

(3) After the filing of short-form applications, applicants may make agreements to bid jointly for construction permits, provided that the parties to the agreement have not applied for construction permits that may be used to serve the same or overlapping geographic areas.

(4) After the filing of short-form applications, a holder of a non-controlling attributable interest in an entity submitting a short-form application may acquire an ownership interest in, form a consortium with, or enter into a joint bidding arrangement with, other applicants for construction permits that may be used to serve the same or overlapping geographic areas, provided that:

(i) The attributable interest holder certifies to the Commission that it has not communicated and will not communicate with any party concerning the bids or bidding strategies of more than one of the applicants in which it holds an attributable interest, or with which it has a consortium or joint bidding arrangement, and which have applied for construction permits that may be used to serve the same or overlapping geographic areas; and

(ii) The arrangements do not result in any change in control of an applicant.

(5) Applicants must modify their short-form applications to reflect any changes in ownership or in the membership of consortia or joint bidding arrangements.

(c) Winning bidders are required to submit a detailed explanation of the terms and conditions and parties involved in any bidding consortia, joint venture, partnership or other agreement or arrangement they have entered into relating to the competitive bidding process prior to the close of bidding. Such arrangements must have been entered into prior to the filing of short-form applications pursuant to paragraphs (a) and (b) of this section.

§ 100.80 Transfer disclosure.

Any entity that acquires a DBS license through competitive bidding, and seeks to transfer that license within six years of the initial license grant, must file, together with its application for FCC consent to the transfer, the associated contracts for sale, option agreements, management agreements, or other documents disclosing the total consideration received in return for the transfer of its license. The information submitted must include not only a monetary purchase price, but also any future, contingent, in-kind, or other consideration.

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

49 CFR Part 660

RIN 2132-AA54

Buy America Requirements; Removal

AGENCY: Federal Transit Administration, DOT.

ACTION: Final rule.

SUMMARY: This rule removes the Buy America requirements which are now obsolete and have been superseded by 49 CFR part 661.

EFFECTIVE DATE: December 20, 1995.

FOR FURTHER INFORMATION CONTACT: Rita Daguillard, Deputy Assistant Chief Counsel, Office of Chief Counsel, room 9316, 400 Seventh Street, S.W., Washington, D.C. 20590, (202) 366-1936.

SUPPLEMENTARY INFORMATION: Section 401 of the Surface Transportation Assistance Act of 1978 (the 1978 STAA) (Public Law No. 95-599) included a Buy America provision applicable for the first time to the Federal Transit Administration (FTA) program. This provision established a preference for products produced, mined or manufactured in the United States. The implementing regulation, 49 CFR part 660, applied these requirements to contracts exceeding \$500,000 financed by funds obligated under the 1978 STAA.

Both the statutory and funding authority of the 1978 STAA have now lapsed. FTA's current Buy America requirements are set out at 49 U.S.C. 5323(j) and the implementing regulation, 49 CFR part 660. Because 49 CFR part 660 is now obsolete, FTA finds that it is unnecessary to seek public comment on its removal from the Code of Federal Regulations. Part 660 is being removed as part of the President's "Reinventing Government" initiative.

Accordingly, and effective December 20, 1995, FTA is removing 49 CFR Part 660.

Regulatory Analyses and Notices

This is not a significant rule under Executive Order 12866 or under the Department's Regulatory Policies and Procedures. It does not impose costs on regulated parties. It merely removes an obsolete regulation. There are not sufficient Federalism implications to warrant the preparation of a Federalism Assessment. The Department certifies that this rule will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 49 CFR Part 660

Grant programs—transportation, Mass transportation.

PART 660—[REMOVED]

Accordingly, for the reasons set forth above, part 660 is hereby removed.

Gordon J. Linton,

Administrator.

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BILLING CODE 4910-57-U

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[I.D. 121495A]

Atlantic Tuna Fisheries; Bluefin Tuna

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

ACTION: Closure of the General category fishery.

SUMMARY: NMFS has determined that the 10 metric tons (mt) of Atlantic bluefin tuna (ABT) set aside for the late-season General category fishery in the New York Bight beginning October 1, 1995, will have been taken by December 15, 1995. Therefore, the General category fishery will be closed effective at 2330 hours (11:30 pm) on Friday, December 15, 1995. This action is being taken to prevent overharvest of the quota established for this fishery.

EFFECTIVE DATE: 2330 hours on December 15, 1995, through December 31, 1995.

FOR FURTHER INFORMATION CONTACT: John Kelly, 301-713-2347, or Kevin Foster, 508-281-9260.

SUPPLEMENTARY INFORMATION: Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of ABT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285. Section 285.22 subdivides the International Commission for the Conservation of Atlantic Tunas recommended U.S. quota among the various domestic fishing categories.

Implementing regulations for the Atlantic Tuna Fisheries at 50 CFR 285.22(a) provide for an adjusted annual quota of 550 mt of large medium and giant ABT to be harvested from the Regulatory Area by vessels permitted in the General category. Based on landings

statistics, the fishery was closed on September 12, 1995 (60 FR 48052, September 18, 1995). A transfer of 10 mt from the longline-south Incidental subcategory to the General category adjusted the General category quota to 560 mt (60 FR 51932, October 4, 1995). Furthermore, the 10 mt transfer established a geographic set-aside for the New York Bight fishery to be fished from October 1 until the 10 mt are taken.

Based on landings statistics, NMFS has determined that the late-season

quota of ABT allocated for General category vessels fishing in the New York Bight must be closed. Fishing for, retention of, possession of, or landing large medium or giant ABT by vessels in the General category must cease by 2330 hours December 15, 1995. This action is being taken to prevent overharvest of the quota.

This closure of the late-season General category fishery will not affect other categories fishing for ABT. The Incidental catch categories remain open.

Classification

This action is taken under 50 CFR 285.20(b) and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 971 *et seq.*

Dated: December 14, 1995.

Richard H. Schaefer,
Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 95-30822 Filed 12-14-95; 4:57 pm]

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