

FOR FURTHER INFORMATION CONTACT:

Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97-24, adopted January 17, 1997, and released January 24, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97-2312 Filed 1-29-97; 8:45 am]

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DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 91**

RIN 1018-AE07

1997 Migratory Bird Hunting and Conservation Stamp (Federal Duck Stamp) Contest

AGENCY: Fish and Wildlife Service Interior.

ACTION: Proposed rule.

SUMMARY: The Fish and Wildlife Service (Service) is revising the regulations governing the conduct of the 1997 Migratory Bird Hunting and Conservation Stamp (Federal Duck Stamp) Contest. The following changes are proposed by the Service: (1)

Deadline for submitting entry; (2) technical requirements for design; and (3) subject matter of entry. The contest deadline is being reestablished for submitting entry to allow participants additional time to research the anatomy of eligible species since many species are located in many diverse geographical regions and may require more investigation and perfection of the artwork. The technical requirements for design to mat the entry over only sets uniformity for exhibiting at various museums across the country and protects the entry from being damaged. Additional clarification is needed under the subject matter of entry stating the design has to be the contestant's original "hand drawn" creation. The design may not be copied or duplicated from previously published art, including photographs, or computer-generated art otherwise it will be ineligible or disqualified.

DATES: Comments concerning these amendments must be received no later than March 31, 1997.

ADDRESSES: Send comments to: Manager of Licensing, Federal Duck Stamp Contest, U.S. Fish and Wildlife Service, Department of the Interior, 1849 C Street, NW, Suite 2058, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Mrs. Lita F. Edwards, (202) 208-4354.

SUPPLEMENTARY INFORMATION: The Federal Duck Stamp Contest is the only Federal agency-run art contest and has been in existence since 1949 with the 1950 stamp the first to be selected in open competition. The Federal Duck Stamp's main use is a revenue stamp needed by waterfowl hunters. This year's Contest and species information follows:

1. Contest schedule:

1997-98 Federal Duck Stamp Contest—November 4-6, 1997

Public Viewing—Tuesday, November 4 from 10:00 a.m. to 2:00 p.m.

Judging—Wednesday, November 5 at 10:30 a.m. through Thursday, November 6 at 9:00 a.m.

2. The Contest will be held at the Department of the Interior building, Auditorium (C Street entrance), 1849 C Street, NW, Washington, DC.

3. The *three* eligible species for the Contest: (1) Barrow's Goldeneye; (2) Black Scoter; and (3) Mottled Duck.

As part of an effort to administer and make minor improvements to the Contest, the Service proposes the following changes to the 1997 contest:

1. Persons wishing to enter the 1997 Contest may submit entries anytime after July 1, but *all* entries must be

postmarked no later than midnight Monday, September 15, 1997.

2. The Service is requiring that each entry must be matted (*over only*) with a 9x12 inch white mat, 1 inch wide, and the entire entry cannot exceed ¼ inch in total thickness. This new format is a requirement to secure the artwork from being damaged and sets uniformity for exhibiting at various museums across the country.

3. The Service is clarifying that the identified species must be the *dominant* feature of the design. The design must be the contestant's original "hand drawn" creation. The design may not be copied or duplicated from previously published art, including photographs. Photographs, computer-generated art, art produced from a computer printer or other computer/mechanical output device (air brush method excepted) are ineligible and will be disqualified.

The Federal Duck Stamp Program's intent is to keep the art competition as a traditional American art form. The history, tradition and beauty of this unique art form should be maintained by requiring art entries to be created in the traditional "hand painted" manner that artists have been submitting over the years.

This regulation was not subject to Office of Management and Budget review under Executive Order 12866. These proposed regulations have been examined under the Paperwork Reduction Act of 1995 and have been found to contain no information collection requirements. The Department of the Interior has determined that this regulation will not have significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) as the changes/revisions to the Contest will affect individuals, not businesses or other small entities as defined in the Act.

List of Subjects in 50 CFR 91

Hunting, Wildlife.

Accordingly, Title 50, Part 91 of the Code of Federal Regulations is proposed to be amended as follows:

PART 91—(AMENDED)

1. The authority citation for Part 91 continues to read as follows:

Authority: 5 U.S.C. 301; 16 U.S.C. 718j; 31 U.S.C. 9701.

2. Section 91.11 is amended by revising paragraph (b) to read as follows:

§ 91.11 Contest deadlines.

* * * * *

(b) Entries must be postmarked no later than midnight September 15.

3. Section 91.13 is revised to read as follows:

§ 91.13 Technical requirements for design and submission of entry.

The design must be a horizontal drawing or painting seven (7) inches high and ten (10) inches wide. The entry may be drawn in any medium desired by the contestant and may be in either multicolor or black and white. No scroll work, lettering, bird band numbers, signatures or initials may appear on the design. Each entry must be matted (*over only*) with a nine (9) inch by twelve (12) inch white mat, one (1) inch wide, and the entire entry cannot exceed one quarter ($\frac{1}{4}$) inch in total thickness. Entries must not be framed, under glass, or have a protective covering that is attached to the entry.

4. Section 91.14 is revised to read as follows:

§ 91.14 Restriction on subject matter to entry.

A live portrayal of any bird(s) of the five or fewer identified eligible species must be the dominant feature of the design. The design may depict more than one of the eligible species. Designs may include, but are not limited to, hunting dogs, hunting scenes, use of waterfowl decoys, National Wildlife Refuges as the background of habitat scenes, and other designs that depict the sporting, conservation, stamp collecting and other uses of the stamp. The overall mandate will be to select the best design that will make an interesting, useful and attractive duck stamp that will be accepted and prized by hunters, stamp collectors, conservationists, and others. The design must be the contestant's original "hand drawn" creation. The entry design may not be copied or

duplicated from previously published art, including photographs. Photographs, computer-generated art, art produced from a computer printer or other computer/mechanical output device (air brush method excepted) art are not eligible to be entered into the contest and will be disqualified. An entry submitted in a prior contest that was not selected for the Federal or a state stamp design may be submitted in the current contest if it meets the above criteria.

Dated: January 17, 1997.

George T. Frampton, Jr.,
Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 97-2347 Filed 1-29-97; 8:45 am]

BILLING CODE 4310-55-M