commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, ''get form <your e-mail address>.'' A sample form and directions will be sent in reply.

35. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appear in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. All filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 1919 M St. N.W., Room 222, Washington, D.C. 20554.

36. Parties who choose to file by paper should also submit their comments on diskette. These diskettes should be submitted to: Donna Christianson, International Bureau, Federal Communications Commission, 2000 M Street, N.W., Room 836, Washington, D.C. 20554. Such a submission should be on a 3.5 inch diskette formatted in an IBM compatible format using WordPerfect 5.1 for Windows or compatible software. The diskette should be accompanied by a cover letter and should be submitted in ''read only'' mode. The diskette should be clearly labelled with the commenter's name, proceeding (Docket No. 98–148), type of pleading (comment or reply comment), date of submission, and the name of the electronic file on the diskette. The label should also include the following phrase ''Disk Copy—Not an Original.'' Each diskette should contain only one party's pleadings, preferably in a single electronic file. In addition, commenters must send diskette copies to the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, N.W., Washington, D.C. 20037.

Ordering Clauses

37. Accordingly, it is ordered that, pursuant to §§ 1, 4(i)-(j), 201(b), 214, 303(r) and 403 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i)-(j), 214, 303(r), and 403, this Notice of Proposed Rulemaking is hereby adopted.

38. It is further ordered that the commission's office of public affairs, reference operations division, shall send a copy of this Notice of Proposed Rule Making, including the Initial Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects in 47 CFR Parts 43, and 64

Communications common carriers, Reporting and recordkeeping requirements.

Federal Communications Commission

Magalie Roman Salas,

Secretary.

[FR Doc. 98–22292 Filed 8–17–98; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 21

RIN 1018–AE65

Migratory Bird Permits; Amended Certification of Compliance and Determination That the States of Vermont and West Virginia Meet Federal Falconry Standards

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Service proposes to add the States of Vermont and West Virginia to the list of States whose falconry laws have been determined by the Director to meet or exceed Federal falconry standards. As a result, we propose the States of Vermont and West Virginia be participants in the cooperative Federal/State permit application program and falconry allowed to be practiced in those States. The list of States that meet Federal falconry standards, including Vermont and West Virginia, is being published in this proposed rule for public review as well. The Service wishes to amend the regulations on the States' compliance in order to clarify the administrative procedure that States follow in order to be in compliance with Federal falconry standards.

DATES: Comments may be submitted on or before September 17, 1998 at the location noted below under the heading **ADDRESSES**.

ADDRESSES: Copies of the environmental assessment (EA), and the State falconry rules for Vermont and West Virginia are available by writing to the Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, 1849 C Street, NW, MS 634 ARLSQ, Washington, DC 20240. Comments may also be forwarded to this same address. The public may inspect comments during normal business hours in room 634, Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Paul R. Schmidt, Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, telephone 703/358–1714.

SUPPLEMENTARY INFORMATION: Regulations in 50 CFR part 21 provide for review and approval of State falconry laws by the Service. A list of States whose falconry laws are approved by the Service is found in 50 CFR 21.29(k). Falconry legally occurs in those States. As provided in 50 CFR 21.29 (a) and (c), the Director has reviewed certified copies of the falconry regulations adopted by the States of Vermont and West Virginia and has determined that they meet or exceed Federal falconry standards. Federal falconry standards contained in 50 CFR 21.29 (d) through (i) include permit requirements, classes of permits, examination procedures, facilities and equipment standards, raptor marking, and raptor taking restrictions. Both Vermont and West Virginia regulations also meet or exceed all restrictions or conditions found in 50 CFR 21.29(j), which include requirements on the number, species, acquisition, possession of feathers, and marking of raptors. Therefore, the Service is proposing that the States of Vermont and West Virginia be listed under part 21.20(k) as States which meet Federal falconry standards. The proposed listing would eliminate the current restriction that prohibits falconry within the States of Vermont and West Virginia.

The Service proposes to amend the regulatory language in 50 CFR 21.29 (a) and (c) to clarify the Service's procedures in approving State regulations for compliance with Federal falconry standards. This approval is contingent upon the respective State's submission of its laws and regulations to the Director for review and a further finding that such laws and regulations meet or exceed Federal falconry standards.

The Service is publishing for public review the list of States that have met the Federal falconry standards, including the States of Vermont and West Virginia. The Service believes that publishing this list in its entirety will eliminate any confusion concerning which States have approval for falconry and further indicate which States participate in a joint Federal/State permit system.

The Service also is revising the text in 50 CFR 21.29 (j)(2) to be gender neutral.

Need for Rulemaking

The need for changes to 50 CFR part 21 arose from the expressed desire of Vermont and West Virginia to institute a falconry program for the benefit of citizens interested in the sport of falconry. Accordingly, the States have promulgated regulations that meet or exceed Federal requirements protecting migratory birds. The changes to 50 CFR 21.29 are necessary to further the national interest for a Federal falconry standard and to allow, by inclusion within the listing of authorized falconry States, the States of Vermont and West Virginia to practice falconry.

NEPA Consideration

In compliance with the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4332(C)), and the Council on Environmental Quality's regulations for implementing NEPA (40 CFR parts 1500–1508), the Service prepared an Environmental Assessment (EA) in July 1988 to support establishment of simpler, less restrictive regulations governing the use of most raptors. This EA is available to the public at the location indicated under the **ADDRESSES** caption. Based on review and evaluation of the proposed rule to amend 50 CFR 21.29(k) by adding Vermont and West Virginia to the list of States whose falconry laws meet or exceed Federal falconry standards, the Service has determined that the issuance of the proposed rule would not be a major Federal action that would significantly affect the quality of the human environment and thereby is categorically excluded from NEPA documentation under the Department of the Interior's NEPA procedures in 516 DM 2, Appendix 1.10.

Endangered Species Act Considerations

Section 7 of the Endangered Species Act (ESA) of 1972, as amended (16 U.S.C. 1531, *et seq.*), provides that, ''The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act'' [and] shall ''insure that any action authorized, funded, or carried out * * * is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of [critical] habitat * * *'' The Service's Section 7 review has determined that this action is not likely to adversely affect listed raptors. A copy of this determination is available to the public at the location indicated under the **ADDRESSES** caption.

Regulatory Flexibility Act, Executive Order 12866, and the Paperwork Reduction Act

This rule was not subject to the Office of Management and Budget (OMB) review under Executive Order 12866. The Department of the Interior has determined that this rule will not have a significant effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The economic impacts of falconry on small business entities were analyzed in detail and a Small Entity Flexibility Analysis (Analysis), under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), was issued by the Service in 1996 (copies available upon request from the Office of Migratory Bird Management). The Analysis documented that there is not a significant economic impact on a substantial number of small entities. This rule has no potential takings implications for private property as defined in Executive Order 12630. The only effect of this rule on the constituent community will be to allow falconers in the States of Vermont and West Virginia to apply for falconry permits. It is estimated that no more than 25 people would apply for falconry permits in both Vermont and West Virginia combined. This rule does contain information collection requirements that require approval by OMB under the Paperwork Reduction Act, 44 U.S. 3501 *et seq.* The information collection is covered by an existing OMB approval for licenses/permit applications, number 1018–0022. For further permitting approval see 50 CFR part 21.4.

Unfunded Mandates Act Implications

The Service has determined and certifies pursuant to the Unfunded Mandates Act, 2 U.S.C. 1502 *et seq.*, that this rulemaking will not impose a cost of $100 million or more in any given year on local or State governments or private entities.

Civil Justice Reform—Executive Order 12988

The Service, in promulgating this rule, determines that these regulations meet the applicable standards provided in sections 3(a) and 3(b)(2) of Executive Order 12988 and that the rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

Government-to-Government Relationship With Tribes

There are no Federally-recognized Indian tribes in the States of Vermont or West Virginia and the proposed revisions to the existing regulations are of a purely administrative nature affecting no tribal trust resources. The Service, therefore, has determined that there are no effects on Federally-recognized Indian tribes in this proposed rulemaking.

List of Subjects in 50 CFR Part 21

Exports, Hunting, Imports, Reporting and recordkeeping requirements, Transportation, Wildlife.

Accordingly, the Service proposes to amend Part 21, subchapter B, Chapter 29 of Title 50 of the Code of Federal Regulations as follows:

PART 21—MIGRATORY BIRD PERMITS

1. The authority citation for part 21 continues to read as follows:

Authority: Pub. L. 95–616, 92 Stat. 3112 (16 U.S.C. 712(2)).

2. Amend § 21.29 by revising paragraphs (a), (c), (j)(2) and (k) as follows:

§ 21.29 Federal falconry standards.

(a) *General.* No person may take, possess, transport, sell, purchase, barter, or offer to sell, purchase, or barter any raptor for falconry purposes in any State which does not allow the practice of Falconry or in any State which has not submitted a copy of its laws and regulations governing the practice of falconry to the Director, who determines that the State's laws and regulations meet or exceed Federal standards established in this section: Except, a Federal falconry permittee may possess and transport for falconry purposes otherwise lawfully possessed raptors through States which do not allow the practice of falconry or meet Federal falconry standards so long as the raptors remain in transit in interstate commerce. The States that are in compliance with Federal falconry standards are listed in paragraph (k) of this section.

* * * * *

(c) *Certification of compliance.* Any State that wishes to allow the practice of falconry must submit a copy of its laws and regulations governing the practice of falconry to the Director. If the Director determines that the State's laws and regulations meet or exceed the Federal standards established by this section, the Service will publish a notice in the **Federal Register** and the State will be listed in paragraph (k) of this section. The Service will consider any State that was listed in paragraph (k) of this section prior to September 14, 1989, to be in compliance with Federal standards.

* * * * *

(j) *Other restrictions.*

(2) A person who possesses raptors before the enactment of these regulations, in excess of the number allowed under their permit, shall be allowed to retain the extra raptors. All such birds shall be identified with markers supplied by the Service and no replacement can occur, nor may any additional raptor be obtained, until the number in possession is at least one less than the total number authorized by the class of permit held by the permittee.

* * * * *

(k) *States meeting Federal falconry standards.* In accordance with this section, the Director has determined that the following States meet or exceed the minimum Federal standards for regulating the taking, possession, and transportation of raptors for the purpose of falconry as set forth herein.

*Alabama
*Alaska
*Arizona
*Arkansas
*California
*Colorado
*Florida
*Georgia
*Idaho
*Illinois
*Indiana
*Iowa
*Kansas
*Kentucky
*Louisiana
*Maine
*Maryland
*Massachusetts
*Michigan
*Minnesota
*Mississippi
*Missouri
*Montana
*Nebraska
*Nevada
*New Hampshire
*New Jersey
*North Dakota
*New York
*New Mexico
*North Carolina
*Ohio
*Oklahoma
*Oregon
*Pennsylvania
*Rhode Island
*South Carolina
*South Dakota
*Tennessee
*Texas
*Utah
*Vermont
*Virginia
*Washington
*West Virginia
*Wisconsin
*Wyoming

Note: States which are participants in a joint Federal/State permit system are designated by an asterisk.

Dated: August 7, 1998.

Stephen C. Saunders,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 98–22159 Filed 8–17–98; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[I.D. 081098B]

New England Fishery Management Council; Public Meeting

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

ACTION: Public meeting.

SUMMARY: The New England Fishery Management Council (Council) will hold a 1-day meeting to consider actions affecting New England fisheries in the exclusive economic zone.

DATES: The meeting will be held August 27, 1998 at 9 a.m.

ADDRESSES: The meeting will be held at the Holiday Inn, One Newbury Street (Route 1 North), Peabody, MA 01960; telephone (978) 535–4600. Requests for special accommodations should be addressed to the New England Fishery Management Council, 5 Broadway, Saugus, MA 01906–1036; telephone (781) 231–0422.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New England Fishery Management Council, (781) 231–0422.

SUPPLEMENTARY INFORMATION: The Council will discuss, and may recommend, emergency measures to protect the Gulf of Maine cod stock and will also develop guidance and set priorities for the Council's Multispecies Monitoring Committee (MSMC). The MSMC evaluates the effectiveness of the Northeast Multispecies Fishery Management Plan (FMP) and recommends management options for Gulf of Maine cod and other species as part of an annual review and plan adjustment process.

The Council will continue work on any outstanding issues related to finalizing Amendment 9 to the FMP, including square and diamond mesh configuration rules for the Stellwagen Bank and Jeffreys Ledge Regulated Mesh Areas. Further regulation of recreational catches during times of serious commercial restrictions or in closed areas, modification of or additional closed areas, or a ''bycatch-only'' designation for Gulf of Maine cod may also be discussed if time allows.

Although other issues not contained in this agenda may come before the Council for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to the meeting dates.

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

Dated: August 12, 1998.

Gary C. Matlock,

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

[FR Doc. 98–22168 Filed 8–13–98; 1:09 pm]

BILLING CODE 3510–22–F