

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Parts 64 and 68**

[CC Docket No. 92-90; FCC 97-117]

**Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, Order on Further Reconsideration****AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

**SUMMARY:** On April 10, 1997, the Commission released an Order on Further Reconsideration clarifying that a facsimile broadcast service provider must ensure that the identifying information of the entity on whose behalf the provider sent facsimile messages appears on messages. We determine that the sender of a facsimile message is the creator of the content of the message. The Order on Further Reconsideration is intended to alert the industry and the general public that a facsimile message must include the identification of the business, other entity, or individual creating or originating the message.

**EFFECTIVE DATE:** May 23, 1997.**ADDRESSES:** Federal Communications Commission, 1919 M Street, N.W., Washington, DC 20554.**FOR FURTHER INFORMATION CONTACT:** Renee Alexander, Attorney, Network Services Division, Common Carrier Bureau, (202) 418-2497.

**SUPPLEMENTARY INFORMATION:** This summarizes the Commission's Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, Order on Further Reconsideration, FCC 97-117, adopted April 3, 1997, and released April 10, 1997. The file is available for inspection and copying during the weekday hours of 9 a.m. to 4:30 p.m. in the Commission's Reference Center, room 239, 1919 M St., NW., Washington DC, or copies may be purchased from the Commission's duplicating contractor, ITS, Inc., 2100 M St., NW., Suite 140, Washington, DC 20037, phone (202) 857-3800.

**Analysis of Proceeding**

In the Order on Further Reconsideration, the Commission reconsiders our determination in the Memorandum Opinion and Order (60 FR 42068, August 15, 1995) that a facsimile broadcast service provider must ensure that its identifying information and the identifying information of the entity on whose behalf it sent facsimile messages must

appear on the messages. The Commission finds that the sender of a facsimile message is the creator of the content of the message. Thus, the Commission concludes that Section 227(d)(1) of the Telephone Consumer Protection Act of 1991, Public Law 102-243 (1991), mandates that a facsimile message must include the identification of the business, other entity, or individual creating or originating that message and not the entity that transmits the message.

**Ordering Clauses**

Accordingly, pursuant to Sections 4(i), 227(d)(2) and 405(a) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 227(d)(2) and 405(a), and Section 1.106 of the Commission's Rules, 47 CFR § 1.106, it is ordered, that MCI's petition for clarification or, in the alternative, reconsideration is granted.

**List of Subjects***47 CFR Part 64*

Communications common carriers, Telephone.

*47 CFR Part 68*

Communications equipment, Telephone.

Federal Communications Commission.

**William F. Caton,***Acting Secretary.*

[FR Doc. 97-10426 Filed 4-22-97; 8:45 am]

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Parts 674 and 679**

[Docket No. 970326069-7069-01; I.D. 022597F]

RIN 0648-AJ38

**Fisheries of the Exclusive Economic Zone Off Alaska; High Seas Salmon Fishery Off Alaska****AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.**ACTION:** Final rule and technical amendment.

**SUMMARY:** NMFS is consolidating 50 CFR part 674 into 50 CFR part 679 as part of the President's Regulatory Reform Initiative. NMFS is also correcting a technical error in regulations implementing pelagic trawl performance standards for the Alaska

groundfish trawl fleet. NMFS is also correcting cross-references contained in the Individual Fishing Quota program and in the recordkeeping and reporting requirements.

**EFFECTIVE DATE:** May 23, 1997.**ADDRESSES:** Comments on the collection-of-information requirements repromulgated by this rule may be sent to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB)(0648-0206), Washington, DC 20503, and to Patsy A. Bearden, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802.**FOR FURTHER INFORMATION CONTACT:** Patsy A. Bearden, NMFS, 907-586-7228.**SUPPLEMENTARY INFORMATION:****Final Rule**

The Magnuson-Stevens Fishery Conservation and Management Act authorizes the North Pacific Fishery Management Council (Council) to prepare and amend fishery management plans for any fishery in waters under its jurisdiction. In December 1978, the Council prepared the Fishery Management Plan for the High Seas Salmon Fishery off the Coast of Alaska East of 175° E. Long. (Salmon FMP) and submitted it to the Secretary of Commerce (Secretary) for approval. On May 3, 1979, the Secretary approved the Salmon FMP, and it was implemented in May 1979 by Federal regulations at 50 CFR part 674.

As a result of the President's Regulatory Reform Initiative (61 FR 31228, June 19, 1996), NMFS removed parts 671, 672, 673, 675, 676, and 677 of title 50 CFR and consolidated the regulations contained therein into one new part, 50 CFR part 679. The consolidation of 50 CFR part 674, the regulations implementing the Salmon FMP, was delayed due to extensive review of the management of the High Seas Salmon Fishery by NMFS. This final rule removes 50 CFR part 674 and consolidates the regulations contained therein into 50 part 679. This action provides the public with a single reference source for the Federal fisheries regulations specific to the EEZ off Alaska and results in regulations that are more concise and easier to use.

**Technical Amendment**

Regulations implementing the Fishery Management Plan for Groundfish of the Gulf of Alaska and the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area appear at 50 CFR part 679. Due to the complexity of the consolidation of the six parts into part