

derived from sources other than public contributions.

(3) A determination of interrelatedness will be based on the totality of the facts and the presence or absence of any one or more factors is not determinative, except that an overlap of officers and directors such that the governing body of one organization includes enough representatives of the other to cause or prevent action by the other will be determinative that the organizations are interrelated.

(b) The restrictions in this part will not be applied to an organization found to be interrelated pursuant to paragraph (a) if:

(1) The organization receives no LSC funds, and LSC funds do not directly or indirectly subsidize restricted activities;

(2) The relationship with the organization is approved by the recipient's governing body; and

(3) The recipient is physically and financially separate from the organization. Mere bookkeeping separation of LSC funds from other funds is not sufficient. In order to be physically and financially separate, the recipient and the organization must have an objective integrity and independence from one another. Factors considered to determine whether such objective integrity and independence exist shall include, but are not limited to:

(i) The existence of separate personnel;

(ii) The existence of separate accounting and timekeeping records;

(iii) The existence of separate facilities; and

(iv) The extent to which signs and other forms of identification which distinguish the recipient from the organization are present.

§ 1610.9 Accounting.

Funds received by a recipient from a source other than the Corporation shall be accounted for as separate and distinct receipts and disbursements in a manner directed by the Corporation.

Dated: March 11, 1997.

Victor M. Fortuno,

General Counsel.

[FR Doc. 97-6542 Filed 3-13-97; 8:45 am]

BILLING CODE 7050-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 95-142; RM-8685]

Radio Broadcasting Services; Zapata, TX

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Arturo Lopez, allots Channel 228A at Zapata, Texas, as the community's first local FM service. See 60 FR 46562, September 7, 1995. Channel 228A can be allotted to Zapata in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 228A at Zapata are 26-54-30 NL and 99-16-18 WL. Since Zapata is located within 320 kilometers (199 miles) of the U.S.-Mexican border, concurrence of the Mexican government has been obtained for this allotment. With this action, this proceeding is terminated.

DATES: Effective April 21, 1997. The window period for filing applications will open on April 21, 1997, and close on May 22, 1997.

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 95-142, adopted February 26, 1997, and released March 7, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857-3800, 2100 M Street, NW, Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding Zapata, Channel 228A.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97-6429 Filed 3-13-97; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 96-122; RM-8795; RM-8860]

Radio Broadcasting Services; Riverdale and Huron, CA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document dismisses a petition for rule making filed by Happy Nice Valley Broadcasting requesting the allotment of Channel 252A to Riverdale, California, as that locality's first local aural transmission service (RM-8795). The proposal is dismissed based upon the lack of interest by the petitioner or any other interested party to provide information, as requested, to establish that Riverdale constitutes a *bona fide* "community", as that term is defined for purposes of Section 307(b) of the Communications Act, as amended by the Telecommunications Act of 1996, for allotment objectives. See 61 FR 30585, June 17, 1996. However, in response to a counterproposal filed by Radio Coalinga Latino, Channel 252A is allotted to the incorporated community of Huron, California, as that locality's first local aural transmission service (RM-8860). Coordinates used for Channel 252A at Huron, California, are 36-15-41 and 120-04-19. With this action, the proceeding is terminated.

DATES: Effective April 21, 1997. The window period for filing applications on Channel 252A at Huron, California, will open on April 21, 1997, and close on May 22, 1997.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418-2180. Questions related to the window application filing process for Channel 252A at Huron, California, should be addressed to the Audio Services Division, (202) 418-2700.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 96-122, adopted February 26, 1997, and released March 7, 1997. The full text of this Commission decision is available for

inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857-3800.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under California, is amended by adding Huron, Channel 252A.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97-6428 Filed 3-13-97; 8:45 am]

BILLING CODE 6712-01-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 961129337-7040-02; I.D. 112096A]

RIN 0648-XX75

Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 1997 Scup Specifications

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

ACTION: Final rule and final specifications for the 1997 scup fishery.

SUMMARY: NMFS issues the final specifications for the 1997 scup fishery that include a commercial catch quota, a recreational harvest limit, and other management measures. The intent of these measures is to prevent overfishing of the scup resource.

DATES: The amendment to § 648.123(a)(1) is effective April 14, 1997. The final 1997 scup specifications

are effective March 11, 1997 through December 31, 1997.

ADDRESSES: Copies of the Mid-Atlantic Fishery Management Council's analysis and recommendations are available from David R. Keifer, Executive Director, Mid-Atlantic Fishery Management Council, Room 2115, Federal Building, 300 South New Street, Dover, DE 19904-6790.

FOR FURTHER INFORMATION CONTACT: Lucille L. Helvenston, Fishery Management Specialist (508) 281-9347.

SUPPLEMENTARY INFORMATION: Comprehensive measures enacted by Amendment 8 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) were designed to rebuild the severely depleted scup stock. Amendment 8 established a Monitoring Committee that meets annually to review the best available scientific data and make recommendations regarding the catch quota and other management measures in the FMP. The Committee's recommendations are made to achieve the target exploitation rates established in the amendment to reduce overfishing. The Committee bases its recommendations on: (1) Commercial and recreational catch data; (2) current estimates of fishing mortality; (3) stock status; (4) recent estimates of recruitment; (5) virtual population analysis (VPA); (6) levels of regulatory noncompliance by fishermen or individual states; (7) impact of fish size and net mesh regulations; (8) impact of gear other than otter trawls on the mortality of scup; and (9) other relevant information.

Based on the recommendations of the Monitoring Committee, the Mid-Atlantic Council's Demersal Species Committee makes a recommendation to the Council, which in turn makes a recommendation to the Administrator, Northeast Region, NMFS. The Council recommended a commercial quota, recreational harvest limit, and changes in the minimum mesh regulations for 1997.

The measures contained in this final action are unchanged from those in the proposed rule published December 9, 1996, (61 FR 64854) and are: (1) A coastwide commercial quota of 6.0 million lb (2.7 million kg); (2) a recreational harvest limit of 1.947 million lb (0.88 million kg); (3) an increase in the minimum codend mesh size from 4.0 inches (10.21 cm) to 4.5 inches (11.43 cm) and (4) seasonal minimum mesh threshold levels of 4,000 lb (1,814 kg) in the winter months (November—April) and 1,000 lb (453 kg) in the summer months (May—

October). Detailed background information concerning these measures is provided in the proposed rule and is not repeated here.

The coastwide quota is for the 1997 fishing year, January 1, 1997, through December 31, 1997. However, the Council has proposed a regulatory change in a separation action that would divide the quota into three seasons: Winter 1 (January—April), Summer (May—October) and Winter 2 (November—December). The winter quota would be coastwide. The summer quota would be allocated on a state-by-state basis. Trip limits would be imposed in the winter periods. If this proposal is approved, it would be implemented about mid-1997.

Comments and Responses

The Mid-Atlantic Fishery Management Council (Council) submitted a comment in support of the 1997 specifications for the scup fishery. The Department of Marine Fisheries of the Commonwealth of Massachusetts (MADMF) and an individual submitted comments in opposition to the proposed 1997 specifications for the scup fishery.

Comment: Both MADMF and the individual commenter believe the NMFS should not implement the 1997 coastwide commercial quota for several reasons. The individual commenter asserts that the absence of any constraints on the harvest of the coastwide quota allows the winter offshore fishery to catch all of the quota and discriminates against inshore harvesters. The MADMF states that, without the proposed regulatory change to the quota system, the quota will be harvested early in the year and there will be negative impacts from the resulting fishery closure. MADMF also notes that quota monitoring should be improved prior to implementation.

Response: The FMP requires NMFS to implement a coastwide commercial quota for 1997. NMFS has no legal authority to defer implementation of the quota until the regulatory amendment is approved. While NMFS is actively involved in the ongoing efforts to improve quota monitoring, particularly for state fisheries, NMFS disagrees with the implication that the existing monitoring system is inadequate for scup quota management. Further, NMFS disagrees with the contention that the quota is discriminatory. The quota in and of itself is not discriminatory. Although these measures may have negative impacts on different sectors of the fishery because of the distance from areas in which scup are available, the regulatory measures are not in and of themselves discriminatory. The review