

13. Section 90.619 is amended by revising the first sentence of paragraph (a)(1) and the first sentence of paragraph (b)(7)(iii) to read as follows:

§ 90.619 Frequencies available for use in the U.S./Mexico and U.S./Canada border areas.

(a) * * *

(1) Table 1A lists the channels in the 806–821/851–866 MHz band Public Safety Category that are available for assignment to applicants eligible in the Public Safety and Special Emergency Radio Services. * * *

* * * * *

(b) * * *

(7) * * *

(iii) The Public Safety Category consists of the Public Safety and the Special Emergency Radio Services. * * *

14. Section 90.631 is amended by revising the second sentence of paragraph (g) to read as follows:

§ 90.631 Trunked system loading, construction, and authorization requirements.

* * * * *

(g) * * * Remote or satellite stations of wide area systems in the Public Safety, Special Emergency, Telephone Maintenance, and Power Radio Services may be authorized on a primary basis if such stations are the first to be authorized in their area of operation on the frequency or group of frequencies. * * *

* * * * *

15. Section 90.720 is revised to read as follows:

§ 90.720 Channels available for public safety/mutual aid.

(a) Part 90 licensees whose licenses reflect a two-letter radio service code beginning with the letter "P" are authorized by this rule to use mobile and/or portable units on Channels 161–170 throughout the United States, its territories, and possessions to transmit:

(1) Communications relating to the immediate safety of life; or

(2) Communications to facilitate interoperability among public safety entities, and public safety entities and Special Emergency Radio Service eligibles in §§ 90.35, 90.37, 90.41 and 90.45.

(b) Any entity eligible to obtain a license under subpart B of this part or eligible to obtain a license under §§ 90.35, 90.37, 90.41 and 90.45 of subpart C of this part is also eligible to obtain a license for base/mobile operations on Channels 161–170. Base/mobile or base/portable communications on these channels that

do not relate to the immediate safety of life or to communications interoperability among public safety entities, and public safety and the above specified special emergency entities may only be conducted on a secondary non-interference basis to such communications.

[FR Doc. 96–3821 Filed 2–20–96; 8:45 am]

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 1825

Acquisition of Japanese Products and Services

AGENCY: Office of Procurement, National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: This rule changes requirements for acquisition by NASA when Japanese products or services are offered. In negotiations with Japan, the U.S. Trade Representative has removed NASA from the list of agencies required to acquire Japanese products and services on a non-discriminatory basis. This was in response to the inability to reach agreement with Japanese negotiators on including the Japanese space agency under a trade agreement.

EFFECTIVE DATE: February 21, 1996.

FOR FURTHER INFORMATION CONTACT: Mr. Harold Jefferson, (202) 358–0409.

SUPPLEMENTARY INFORMATION:

Impact

NASA certifies that this regulation will not have a significant economic impact on a substantial number of small entities under Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule does not impose any reporting or record keeping requirements subject to the Paperwork Reduction Act.

List of Subjects in 48 CFR Part 1825

Government procurement.

Tom Luedtke,
Deputy Associate Administrator for Procurement.

Accordingly, 48 CFR part 1825 is amended as follows.

PART 1825—[FOREIGN ACQUISITION]

1. The authority citation for 48 CFR part 1825 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

2. Section 1825.401 is added to read as follows:

1825.401 Definitions.

For acquisition by NASA, the definition of "designated country" in FAR 25.401 excludes "Japan." NASA is not obligated to provide non-discriminatory treatment to Japanese products or services under the World Trade Organizations Government Procurement Agreement (GPA) effective January 1, 1996.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 681

[Docket No. 960212026–6026–01; I.D. 020296A]

RIN 0648–XX44

Western Pacific Crustacean Fisheries; 1996 Initial Quota

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

ACTION: Initial quota for crustaceans for 1996.

SUMMARY: NMFS announces a 1996 initial quota of 143,863 lobsters for the Northwestern Hawaiian Islands (NWHI) crustacean fishery. The quota was calculated according to the formula in Amendment 7 to the Fishery Management Plan for the Crustacean Fisheries of the Western Pacific Region (FMP). The final quota for the 1996 fishing year, which begins July 1, 1996, will be announced after the first month of fishing.

EFFECTIVE DATE: Effective July 1, 1996.

ADDRESSES: Copies of Amendment 7 and the associated background material for determining the quota may be obtained from Ms. Kitty Simonds, Executive Director, Western Pacific Fishery Management Council (Council), 1164 Bishop Street, Suite 1405, Honolulu, HI 96813.

FOR FURTHER INFORMATION CONTACT: Mr. Svein Fougner, 310–980–4034; Mr. Alvin Z. Katekaru, 808–973–2985; or Ms. Kitty Simonds, 808–522–8220.

SUPPLEMENTARY INFORMATION: The crustacean fisheries of NWHI are managed by the Secretary of Commerce (Secretary) according to the FMP, which was prepared by the Council under the authority of the Magnuson Fishery Conservation and Management Act. Regulations affecting the U.S. fishery are at 50 CFR part 681.

The annual quota for the crustacean fishery is announced in two steps. First, based on previous years' fishery data, sampling during research cruises, and other available data, the Director, Southwest Region, NMFS (Regional Director) determines an initial quota, which is announced in the Federal Register by NMFS. A population model by which the quota is determined is described in Amendment 7 to the FMP. The final quota for the year is then determined based on the initial quota, adjusted after consideration of actual commercial fisheries data collected during the first month of fishing. These actual catch and effort data, in conjunction with the previous information, provide an additional indicator of the status of the lobster stocks in NWHI. Amendment 7 provides that an annual quota be set at a level permitting an average catch per unit of effort (CPUE) of 1.0 for the fleet. The Regional Director has used the formula in Amendment 7 to set an initial quota for 1996 of 143,863 lobsters (spiny and slipper lobster combined). The final quota, to be announced in the Federal Register as soon as practicable after

August 15, 1996, may increase or decrease substantially from the initial quota. The Southwest Region, NMFS, will monitor landings against the quota and issue timely reports of summary data. The Southwest Region also will promptly notify participants in the fishery of any changes in the fishery; however, participants are advised to contact the Southwest Region (see ADDRESSES) periodically to stay abreast of any change in the quota and progress of the fishery toward attaining the quota. Under the procedures in 50 CFR 681.31(c), NMFS will announce the date upon which the quota will be reached or exceeded and close the fishery.

A proposed Amendment 9 to the FMP has been prepared by the Council. The amendment proposes changes in the quota-setting procedure that, if approved by the Secretary and implemented, would affect the 1996 fishery. The amount, size, and condition of lobster that may be harvested also would change if Amendment 9 is approved and implemented. Amendment 9 would be implemented by notice-and-comment rulemaking, so fishermen would be notified of any

changes made to the regulations governing the 1996 fishery and the associated harvest limit.

Classification

This action is authorized by 50 CFR part 681 and is exempt from review under E.O. 12866.

The Assistant Administrator for Fisheries (AA), NOAA, finds that since this notice merely announces a quota resulting from the nondiscretionary application of the objective quota formula in Amendment 7 to the FMP, no useful purpose would be served by providing prior notice and opportunity for public comment. Accordingly, the AA finds good cause under 5 U.S.C. 553(b)(B) to waive as unnecessary the requirement to provide prior notice and opportunity for public comment.

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

Dated: February 14, 1996.

Charles Karnella,

*Acting Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

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