

In accordance with section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), the Coast Guard wants to assist small entities in understanding this temporary rule so that they can better evaluate its effects on them and participate in the rulemaking process. If your small business or organization is affected by this rule and you have questions concerning its provisions or options for compliance, please contact Mr. Phil Johnson, Bridge Administration Branch, at the address given above, telephone (504) 589-2965.

Collection of Information

This temporary rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this proposal under the principles and criteria contained in Executive Order 12612, and it has been determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. The authority to regulate the permits of bridges over the navigable waterways of the United States belongs to the Coast Guard by Federal Statutes.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that under paragraph 2.B.2 of Commandant Instruction M16475.1C, this temporary rule is categorically excluded from further environmentally documentation. A "Categorically Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons set out in the preamble, the Coast Guard is amending Part 117 Title 33, Code of Federal Regulations as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; and 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Effective April 13, 1998 through August 10, 1998, § 117.675 is amended by adding a new paragraph (c) to read as follows:

§ 117.675 Back Bay of Biloxi.

* * * * *

(c) The draw of the Poppo Ferry Road bridge, mile 8.0, shall open on signal except as follows:

(1) The south span need not open for the passage of vessels from 6 a.m. until 8 p.m. daily from April 13, 1998, through June 12, 1998.

(2) The north span need not open for the passage of vessels from 6 a.m. until 8 p.m. daily from June 13, 1998, through August 10, 1998.

(3)(i) From April 13, 1998, through August 10, 1998, from 8 p.m. to 6 a.m. daily, both spans will be open on signal, but navigation through the bridge will be restricted to a horizontal clearance of 108 feet and 94 to feet within the navigation channel limits by the presence of construction equipment associated with bridge maintenance.

(ii) Vessels requiring greater than 108 feet of horizontal clearance of greater than 94 feet horizontal clearance within the navigation channel limits must provide 10 hours notice for an unrestricted passage between the hours of 8 p.m. to 6 a.m.

(4) In the event of an approaching tropical storm or hurricane, the bridge will be returned to normal operation within 24 hours of notification by the Coast Guard.

Dated: April 1, 1998.

T.W. Josiah,

Rear Admiral, U.S. Coast Guard, Commander, Eighth Coast Guard District.

[FR Doc. 98-9090 Filed 4-6-98; 8:45 am]

BILLING CODE 4910-15-M

DEPARTMENT OF EDUCATION

34 CFR Part 280

RIN 1810-AA88

Magnet Schools Assistance Program

AGENCY: Department of Education.

ACTION: Final rule; correction.

SUMMARY: The Department of Education published a final rule amending 34 CFR Part 280 on February 17, 1998. A clause was inadvertently removed from the amendment. This document adds that clause.

EFFECTIVE DATE: These regulations take effect February 17, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. Steven L. Brockhouse, U.S. Department of Education, 600 Independence Ave., SW., Room 4500, Portals Building, Washington, DC 20202-6140. Telephone: (202) 260-2476. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8

p.m., Eastern time, Monday through Friday.

Individuals with disabilities may obtain this document in an alternate format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed in the preceding paragraph.

SUPPLEMENTARY INFORMATION: The Department of Education published a final rule in the **Federal Register** of February 28, 1998 (63 FR 8020) amending 34 CFR 280.32. A clause was inadvertently removed from the text of the amendatory language. This document adds the clause.

Correction

In rule document 98-3830 on page 8020, in the issue of Tuesday, February 17, 1998, make the following correction:

§ 280.32 [Corrected]

On page 8020, at the bottom of the third column, amendatory instruction 2., line 2, add "removing the designation for paragraph (b)(1);" after "(b)(2);".

Dated: March 16, 1998.

Gerald N. Tirozzi,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 98-8995 Filed 4-6-98; 8:45 am]

BILLING CODE 4000-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 73 and 76

[FCC 98-39]

1998 Biennial Regulatory Review—Filing Dates for the Commission's Equal Employment Opportunity Annual Employment Reports

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: On March 16, 1998, the Commission released a *Memorandum Opinion and Order (MO&O)* amending the rules concerning the filing dates for the Commission's Equal Employment Opportunity Annual Employment Reports. The *MO&O* is intended to change the dates that annual employment reports are due to be filed with the Commission, to enable licensees and permittees that also file similar data with the Equal Employment Opportunity Commission to use the same pay period record information.

EFFECTIVE DATES: This rule is effective March 16, 1998.

FOR FURTHER INFORMATION CONTACT:

Kathy Harvey, Attorney-Advisor,
Enforcement Division, Equal
Employment Opportunity Branch, Mass
Media Bureau, (202) 418-1450.

SUPPLEMENTARY INFORMATION: This summarizes the Commission's *Memorandum Opinion and Order*, FCC 98-39, adopted March 13, 1998, and released March 16, 1998. The complete text of this *Memorandum Opinion and Order* is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, DC, and also may be purchased from the Commission's copy contractor, International Transcription Services, Inc., at (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

Synopsis of Memorandum Opinion and Order

1. In the *Memorandum Opinion and Order*, the Commission amends its rules to allow licensees and regulatees to file annual employment reports (FCC Forms 395-A, 395-B, and 395-M) by September 30 of each year. Under the current rules, licensees and regulatees are required to file these reports by May of each year, using data gathered during any payroll period in the months of January, February or March of each year. In addition, the Equal Employment Opportunity Commission requires companies with at least 100 employees to collect and report similar information in September of each year on its EEO-1 form, using similar data gathered during any payroll period in July, August, or September of each year. At the Commission's Biennial Review Public Forum on January 13, 1998, representatives of the National Association of Broadcasters, as well as representatives of the cable industry, expressed concern that the current rules require some licensees to file almost identical information, which must be gathered during different time periods,

with two separate federal agencies at different times of the year. The Commission finds that this process should be changed, and amends sections 73.3612 and 76.77 of the Commission's rules, 47 CFR 73.3612 and 76.77, to provide that FCC Forms 395-A, 395-B, and 395-M are due on or before September 30 of each year. The change also allows licensees and cable entities to use any payroll period in July, August, or September of the year during which the report is filed. Further, the Commission applies the new filing dates to the Form 395-M, which is filed by multichannel video programming distributors. The 1998 annual employment reports are now due to be filed on or before September 30, based on a pay period in July, August, or September 1998. Thereafter, reports are due September 30 of each year. No reports will be due in May 1998. The revised filing dates apply to all filers, not just those filers with one hundred or more employees.

2. It is ordered that, pursuant to sections 4(i), 4(j), 5(c), 11, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 155(c), 161, and 303(r), the *Memorandum Opinion and Order* is adopted.

List of Subjects**47 CFR Part 73**

Radio broadcasting, Television
broadcasting.

47 CFR Part 76

Cable television.

Federal Communications Commission.

Magalie Roman Salas,
Secretary.

Rule Changes

For the reasons discussed, in the preamble, the Federal Communications Commission amends 47 CFR parts 73 and 76 as follows:

PART 73—RADIO BROADCAST SERVICES

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

Authority: 47 U.S.C. 154, 303, 334, and 336.

2. Section 73.3612 is revised to read as follows:

§ 73.3612 Annual employment report.

Each licensee or permittee of a commercially or noncommercially operated AM, FM, TV or International broadcast station with five or more full-time employees shall file an annual employment report with the FCC on or before September 30 of each year on FCC Form 395.

PART 76—CABLE TELEVISION SERVICE

3. 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, and 573.

4. Section 76.77 is amended by revising paragraph (a) to read as follows:

§ 76.77 Reporting Requirements.

(a) *Annual employment report.* Each employment unit with six or more full-time employees shall file an annual employment report (FCC Form 395-A) with the Commission on or before September 30 of each year. Employment data on the annual employment report shall reflect the figures from any one payroll period in July, August, or September of the year during which the report is filed. Unless instructed otherwise by the FCC, the same payroll period shall be used for each successive annual employment report.

* * * * *

[FR Doc. 98-9021 Filed 4-6-98; 8:45 am]

BILLING CODE 6712-01-P