

Dated: June 15, 1999.

**R.C. North,**

*Assistant Commandant for Marine Safety and Environmental Protection.*

[FR Doc. 99-15985 Filed 6-18-99; 3:21 pm]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 79

[DA 99-1133]

#### Closed Captioning and Video Description of Video Programming

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document contains an editorial amendment to the Commission's regulations concerning closed captioning. The amendment eliminates an inadvertent reference to a term used as a trademark.

**DATES:** Effective June 23, 1999.

**FOR FURTHER INFORMATION CONTACT:** David S. Senzel, Office of General Counsel (202) 418-1720.

**SUPPLEMENTARY INFORMATION:** This is the full text of the Order of the Commission's Managing Director, DA 99-1133, adopted on June 8, 1999, and released June 10, 1999.

1. By this order, we correct the language of 47 CFR 79.1, the Commission's closed captioning rule. Paragraph 79.1(e)(3) deals with the acceptability of using a method of captioning referred to in the rule as the: "so-called 'electronic newsroom' or ENR technique." The Commission intended by this term to refer to a generic captioning methodology that generates captions using the output of news script computer or teleprompter systems. See Closed Captioning and Video Description of Video Programming, 13 FCC Rcd 19973, 19989 ¶ 32 (1998), 63 FR 55959 (October 20, 1998). While it appears that the terms "electronic newsroom" and "electronic newsroom captioning" are indeed generic terms, it has come to our attention that the rule's reference to "ENR" may be confused with the term "ENR" used by Comprompter, Inc. of La Crosse, Wisconsin as the trademark for one of its products. To eliminate any possible confusion, we will amend the rule accordingly.

2. Accordingly, it is Ordered, Pursuant to the authority delegated under 47 CFR 0.231(b), 47 CFR Part 79 is amended effective June 23, 1999.

### List of Subjects in 47 CFR Part 79

Cable television, Closed captioning, Television.

Federal Communications Commission

**Mary Beth Richards**

*Deputy Managing Director*

#### Rule Change

For the reasons discussed in the preamble, Part 79 of the Code of Federal Regulations is amended as follows:

#### PART 79—CLOSED CAPTIONING OF VIDEO PROGRAMMING

1. The authority citation for Part 79 continues to read as follows:

**Authority:** 47 U.S.C. 613.

2. Section 79.1(e)(3) is revised to read as follows:

##### § 79.1 Closed captioning of video programming.

\* \* \* \* \*

(e)\*\*\*

(3) Live programming or repeats of programming originally transmitted live that are captioned using the so-called "electronic newsroom technique" will be considered captioned, except that effective January 1, 2000, and thereafter, the major national broadcast television networks (i.e., ABC, CBS, Fox and NBC), affiliates of these networks in the top 25 television markets as defined by Nielsen's Designated Market Areas (DMAs) and national nonbroadcast networks serving at least 50% of all homes subscribing to multichannel video programming services shall not count electronic newsroom captioned programming towards compliance with these rules. The live portions of noncommercial broadcasters' fundraising activities that use automated software to create a continuous captioned message will be considered captioned;

\* \* \* \* \*

[FR Doc. 99-15958 Filed 6-22-99; 8:45 am]

BILLING CODE 6712-01-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 981014259-8312-02; I.D. 061699C]

#### Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for Summer Period

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Commercial quota harvest for Summer period.

**SUMMARY:** NMFS announces that the scup commercial quota available in the Summer period to the coastal states from Maine to North Carolina has been harvested. Commercial vessels may not land scup in the northeast region for the remainder of the 1999 Summer quota period (through October 31, 1999). Regulations governing the scup fishery require publication of this notification to advise the coastal states from Maine through North Carolina that the quota has been harvested and to advise vessel permit holders and dealer permit holders that no commercial quota is available for landing scup in these states.

**DATES:** Effective 0001 hours June 28, 1999, through October 31, 1999.

**FOR FURTHER INFORMATION CONTACT:** Paul H. Jones, Fishery Policy Analyst, (978) 281-9273.

#### SUPPLEMENTARY INFORMATION:

Regulations governing the scup fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is allocated into three quota periods, based upon percentages of the annual quota. The Summer commercial quota (May through October) is distributed to the coastal states from Maine through North Carolina. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.120.

The initial total commercial quota for scup for the 1999 calendar year was set equal to 2,534,000 lb (1,149,403 kg) (63 FR 72203, December 31, 1998). The Summer period quota, which is equal to 38.95 percent of the annual commercial quota (minus a discard estimate), was set at 986,993 lb (447,692 kg).

Section 648.121 requires the Administrator, Northeast Region, NMFS (Regional Administrator) to monitor the commercial scup quota for each quota period, and based upon dealer reports, state data, and other available information, to determine when the commercial quota has been harvested. The Regional Administrator is further required to publish notification in the **Federal Register** advising and notifying commercial vessels and dealer permit holders that, effective upon a specific date, the scup commercial quota has been harvested and no commercial quota is available for landing scup for the remainder of the Summer period. The Regional Administrator has determined, based upon dealer reports

and other available information, that the scup commercial quota for the 1999 Summer period has been harvested.

The regulations at § 648.4(b) provide that Federal scup moratorium permit holders agree as a condition of the permit not to land scup in any state after NMFS has published a notification in the **Federal Register** stating that the commercial quota for the period has been harvested and that no commercial quota for the scup is available. The Regional Administrator has determined that the Summer period for scup no longer has commercial quota available. Therefore, effective 0001 hours June 28, 1999, further landings of scup in coastal states from Maine through North Carolina, by vessels holding Federal scup moratorium permits are prohibited through October 31, 1999. The Winter II period for commercial scup harvest will open on November 1, 1999. Effective 0001 hours June 28, 1999, Federally permitted dealers are also advised that they may not purchase scup from Federally permitted vessels that land in coastal states from Maine through North Carolina for the remainder of the Summer period (through October 31, 1999).

#### Classification

This action is required by 50 CFR part 648 and is exempt from review under E.O. 12866.

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

Dated: June 17, 1999.

**George H. Darcy,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 99-15831 Filed 6-17-99; 4:06 pm]

BILLING CODE 3510-22-F

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 679

[Docket No. 990113011-9011-01; I.D. 010699A]

RIN 0648-AM06

##### Fisheries of the Exclusive Economic Zone Off Alaska; Observer and Inseason Management Requirements for Pollock Catcher/Processors; Extension of Expiration Date

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

**ACTION:** Emergency interim rule; extension of expiration date.

**SUMMARY:** NMFS extends the expiration date of an emergency interim rule that established additional observer coverage requirements for the 20 catcher/processor (C/P) vessels and that established inseason authority to manage the non-pollock harvest limitations required under the American Fisheries Act (AFA) for these 20 vessels. The emergency interim rule that is effective from January 20, 1999, through July 19, 1999, is extended through December 31, 1999. This action is necessary to monitor and manage the harvest of the listed C/Ps and is intended to comply with the statutory provisions promulgated under the AFA for these vessels in 1999.

**DATES:** Effective June 23, 1999, the expiration date of the emergency interim rule published January 22, 1999 (64 FR 3435), is extended from July 19, 1999, through December 31, 1999.

**FOR FURTHER INFORMATION CONTACT:** Sue Salvesson, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** On October 20, 1998, the President signed the AFA into law. The AFA specifies the manner in which the Bering Sea and Aleutian Islands management area (BSAI) pollock fishery must be managed, as well as measures to limit activity of pollock vessels in non-pollock fisheries. Section 208(e)(1) through (20) of the AFA lists C/Ps that are subject to specific harvest limitations for pollock and non-pollock species starting in 1999. These harvest limitations were established as part of the 1999 groundfish specification process authorized under regulations at 50 CFR 679.20 (64 FR 50, January 4, 1999, and 64 FR 12103, March 11, 1999). NMFS published an emergency interim rule in the **Federal Register** on January 22, 1999 (64 FR 3435), that implemented additional observer coverage and inseason management authority necessary to monitor and manage these harvest limitations at the start of the 1999 fishing season. Specifically, the emergency interim rule implemented the following measures for a 180-day period (through July 19, 1999):

1. A requirement that two NMFS-certified observers must be aboard each of the 20 listed C/Ps at all times the vessel is used to fish for groundfish in Federal waters off Alaska and that at least one of the observers aboard each listed C/P must have successfully completed the additional training necessary to be certified to observe in the multispecies groundfish community development quota program (§ 679.50(h)(1)(i)(D)); and

2. The authority to establish directed fishing allowances for the non-pollock groundfish harvest limitations specified for the listed C/Ps under the AFA and the regulatory authority to close directed fishing for non-pollock groundfish by the listed C/Ps if NMFS determines that these vessels have reached a prohibited species limitation.

Further background and descriptive information is contained in the preamble to the emergency interim rule published on January 22, 1999 (64 FR 3435).

The North Pacific Fishery Management Council (Council) is scheduled to take final action to implement the AFA requirements in 2000 and beyond under amendments to the BSAI Fishery Management Plan (FMP) at its June and October 1999 meetings. Given the statutory review and implementation schedule for FMP amendments set out under sections 303 and 304 of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Council requested NMFS to extend the emergency provisions to provide for the monitoring of listed C/P harvest limitations for the remainder of 1999 as authorized under section 305(c)(3)(B) of the Magnuson-Stevens Act. NMFS concurs that this time period is minimally necessary for the development and preparation of FMP amendments to implement management provisions of the AFA.

Details concerning the basis for this action are contained in the initial emergency interim rule and are not repeated here. No comments were received during the comment period for the initial emergency interim rule.

#### Classification

The Assistant Administrator for Fisheries, NOAA (AA), has determined that this rule is necessary to respond to an emergency situation and that it is consistent with the Magnuson-Stevens Act and other applicable laws.

Extension of the expiration date for this emergency interim rule is necessary to continue to monitor and manage the non-pollock harvest limitations required under the AFA for the listed C/Ps so that the intent of the AFA for these vessels in 1999 is met. Failure to implement an extension of the emergency measures would mean non-compliance with the statutory provisions promulgated under the AFA for the listed C/P vessels. The AA finds good cause to extend the emergency interim rule in accordance with section 305(c)(3)(B) of the Magnuson-Stevens Act. Pursuant to authority set forth at 5 U.S.C. 553(b)(B), the AA finds that these