

subsidiary. We believe that reporting of non-FCC misconduct by parent or other related corporation (or partnerships) should be based on a similar nexus. Accordingly, non-FCC misconduct of parent or subsidiary is reportable if: (a) there is a close ongoing relationship between the parent (or non-broadcast subsidiary) and the broadcast subsidiary; (b) the two have common principals; and (c) the common principals are actively involved in the operations of the broadcast subsidiary. We expect broadcasters to apply this standard in good faith, and we will treat seriously any situations where a licensee, permittee or applicant does not do so.

6. Conclusion

Accordingly, *it is ordered* That the petitions filed by the parties are granted to the extent indicated in the Memorandum Opinion & Order, and are denied in all other respects. *It is further ordered* that § 1.65(c) of the Commission's Rules is amended as set forth below. *It is further ordered* That the Managing Director and the Chief, Mass Media Bureau, have delegated authority to amend all applicable FCC forms in accordance with the provisions of the Memorandum Opinion and Order. The action herein is taken pursuant to sections 4(i), 303(r), 308(b), 312 and 319(a) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 303(r), 308(b), 312, and 319(a).

Federal Communications Commission.
Donna R. Searcy,
Secretary.

List of Subjects in 47 CFR Part 1

Administrative practice and procedure, Radio, Reporting and recordkeeping requirements, Television.

Amendatory Text

Part 1 of chapter I of title 47 of the Code of Federal Regulations is amended as follows:

PART 1—PRACTICE AND PROCEDURE

1. The authority citation for part 1 continues to read:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303; Implement. 5 U.S.C. 552, unless otherwise noted.

2. Section 1.65 is amended by revising paragraph (c) to read as follows:

§ 1.65 Substantial and significant changes in information furnished by applicants to the Commission.

(c) All broadcast permittees and licensees must report annually to the Commission any adverse finding or

adverse final action taken by any court or administrative body that involves conduct bearing on the permittee's or licensee's character qualifications and that would be reportable in connection with an application for renewal as reflected in the renewal form. If a report is required by this paragraph(s), it shall be filed on the anniversary of the date that the licensee's renewal application is required to be filed, except that licensees owning multiple stations with different anniversary dates need file only one report per year on the anniversary of their choice, provided that their reports are not more than one year apart. Permittees and licensees bear the obligation to make diligent, good faith efforts to become knowledgeable of any such reportable adjudicated misconduct.

Note: The terms "adverse finding" and "adverse final action" as used in paragraph (c) of this section include adjudications made by an ultimate trier of fact, whether a government agency or court, but do not include factual determinations which are subject to review *de novo* unless the time for taking such review has expired under the relevant procedural rules. The pendency of an appeal of an adverse finding or adverse final action does not relieve a permittee or licensee from its obligation to report the finding or action.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 171

[Docket No. HM-181; Amendment No. 171-112]

RIN 2137-AA01

Infectious Substances; Correction

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Final rule; correction.

SUMMARY: This document corrects a final rule published in the Federal Register on October 1, 1992 (57 FR 45442), which revised the transition period applicable to infectious substances. RSPA is correcting a section reference that appeared in the October 1 publication.

EFFECTIVE DATE: October 1, 1992.

FOR FURTHER INFORMATION CONTACT: Eileen Martin, Office of Hazardous Materials Standards, Research and Special Programs Administration, Department of Transportation, 400

Seventh Street, SW., Washington, DC 20590, telephone: (202) 368-4488.

SUPPLEMENTARY INFORMATION: On October 1, 1992, RSPA published a final rule in the Federal Register (57 FR 45442) revising provisions in § 171.14(b). That rule extended the date for compliance with new requirements applicable to infectious substances from October 1, 1992, to April 1, 1993. In revising § 171.14(b)(2), the definition for "materials poisonous by inhalation" was referenced incorrectly as "§ 173.132 of this subchapter" instead of "§ 171.8 of this part". The error is corrected in this document.

Accordingly, under the authority of 49 App. U.S.C. 1802, 1803, 1804, 1805, 1806, 1815, 1818, and 49 CFR part 1, rule document 92-23809, beginning on page 45442, is corrected as follows:

§ 171.14 [Corrected]

On page 45443, in the first and second columns, in § 171.14(b)(2), lines 2 and 3, the wording in the parenthetical expression "§ 173.132 of this subchapter" is corrected to read "§ 171.8 of this part".

Issued in Washington, DC, on October 9, 1992, under authority delegated in 49 CFR part 1.

Douglas B. Haas,

Acting Administrator.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[Docket No. 3510-22]

Atlantic Tuna Fisheries

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of closure for the Harpoon category fishery.

SUMMARY: NOAA issues this notice to close the fishery for Atlantic bluefin tuna conducted by vessels permitted in the Harpoon category and fishing for large medium and giant Atlantic bluefin tuna. Closure of this segment of the fishery is necessary because it has been determined that the annual quota for this category has been attained.

EFFECTIVE DATE: The closure is effective from 0001 hours local time on October 13, 1992, through December 31, 1992.

FOR FURTHER INFORMATION CONTACT: Richard B. Stone, 301-713-2347.