

may challenge in writing the accuracy of the carrier's certification and shall serve a copy of such challenge on the carrier. See §§ 1.45 and 1.47 and §§ 1.720 through 1.736 of this chapter.

(viii) If a wireless carrier's certification is facially inadequate, the six-month implementation period specified in paragraphs (d), (f) and (g) of this section will not be suspended as provided for in paragraph (j)(4) of this section.

(ix) If a wireless carrier's certification is inaccurate, the wireless carrier will be liable for noncompliance as if the certification had not been filed.

(x) A carrier that files a certification under paragraph (j)(4) of this section shall have 90 days from receipt of the PSAP's written notice that it is capable of receiving and utilizing the data elements associated with the service requested to provide such service in accordance with the requirements of paragraphs (d) through (h) of this section.

(5) *Modification of deadlines by agreement.* Nothing in this section shall prevent Public Safety Answering Points and carriers from establishing, by mutual consent, deadlines different from those imposed for carrier and PSAP compliance in paragraphs (d), (f), and (g)(2) of this section.

\* \* \* \* \*

[FR Doc. 03-1326 Filed 1-21-03; 8:45 am]

BILLING CODE 6712-01-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

#### Endangered and Threatened Wildlife and Plants; Address Change for Submission of Reports

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** We are updating the address for the submission of reports on specimens of endangered species taken in defense of self or others, or in the course of official duty by employees of Federal or State land management or conservation agencies.

**DATES:** This rule is effective on January 22, 2003.

**FOR FURTHER INFORMATION CONTACT:** Richard McDonald, Chief, Branch of Investigations, Office of Law Enforcement, U.S. Fish and Wildlife Service, telephone (703) 358-1949, fax (703) 358-1947.

**SUPPLEMENTARY INFORMATION:**

### Background

Regulations contained in title 50 of the Code of Federal Regulations, Part 17.21, provide for the take of endangered species in defense of self or others, or in the course of official duty, by employees of Federal or State land management or conservation agencies (40 FR 44412). These regulations state that when take of endangered species occurs under any of the above circumstances, a report must be submitted to our Office of Law Enforcement within five days. The address for the submission of these reports has changed since the publication of these regulations on September 26, 1975. This rule provides the current address for the submission of these reports.

### Required Determinations

We have reviewed this rule under the following statutes and Executive Orders that govern the rulemaking process: Executive Order 12866 (Regulatory Planning and Review); Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*); Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 804(2)); Unfunded Mandates Reform Act (2 U.S.C. 1501 *et seq.*); Executive Order 12630 (Takings); Executive Order 13132 (Federalism); Executive Order 12988 (Civil Justice Reform); Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*); National Environmental Policy Act; Executive Order 13175 (Tribal Consultation) and 512 DM 2 (Government-to-Government Relationship With Tribes); and Executive Order 13211 (Energy Supply, Distribution, or Use). We have determined that this rule does not trigger any of the procedural requirements of these Executive Orders or statutes since this rule modifies only the address for the submission of reports on the take of endangered species under certain circumstances.

We have determined that the public notice and comment provisions of the Administrative Procedure Act (APA) do not apply to this rule because the rule is only dealing with matters of agency organization, procedure, or practice (5 U.S.C. 553(b)(3)(A)).

Under the APA, our normal practice is to publish rules with a 30-day delay in effective date. But in this case, we are using the "good cause" exemption under 5 U.S.C. 553 (d)(3) to make this rule effective upon publication because it modifies only the address for the submission of reports on the take of endangered species under certain circumstances.

### List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

### Regulation Promulgation

Accordingly, we amend part 17, subchapter B of Chapter I, title 50 of the Code of Federal Regulations as set forth below:

#### PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:

**Authority:** 16 U.S.C. 1361-1407; 16 U.S.C. 1531-1544; 16 U.S.C. 4201-4245; Pub. L. 99-625, 100 Stat. 3500; unless otherwise noted.

2. In § 17.21, revise paragraph (c)(4) to read as follows:

#### § 17.21 Prohibitions.

\* \* \* \* \*

(c) \* \* \*

(4) Any taking under paragraphs (c)(2) and (3) of this section must be reported in writing to the U.S. Fish and Wildlife Service, Office of Law Enforcement, 4401 North Fairfax Drive, LE-3000, Arlington, VA 22203, within five days. The specimen may only be retained, disposed of, or salvaged under directions from the Office of Law Enforcement.

\* \* \* \* \*

Dated: December 16, 2002.

**Craig Manson,**

*Assistant Secretary—Fish and Wildlife and Parks.*

[FR Doc. 03-1414 Filed 1-21-03; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 020409080-2174-05; I.D. 011003B]

RIN 0648-AP78

#### Fisheries of the Northeastern United States; Magnuson-Stevens Fishery Conservation and Management Act Provisions; Northeast Multispecies Fishery

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

**ACTION:** Notice of continuation of regulations.

**SUMMARY:** The regulations contained in the interim rule published on August 1, 2002, in order to reduce overfishing, are continued for an additional 180 days, after which subsequent Secretarial action may be taken to ensure that sufficient measures to reduce overfishing stay in effect until implementation of Amendment 13 to the Northeast Multispecies Fishery Management Plan (FMP). Amendment 13 will implement rebuilding plans for several groundfish stocks and address capacity issues in the fishery. This action is necessary to comply with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) regarding the continuation of interim final regulations.

**DATES:** The interim final rule published August 1, 2002, at 67 FR 50292, which became effective August 1, 2002, continues in effect until superseded by a future rule action to be published in the **Federal Register**.

**ADDRESSES:** Copies of the small entity compliance guide prepared for the August 1, 2002, interim final rule are available from Patricia A. Kurkul, Regional Administrator, Northeast Regional Office, National Marine Fisheries Service, One Blackburn Drive, Gloucester, MA 01930-2298. The letter is also accessible via the Internet at <http://www.nero.noaa.gov>. Copies of the August 1, 2002, interim final rule, including the Environmental Assessment/Regulatory Impact Review/Final Regulatory Flexibility Analysis (EA/RIR/FRFA), and public comments and responses are available upon request from the Regional Administrator. The EA/RIR/FRFA is also accessible via the Internet at <http://www.nero.nmfs.gov>.

**FOR FURTHER INFORMATION CONTACT:** Thomas Warren, Fishery Policy Analyst, (978) 281-9347, fax (978) 281-9135, e-mail [Thomas.Warren@noaa.gov](mailto:Thomas.Warren@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

On August 1, 2002, NMFS published an interim final rule (67 FR 50292), which implemented the Settlement Agreement Among Certain Parties in Conservation Law Foundation, et al. v. Evans, et al., intended to reduce overfishing of species managed under the Northeast Multispecies FMP while the New England Fishery Management Council developed Amendment 13, which is intended to bring the FMP into compliance with the Sustainable Fisheries Act. The August 1, 2002, interim final rule was consistent with a Remedial Order issued on May 23, 2002,

by the U.S. District Court for the District of Columbia (Court). The interim rule implemented restrictions consistent with the Settlement Agreement, approved by the Court. The management measures implemented by the August 1, 2002, interim rule are intended to remain in effect until implementation of Amendment 13 to the FMP, which, based on the May 23, 2002, Court Order, was required to be in effect no later than August 22, 2003.

Due to the need for additional time to address concerns related to the Northeast Fisheries Science Center's trawl survey and the new biological reference points that have been developed for multispecies stocks, NMFS and two of the plaintiffs filed a motion with the Court requesting an extension of the August 22, 2003, implementation schedule until May 1, 2004. On December 4, 2002, the Court granted an extension of the Court-ordered timeline for Amendment 13 implementation until May 1, 2004.

Pursuant to section 305(c) of the Magnuson-Stevens Act, the August 1, 2002, interim rule may remain in effect for 180 days and may be extended through publication in the **Federal Register**, for one additional period of 180 days, provided the public has had an opportunity to comment on the interim rule. The public was given such opportunity to comment in the form of a proposed rule before the final interim rule was published. NMFS has determined that it is necessary to continue this interim rule to reduce overfishing. Because the management measures implemented by the August 1, 2002, interim final rule were written in such a way as to be effective indefinitely, no formal regulatory action is necessary. Instead, to comply with section 305(c) of the Magnuson-Stevens Act, it is necessary only to publish in the **Federal Register** a Notice of Continuation of Regulations to inform the public that NMFS has decided to continue these regulations. The impacts of implementing the Settlement Agreement measures for a period of 1 year were analyzed in the Environmental Assessment completed for the August 1, 2002, interim final rule.

Because the schedule for implementation of Amendment 13 was extended until May 1, 2004, additional Secretarial action may be necessary to continue sufficient management measures to reduce overfishing beyond July 27, 2003, until the implementation of Amendment 13 (May 1, 2004). Any such action would be accomplished through additional rulemaking. Should NMFS determine that such action is

unnecessary, a rule may need to be published to restore certain regulations that existed prior to publication of the August 1, 2002, interim rule.

The August 1, 2002 interim final rule was determined to be significant for purposes of Executive Order 12866.

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

Dated: January 16, 2003.

**Rebecca Lent,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

[FR Doc. 03-1374 Filed 1-16-03; 4:05 pm]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 021212307-2307-01; I.D. 011303D]

**Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands**

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

**ACTION:** Closures and openings.

**SUMMARY:** NMFS is prohibiting directed fishing for Atka mackerel with gears other than jig in the Eastern Aleutian District and the Bering Sea subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the interim 2003 total allowable catch (TAC) of Atka mackerel in these areas. NMFS is also announcing the opening and closing dates of the first and second directed fisheries within the harvest limit area (HLA) in Statistical Areas (areas) 542 and 543. These actions are necessary to prevent exceeding the HLA limits established for the Central (area 542) and Western (area 543) Aleutian Districts pursuant to the interim 2003 Atka mackerel TAC.

**DATES:** Prohibition of directed fishing for Atka mackerel with gears other than jig in the Eastern Aleutian District and the Bering Sea subarea: Effective 1200 hrs, Alaska local time (A.l.t.), January 22, 2003, until superseded by the notice of Final 2003 Harvest Specifications for Groundfish, which will be published in the **Federal Register**. The first directed fisheries in the HLA in area 542 and area 543 are open effective 1200 hrs, A.l.t., January 24, 2003. The first HLA