 1983). The Commission also sought comment on possible repeal of the rules insofar as they apply to cable systems. Comments were filed in the proceeding in 1983, but no Report and Order has been issued. On August 25, 1987, RTNDA and others filed a "Joint Petition for Expedited Rulemaking Action and for Clarification of Memorandum Opinion and Order Ending Enforcement of the Fairness Doctrine" ("Joint Petition"), urging the Commission to: (1) Issue a Report and Order in General Docket 83-484 repealing the personal attack and political editorial rules; and/or (2) clarify that in light of the decision to end enforcement of the fairness doctrine, in *In re Complaint of Syracuse Peace Council Against Television Station WTVH, Syracuse, New York*, 2 FCC Rcd. 5043 (1987), *recon. denied*, 3 FCC 2d 2035 (1988), *aff'd sub nom. Syracuse Peace Council v. FCC*, 867 F.2d 654 (D.C. Cir. 1989), *cert. denied*, 493 U.S. 1019 (1990) ("Syracuse Peace Council"), the personal attack and political editorial rules will no longer be applied to broadcast licensees. On January 22, 1990, RTNDA and four other parties filed another petition, renewing the request that the Commission repeal the personal attack and political editorial rules.

In view of the length of time that has passed since conclusion of the pleading cycle in General Docket No. 83-484, and in light of the Commission's subsequent decision to end enforcement of the fairness doctrine as described in the 1987 RTNDA petition, we believe it is appropriate to update the record in this proceeding by affording interested parties an opportunity to file additional comments in General Docket No. 83-484 concerning the Commission's proposal to repeal the rules. Comments must be filed on or before February 10, 1997, and reply comments must be filed by March 12, 1997. To file formally in this proceeding, participants must file an original and four copies of all comments, reply comments, and supporting comments. All comments should reference General Docket No. 83-484 and should be addressed to: Office of the Secretary, Federal Communications Commission, Washington, D.C. 20554. The full text of

the submissions are available for viewing and copying in the Public Reference Room, Room 239, 1919 M Street, N.W., Washington, D.C. 20554. Copies may also be purchased from the Commission's copy contractor, International Transcription Service ((202) 857-3800).

#### List of Subjects

##### *47 CFR Part 73*

Political candidates, Radio broadcasting, Television broadcasting.

##### *47 CFR Part 76*

Cable television, Political candidates. Federal Communications Commission.

Roy J. Stewart,

Chief, Mass Media Bureau.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 678

[Docket No. 961211348-6348-01; I.D. 121196A]

RIN 0648-AH77

#### Atlantic Shark Fisheries; Limited Access Program

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes to implement the limited access system contained in proposed Amendment 1 to the Fishery Management Plan for Atlantic sharks (FMP). If approved, Amendment 1 would establish a two-tiered permit system for the Atlantic shark commercial fishery, set forth eligibility criteria for these permits based on historical participation, and limit the transferability of such permits. NMFS has determined that the Atlantic shark fishery is overfished and overcapitalized, with an excessive number of permitted vessels relative to the harvest level prescribed by the recovery plan. NMFS is holding public hearings and requesting written comments from the public on this proposed rule. The objective of this amendment is to take a first and significant step to prevent further overcapitalization.

**DATES:** Written comments on this proposed rule must be received on or before February 18, 1997.

**ADDRESSES:** Comments on this proposed rule should be sent to William Hogarth, Acting Chief, Highly Migratory Species Management Division (F/SF1), National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910. Copies of Amendment 1, which includes an Environmental Assessment (EA) and Regulatory Impact Review (RIR), are available from Margo Schulze, Fishery Biologist, at the same address. See **SUPPLEMENTARY INFORMATION** for hearing locations. Comments regarding the collection-of-information requirement required in this rule should be sent to Margo Schulze and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20503 (Attention: NOAA Desk Officer).

**FOR FURTHER INFORMATION CONTACT:** Margo Schulze or John Kelly, 301-713-2347; fax: 301-713-1917.

#### SUPPLEMENTARY INFORMATION:

##### Background

The fishery for Atlantic sharks is managed under the FMP prepared by NMFS under authority of section 304(g) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended, and implemented on April 26, 1993, through regulations found at 50 CFR part 678. The FMP established three species management groups, commercial quotas and recreational bag limits, fishing seasons, mandatory vessel reporting, and required commercial vessel permits (with an earned income requirement). The Atlantic shark fishery has operated under open access.

On February 22, 1994, a notice of control date for entry into the Atlantic shark fishery was published in the Federal Register (59 FR 8457). This notice announced that anyone entering the fishery after that date (the "control date") may not be assured of future access to the fishery if some form of limited access were implemented later.

Currently, there are more vessels permitted in the fishery than are necessary or desirable to harvest the available total allowable catch (TAC). During 1993-96, the number of commercial vessels permitted in the fishery has fluctuated between approximately 1,500 and 2,748 vessels, while the TAC has been harvested by about 100 to 150 vessels (approximately 3 to 5 percent of the permitted fleet).

#### Need for Limited Access

The creation of a limited access system would be an initial step toward achieving a more reasonable balance between the harvesting capacity of the permitted fleet and the TAC. Implementation of proposed limited access would, at a minimum, prevent further increases in the number of permits in the fisheries that target sharks and would dramatically reduce the number of speculative permit holders (those without significant, documented landings of Atlantic sharks).

While a limited access system alone would not resolve all of the problems associated with open access fisheries (e.g., derby fishing conditions, "the race for fish," market gluts), it would help prevent them from becoming more severe. Additionally, considerable public comment subsequent to the scoping meetings convened by NMFS indicates increased support for limited access from the directed shark fishing industry.

A limited access system would stabilize fleet size and provide an opportunity for NMFS to collect data, conduct studies, and work cooperatively with fishery participants and other constituents to develop a more flexible, permanent, effort control program in the future.

#### Permit Categories

NMFS proposes to implement a two-tiered commercial fishing permit system in which permits would be classified as "directed" or "incidental." The reason for issuing two types of permits is to define and regulate the directed shark fishery separately from commercial fisheries that target other species but take sharks as bycatch. Only persons holding directed fishery permits would be eligible to participate in directed fisheries under the management measures already established, while those holding incidental permits would be restricted to the bycatch fishery with more restrictive management measures. NMFS proposes to restrict access to both the directed and incidental shark fisheries.

#### Eligibility Criteria

Only person or entities that held a shark permit at any time from July 1, 1994, through December 31, 1995, who have documented landings equal to or above the specified directed or incidental threshold levels of historical participation in the shark fishery, who meet the current earned income requirement, and who own a shark-permitted vessel at the time of