

U.S.C. 10935. *See Employee Protection—Motor Passenger Carriers*, 133 M.C.C. 140 (1983). By its terms, the provisions of section 27 expired 12 years after its November 1982 effective date. *See Section 27(i)*. The ICCTA, moreover, repealed former section 10935.

#### Small Entities

The Board certifies that this rule will not have a significant economic effect on a substantial number of small entities.

#### Environment

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

#### List of Subjects

##### 49 CFR Part 1022

Intergovernmental relations.

##### 49 CFR Part 1030

Railroads.

##### 49 CFR Part 1091

Alaska, Intermodal transportation, Motor carriers.

##### 49 CFR Part 1131

Administrative practice and procedure, Investigations, Railroads.

##### 49 CFR Part 1143

Administrative practice and procedure, Intergovernmental relations.

##### 49 CFR Part 1156

Railroads, Uniform system of accounts.

##### 49 CFR Part 1170

Administrative practice and procedure, Buses, Employment.

Decided: September 19, 1997.

By the Board, Chairman Morgan and Vice Chairman Owen.

**Vernon A. Williams,**  
Secretary.

#### PART 1022—[REMOVED]

#### PART 1030—[REMOVED]

#### PART 1091—[REMOVED]

#### PART 1131—[REMOVED]

#### PART 1143—[REMOVED]

#### PART 1156—[REMOVED]

#### PART 1170—[REMOVED]

For the reasons set forth in the preamble and under the authority of 49

U.S.C. 721(a), title 49, chapter X, of the Code of Federal Regulations is amended by removing parts 1022, 1030, 1091, 1131, 1143, 1156 and 1170.

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prohibit fishing for, or retention of, Atlantic bluefin tuna by those fishing in the category subject to the quota when the catch of tuna equals the quota established under § 285.22.

The AA has determined, based on the reported catch and estimated fishing effort, that the annual quota of school, large school, and small medium ABT for those fishing in waters off New Jersey and states north will be attained by October 1, 1997. Fishing for, catching, possessing, or landing any school, large school, or small medium ABT (measuring 27 inches to less than 73 inches (69 cm to less than 185 cm)) in the closed area must cease at 11:30 p.m. local time on October 1, 1997. The southern area (the waters off Delaware and states south) fishery for school, large school, and small medium ABT was previously closed for the 1997 season (62 FR 44423, August 21, 1997; 62 FR 35447, July 1, 1997).

The fishery for large medium and giant ABT (measuring 73 inches or greater) is not affected by this closure and remains open in all areas until further notice, subject to the trophy fish limit of one-per-vessel-per-year. Such large medium or giant ABT must be reported to the nearest NMFS enforcement office as required under § 285.24. In North Carolina, trophy fish must be reported to the Coast Guard at 919-995-6403. Anglers should verify that the trophy category remains open by calling the NMFS 24-hour Information Line at 301-713-1279 prior to each fishing trip. In addition, anglers may continue to tag and release ABT of all sizes under the NMFS tag-and-release program (50 CFR 285.27).

#### Classification

This action is taken under 50 CFR 285.20(b) and 50 CFR 285.22 and is exempt from review under E.O. 12866.

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

Dated: September 23, 1997.

**Bruce C. Morehead,**

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

[FR Doc. 97-25671 Filed 9-23-97; 4:59 pm]

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 285

[I.D. 091897A]

##### Atlantic Tuna Fisheries; Atlantic Bluefin Tuna Angling Category

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

**ACTION:** Closure.

**SUMMARY:** NMFS closes the fishery for school, large school, and small medium Atlantic bluefin tuna (ABT) conducted by Angling category fishermen in the waters off New Jersey and states north. Closure of this fishery is necessary because the annual quota of 57 metric tons (mt) of school ABT and 80 mt of large school/small medium ABT allocated for this subcategory in waters off New Jersey and states north is projected to be attained by October 1, 1997. The intent of this action is to prevent overharvest of the quotas established for this fishery.

**DATES:** Effective 11:30 p.m. local time on October 1, 1997, through December 31, 1997.

##### FOR FURTHER INFORMATION CONTACT:

Sarah McLaughlin, 301-713-2347, or Mark Murray-Brown, 508-281-9260.

##### SUPPLEMENTARY INFORMATION:

Regulations promulgated under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) regulating the harvest of ABT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285.

Section 285.22(d)(1) of the regulations provides for annual quotas of 57 mt of school ABT and 80 mt of large school/small medium ABT to be harvested from waters off New Jersey and states north by individuals in the Angling category. The Assistant Administrator for Fisheries, NOAA (AA), is authorized under § 285.20(b)(1) to monitor the catch and landing statistics and, on the basis of those statistics, to project a date when the catch of ABT will equal any quota under § 285.22. The AA is further authorized under § 285.20(b)(1) to