

and have determined that there are no potential effects. Affiliated Native American tribes were contacted by letter dated July 12, 2002 to solicit any interests or concerns with the proposed action. Two tribes responded; the Tohono O'odham and the Hopi Tribes. Both tribes expressed concern that archeological resources be surveyed for impacts from this proposed bicycle use. The NPS has determined that the archeological resources will not sustain adverse impacts and has indicated this in writing to the tribes.

#### Clarity of Rule

Executive Order 12866 requires each agency to write regulations that are easy to understand. We invite your comments on how to make this rule easier to understand, including answers to questions such as the following: (1) Are the requirements in the rule clearly stated? (2) Does the rule contain technical language or jargon that interferes with its clarity? (3) Does the format of the rule (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce its clarity? (4) Would the rule be easier to read if it were divided into more (but shorter) sections? (A "section" appears in bold type and is preceded by the symbol "§" and a numbered heading; for example **§ 7.11 Saguaro National Park**.) (5) Is the description of the rule in the **SUPPLEMENTARY INFORMATION** section of the preamble helpful in understanding the proposed rule? What else could we do to make the rule easier to understand?

Send a copy of any comments that concern how we could make this rule easier to understand to: Office of Regulatory Affairs, Department of the Interior, Room 7229, 1849 C Street, NW., Washington, DC 20240. You may also email the comments to this address: [Exsec@ios.doi.gov](mailto:Exsec@ios.doi.gov).

**Drafting Information:** The primary authors of this regulation were Laurie Domler, National Park Service Denver, Kym Hall, NPS Regulations Program Manager, and Sarah Craighead, Superintendent, Saguaro National Park.

#### List of Subjects in 36 CFR Part 7

District of Columbia, National parks, Reporting and recordkeeping requirements

■ We propose to amend 36 CFR part 7 as set forth below:

#### PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

■ The authority for part 7 continues to read as follows:

**Authority:** 16 U.S.C. 1, 3, 9a, 460(q), 462(k); Sec. 7.96 also issued under D.C. Code 8–137(1981) and D.C. Code 40–721 (1981).

■ 1. Add § 7.11 to read as follows:

#### § 7.11 Saguaro National Park

(a) Bicycles. That portion of the Cactus Forest Trail inside the Cactus Forest Drive is open to non-motorized bicycle use.

(b) [Reserved].

Dated: August 11, 2003.

**Craig Manson,**

*Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 03–21334 Filed 8–19–03; 8:45 am]

**BILLING CODE 4310–08–P**

### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Parts 54 and 61

[CC Docket Nos. 96–262, 94–1, 99–249 and 96–45; FCC 03–164]

#### Access Charge Reform; Price Cap Performance Review for LECs; Low-Volume Long Distance Users; and Federal-State Joint Board on Universal Service

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Commission addresses two issues before the Commission on remand from the United States Court of Appeals for the Fifth Circuit. In the *CALLS Order*, 65 FR 57739, May 31, 2000, the Commission adopted comprehensive reforms to the interstate access charge regime and universal service support for price cap carriers, based in part on a proposal submitted by the Coalition for Affordable Local and Long-Distance Service. The Court affirmed the *CALL Order* in most respects, but remanded for further explanation and analysis the Commission's decisions to size the Interstate Access Support Mechanism at \$650 million and to set the X-factor at 6.5 percent.

**DATES:** Effective September 19, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Theodore Burmeister, Attorney, Wireline Competition Bureau, Telecommunications Access Policy Division, (202) 418–7400.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Order in CC Docket Nos. 96–262, 94–1, 99–249 and 96–45; FCC 03–164, released on July 10, 2003. The full text of this document is available for public inspection during regular business

hours in the FCC Reference Center, Room CY–A257, 445 Twelfth Street, SW., Washington, DC 20554.

#### I. Introduction

1. In this Order, the Commission addresses two issues on remand from the United States Court of Appeals for the Fifth Circuit. In the *CALLS Order*, the Commission adopted comprehensive reforms to the interstate access charge regime and universal service support for price cap carriers, based in part on a proposal submitted by the Coalition for Affordable Local and Long-Distance Service. On September 10, 2001, the Fifth Circuit affirmed the *CALLS Order* in most respects, but remanded for further analysis and explanation the decisions to size the Interstate Access Support (UIAS) mechanism at \$650 million and to adopt the 6.5 percent X-factor. The Commission concludes that the \$650 million IAS amount included in the integrated CALLS plan represents a reasonable estimate of the implicit support in access charges to be replaced with explicit support and is supported by the record in this proceeding. The Commission also concludes that the record supports the adoption of a 6.5 percent X-factor to achieve the Commission's target rate levels for price cap carriers.

2. It is ordered, pursuant to sections 1, 4(i) and (j), 201–209, 218–222, 254, and 403 of the Communications Act, as amended, 47 U.S.C. 151, 154(i), 154(j), 201–209, 218–222, 254, and 403, that this Order is hereby adopted and shall become effective September 19, 2003.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 03–21247 Filed 8–19–03; 8:45 am]

**BILLING CODE 6712–01–P**

### DEPARTMENT OF TRANSPORTATION

#### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. NHTSA–2003–15947]

RIN 2127–A185

#### Federal Motor Vehicle Safety Standards; Occupant Crash Protection

**AGENCY:** National Highway Traffic Safety Administration (NHTSA); Department of Transportation (DOT).

**ACTION:** Correcting amendment.

**SUMMARY:** This rule corrects an error in the figure for the removable dash label

required under Federal Motor Vehicle Safety Standard (FMVSS) No. 208, *Occupant Cash Protection*. This document resolves the problem by adding Figure 12, in order to restore consistency between the advanced air bag removable dash label and the advanced air bag sun visor warning label. This document also corrects a cross reference to the definition of "carlines" contained in the limited line manufacturer exception to the advanced air bag phase-in requirements.

**DATES:** This final rule is effective August 20, 2003.

**FOR FURTHER INFORMATION CONTACT:** For non-legal issues, you may contact Lou Molino, Office of Crashworthiness Standards, Light Duty Vehicle Division, NVS-112. Telephone: (202) 366-2264. Fax: (202) 493-2739. For legal issues, you may contact Chris Calamita, Office of the Chief Counsel, NCC-20. Telephone: (202) 366-2992. Fax: (202) 366-3820.

You may send mail to these officials at the National Highway Traffic Safety Administration, 400 Seventh St., SW, Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** In a January 6, 2003 final rule, NHTSA amended the label requirements for vehicles certified to the advanced air bag requirements. (68 FR 504) The final rule added a bullet statement to the sun visor label (FMVSS No. 208, Figure 11) that states: "Never put a rear-facing child seat in the front." The statement has been required on air bag labels in vehicles without advanced air bags since 1996, but was not required for the advanced air bag labels. (65 FR 30680; May 12, 2000.) The decision not to include the statement was in recognition that the advanced air bag requirements are intended to minimize the risk related to air bag deployments. However, the only means to completely eliminate the risk of air bag-related injury or death to children in rear facing child restraints is to never place them in the vehicle's front seat.

The re-insertion of the statement on the sun visor label highlights the especially high risk of air bag-related injury or death to children in rear-facing child restraints. It also educates the public about the need to ensure that all children are properly restrained in the back seat.

However, the inclusion of the statement in the sun visor label, but not the dash label, created an inconsistency between the labels. Prior to the January 2003 amendment, the advanced air bag sun visor label (FMVSS No. 208, Figure 8) and the current advanced air bag dash label (FMVSS No. 208, Figure 9) were

identical in content. Having this intentional consistency was necessary to avoid confusing consumers about the importance of the warnings.

In response to the January 2003 final rule, Honda commented that, "the Removable Label on Dash (Figure 9) that should correspond to the applicable sun visor label was not amended. To avoid confusing or misleading users, the statement '*never put a rear-facing child seat in the front*' should be added in the removable label." The agency agrees that the warnings on the removable dash label and sun visor label should be consistent.

To maintain consistency and conform the dash label to the sun visor label, Figure 12 is added to FMVSS No. 208, which is identical to Figure 9 except that Figure 12 has an additional bullet point stating: "Never put a rear-facing child seat in the front." Maintaining the uniformity of the dash and sun visor labels ensures that users are not confused as to the importance of placing rear-facing child seats in the vehicle's back seat. To further maintain consistency with the sun visor label, the bullet point will not be required on the temporary dash label if the vehicle has no back seat or the back seat is too small to accommodate a rear-facing child restraint.

The removable dash labels required on vehicles certified on or after December 1, 2003, must conform to Figure 12 of FMVSS No. 208. The labels on vehicles certified before December 1, 2003, must conform to either Figure 9 or 12.

This amendment also corrects a cross reference in S14.1(b), which incorrectly cites 49 CFR 585.4 for the definition of "carline." The correct cross-reference is 49 CFR 583.4.

#### List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

■ In consideration of the foregoing, NHTSA amends 49 CFR part 571 as follows:

#### PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

■ 1. The authority citation for part 571 of Title 49 continues to read as follows:

**Authority:** 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 40 CFR 1.50.

■ 2. Section 571.208 is amended as follows:

- a. By revising paragraph (e) in S4.5.1;
- b. By revising paragraph (b) in S14.1; and

■ c. By adding Figure 12 immediately following Figure 11.

The additions and revisions read as follows: § 571.208 Standard No. 208; Occupant crash protection.

\* \* \* \* \*

#### S4.5 Other general requirements.

##### S4.5.1 Labeling and owner's manual information.

\* \* \* \* \*

(e) *Label on the dashboard.* (1) Except as provided in S4.5.1(e)(2), each vehicle that is equipped with an inflatable restraint for the passenger position shall have a label attached to a location on the dashboard or the steering wheel hub that is clearly visible from all front seating positions. The label need not be permanently affixed to the vehicle. This label shall conform in content to the label shown in Figure 7 of this standard, and shall comply with the requirements of S4.5.1(e)(1)(i) through S4.5.1(e)(1)(iii).

(i) The heading area shall be yellow with the word "WARNING" and the alert symbol in black.

(ii) The message area shall be white with black text. The message area shall be no less than 30 cm<sup>2</sup> (4.7 in<sup>2</sup>).

(iii) If the vehicle does not have a back seat, the label shown in Figure 7 may be modified by omitting the statement: "The back seat is the safest place for children 12 and under."

(2) Vehicles certified to meet the requirements specified in S19, S21, and S23 before December 1, 2003, that are equipped with an inflatable restraint for the passenger position shall have a label attached to a location on the dashboard or the steering wheel hub that is clearly visible from all front seating positions. The label need not be permanently affixed to the vehicle. This label shall conform in content to the label shown in either Figure 9 or Figure 12 of this standard, at manufacturer's option, and shall comply with the requirements of S4.5.1(e)(2)(i) through S4.5.1(e)(2)(iv).

(i) The heading area shall be yellow with black text.

(ii) The message area shall be white with black text. The message area shall be no less than 30 cm<sup>2</sup> (4.7 in<sup>2</sup>).

(iii) If the vehicle does not have a back seat, the labels shown in Figures 9 and 12 may be modified by omitting the statement: "The back seat is the safest place for children."

(iv) If the vehicle does not have a back seat or the back seat is too small to accommodate a rear-facing child restraint consistent with S4.5.4.1, the label shown in Figure 12 may be modified by omitting the statement: "Never put a rear-facing child seat in the front."

(3) Vehicles certified to meet the requirements specified in S19, S21, and S23 on or after December 1, 2003, that are equipped with an inflatable restraint for the passenger position shall have a label attached to a location on the dashboard or the steering wheel hub that is clearly visible from all front seating positions. The label need not be permanently affixed to the vehicle. This label shall conform in content to the label shown in Figure 12 of this standard and shall comply with the requirements of S4.5.1(e)(3)(i) through S4.5.1(e)(3)(iv).

(i) The heading area shall be yellow with black text.

(ii) The message area shall be white with black text. The message area shall be no less than 30 cm<sup>2</sup> (4.7 in<sup>2</sup>).

(iii) If the vehicle does not have a back seat, the label shown in Figure 12 may be modified by omitting the statement: "The back seat is the safest place for children."

(iv) If the vehicle does not have a back seat or the back seat is too small to accommodate a rear-facing child restraint consistent with S4.5.4.1, the label shown in Figure 12 may be modified by omitting the statement: "Never put a rear-facing child seat in the front."

\* \* \* \* \*

S14.1 *Vehicles manufactured on or after September 1, 2003, and before September 1, 2006.*

\* \* \* \* \*

(b) Manufacturers that sell three or fewer carlines, as that term is defined at 49 CFR 583.4, in the United States may, at the option of the manufacturer, meet the requirements of this paragraph instead of paragraph (a) of this section. Each vehicle manufactured on or after September 1, 2005 shall meet the requirement specified in S14.5.1(a), S14.5.2, S15.1, S15.2, S17, S19, S21, S23, and S25 (in addition to the other requirements specified in this standard).

\* \* \* \* \*

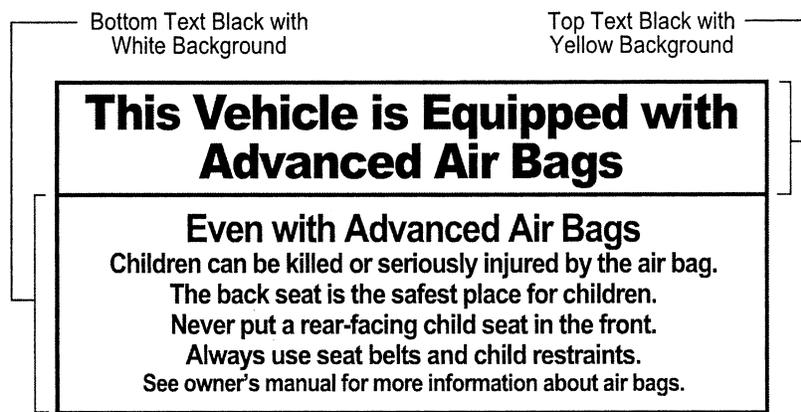


Figure 12. Removable Label on Dash.

\* \* \* \* \*

Issued on August 14, 2003.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*

[FR Doc. 03-21221 Filed 8-19-03; 8:45 am]

BILLING CODE 4910-59-P

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 021122286-3036-02; I.D. 081503A]

**Fisheries of the Exclusive Economic Zone Off Alaska; Arrowtooth Flounder in the Western Regulatory Area of the Gulf of Alaska**

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

**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting directed fishing for arrowtooth flounder in the Western Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the 2003 total allowable catch (TAC) of arrowtooth flounder in this area.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), August 16, 2003, through 2400 hrs, A.l.t., December 31, 2003.

**FOR FURTHER INFORMATION CONTACT:** Mary Furuness, 907-586-2778.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and CFR part 679.

The 2003 TAC of arrowtooth flounder for the Western Regulatory Area was established as 8,000 metric tons (mt) by

the final 2003 harvest specifications for groundfish in the GOA (68 FR 9924, March 3, 2003).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 2003 TAC for arrowtooth flounder in the Western Regulatory Area will be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 7,900 mt, and is setting aside the remaining 100 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance will soon be reached. Consequently, NMFS is prohibiting directed fishing for arrowtooth flounder in the Western Regulatory Area of the GOA.

**Classification**

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the