

42 CFR Part 498

Administrative practice and procedure, Health facilities, Health professions, Medicare, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 42 CFR Chapter IV is amended as follows:

PART 409—HOSPITAL INSURANCE BENEFITS

A. Part 409 is amended as set forth below.

1. The authority citation for part 409 is revised to read as follows:

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh).

2. In § 409.1, paragraph (e) is revised to read as follows:

§ 409.1 Statutory basis.

* * * * *

(e) Section 1862(a) specifies exclusions from coverage.

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3. Section 409.19 is removed.

PART 410—SUPPLEMENTARY MEDICAL INSURANCE (SMI) BENEFITS

B. Part 410 is amended as set forth below.

1. The authority citation for part 410 continues to read as follows:

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh).

§ 410.64 [Removed]

2. Section 410.64 is removed.

PART 489—PROVIDER AGREEMENTS AND SUPPLIER APPROVAL

C. Part 489 is amended as set forth below.

1. The authority citation for part 489 continues to read as follows:

Authority: Secs. 1102, 1819, 1861, 1864(m), 1866, and 1871 of the Social Security Act (42 U.S.C. 1302, 1395i-3, 1395x, 1395aa(m), 1395cc, and 1395hh).

§ 489.21 [Amended]

2. In § 489.21, paragraph (g) is removed and reserved.

PART 498—APPEALS PROCEDURES FOR DETERMINATIONS THAT AFFECT PARTICIPATION IN THE MEDICARE PROGRAM AND FOR DETERMINATIONS THAT AFFECT THE PARTICIPATION OF ICFS/MR AND CERTAIN NFS IN THE MEDICAID PROGRAM

D. Part 498 is amended as set forth below.

1. The authority citation for part 498 continues to read as follows:

Authority: Secs 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh).

§ 498.3 [Amended]

2. In § 498.3, paragraph (b)(11) is removed and reserved.

Authority: Secs. 1102, 1819, 1861, 1864(m), 1866, and 1871 of the Social Security Act (42 U.S.C. 1302, 1395i-3, 1395x, 1395aa(m), 1395cc, 1395hh, and 1895hh).

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare Hospital Insurance; Program No. 93.774, Medicare Supplementary Medical Insurance)

Dated: April 18, 2000.

Nancy-Ann Min DeParle,

Administrator, Health Care Financing Administration.

Dated: May 31, 2000.

Donna E. Shalala,

Secretary.

[FR Doc. 00-26282 Filed 10-18-00; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 20**

[CC Docket No. 94-54; FCC 00-251]

Interconnection and Resale Obligations Pertaining to Commercial Mobile Radio Services; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: On September 29, 2000, the Commission published a document in the *Federal Register* which established service rules governing the manual roaming responsibilities of Commercial Mobile Radio Services (CMRS) providers. This document makes corrections to that document.

DATES: Effective November 28, 2000.

FOR FURTHER INFORMATION CONTACT: Paul Murray at (202) 418-7240.

SUPPLEMENTARY INFORMATION: The Commission, in its summary of the Memorandum Opinion and Order (MO&O), FR Doc. 00-24964, published

in the *Federal Register* of September 29, 2000 (65 FR 58477) released information that requires correction. First, it misstated the correct agency docket number for the item (CC Docket No. 94-54) in the headings section. Then, in the **SUPPLEMENTARY INFORMATION** section of the preamble, the Commission erroneously incorporated a docket number and the associated adoption and release dates from another proceeding into this item thereby omitting the correct docket number for this proceeding (CC Docket No. 94-54), the correct adoption date of the MO&O (July 13, 2000), and the correct release date of the MO&O (August 28, 2000). Further, this item corrects the phone listing for Paul Murray to 418-7240.

In FR Doc. 00-24964, published in the *Federal Register* of September 29, 2000 (65 FR 58477), make the following corrections:

(1) On page 58477, in the second column, in the Agency Docket number, correct "PR Docket No. 94-54" to read "CC Docket No. 94-54."

(2) On the same page, in the third column, line four, correct "(202) 418-0688" to read "(202) 418-7240."

(3) On the same page, in the same column, line 11, correct "PR Docket No. 93-144" to read "CC Docket No. 94-54."

(4) On the same page, in the same column, line 12, correct "August 2, 2000" to read "July 13, 2000."

(5) On the same page, in the same column, lines 12 and 13, correct "August 4, 2000" to read "August 28, 2000."

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 00-26893 Filed 10-18-00; 8:45 am]

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

[Docket No. 000211040-0040-01; I.D. 101200A]

Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock

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

ACTION: Reallocation.

SUMMARY: NMFS is reallocating projected unused amounts of Bering Sea

subarea (BS) pollock from the incidental catch allowance to the directed fisheries. This action is necessary to allow the 2000 total allowable catch (TAC) of pollock to be harvested.

DATES: Effective October 13, 2000.

FOR FURTHER INFORMATION CONTACT: Andrew Smoker, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the Bering Sea and Aleutian Islands area (BSAI) according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (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 50 CFR part 679.

In accordance with section 206(b) of the American Fisheries Act (AFA), NMFS specified a pollock incidental catch allowance equal to 5 percent of the pollock total allowable catch after subtraction of the 10 percent Community Development Quota reserve in the Final 2000 Harvest Specifications for Groundfish for the BSAI (65 FR 8282, February 18, 2000).

As of October 10, 2000, the Administrator, Alaska Region, NMFS

(Regional Administrator), has determined that approximately 14,000 metric tons (mt) of pollock remain in the incidental catch allowance. Based on projected harvest rates of other groundfish species and the expected bycatch of pollock in those fisheries, the Regional Administrator has determined that 9,000 mt of pollock specified in the incidental catch account will not be necessary as incidental catch. Therefore, NMFS is apportioning the projected unused amount, 9,000 mt, of pollock from the incidental catch allowance to the directed fishing allowances established at section 206(b) of the AFA. This transfer will increase the allocation to catcher vessels harvesting pollock for processing by the inshore component by 4,500 mt, to catcher/processors and catcher vessels harvesting pollock for processing by catcher processors in the offshore component by 3,600 mt, and to catcher vessels harvesting pollock for processing by motherships in the offshore component by 900 mt. Pursuant to section 210(c) of the AFA, no less than 8.5 percent of the 3,600 mt allocated to catcher processors in the offshore component, 306 mt, will be available for harvest only by eligible catcher vessels delivering to listed catcher processors.

Regulations in the emergency interim rule establishing Steller sea lion

protection measures for the pollock fisheries off Alaska (65 FR 3892, January 25, 2000) and extended (65 FR 36795, June 12, 2000) allow for catch to occur within the C/D season so that pollock removals from all sectors do not exceed 60 percent of the annual TAC. Sixty percent of the annual pollock TAC is equal to 683,400 mt tons. With this apportionment the C/D season catch for the three combined directed fisheries, the CDQ fishery, and bycatch of pollock in other directed groundfish fisheries will be less than 679,000 mt, thereby not violating the 60 percent restriction.

The emergency interim rule to establish AFA permit requirements (65 FR 380, January 5, 2000) and the extension (65 FR 39107, June 23, 2000) set out procedures for AFA inshore catcher vessel pollock cooperatives to apply for and receive cooperative fishing permits and inshore pollock allocations. NMFS received applications from seven inshore catcher vessel cooperatives by the application deadline of December 31, 1999. Table 1 revises the final 2000 BS subarea allocations to include the seven inshore catcher vessel pollock cooperatives that have been approved and permitted by NMFS for the 2000 fishing year consistent with this reallocation.

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TABLE 1. REVISED BERING SEA SUBAREA FINAL 2000 INSHORE COOPERATIVE ALLOCATIONS

Cooperative name and member vessels	Sum of member vessel's official catch histories ¹	Percentage of inshore sector allocation	Final annual co-op allocation
<u>Akutan Catcher Vessel Association</u> ALDEBARAN, ARCTIC I, ARCTIC VI, ARCTURUS, BLUE FOX, COLUMBIA, DOMINATOR, DONA LILIANA, DONA MARTITA, DONA PAULITA, EXODUS, FLYING CLOUD, GOLDEN DAWN, MAJESTY, PACIFIC VIKING, VIKING EXPLORER, GOLDEN PISCES, LESLIE LEE, MARCY J, MISS BERDIE, PEGASUS, PEGGIE JO, PERSEVERANCE, PREDATOR, RAVEN, ROYAL AMERICAN, SEEKER	258,508	28.257%	138,861
<u>Arctic Enterprise Association</u> ARCTIC III, ARCTIC IV, OCEAN ENTERPRISE, PACIFIC ENTERPRISE	50,008	5.466%	26,861
<u>Northern Victor Fleet Cooperative</u> NORDIC FURY, PACIFIC FURY, GOLDRUSH, EXCALIBUR II, HALF MOON BAY, SUNSET BAY, COMMODORE, STORM PETREL, POSEIDON, ROYAL ATLANTIC,	62,545	6.837%	33,599
<u>Peter Pan Fleet Cooperative</u> AMBER DAWN, AMERICAN BEAUTY, OCEANIC, OCEAN LEADER, WALTER N	6,584	0.720%	3,538
<u>Unalaska Cooperative</u> ALASKA ROSE, BERING ROSE, DESTINATION, GREAT PACIFIC, MESSIAH, MORNING STAR, MS AMY, PROGRESS, SEA WOLF, VANGUARD, WESTERN DAWN	106,714	11.665%	57,324
<u>UniSea Fleet Cooperative</u> ALSEA, AMERICAN EAGLE, ARCTIC WIND, ARGOSY, AURIGA, AURORA, DEFENDER, GUN-MAR, NORDIC STAR, PACIFIC MONARCH, SEADAWN, STARFISH, STARLITE, STARWARD	220,361	24.087%	118,369
<u>Westward Fleet Cooperative</u> A.J., ALASKAN COMMAND, ALYESKA, CAITLIN ANN, CHELSEA K, HICKORY WIND, FIERCE ALLEGIANCE, OCEAN HOPE 3, PACIFIC KNIGHT, PACIFIC PRINCE, VIKING, WESTWARD 1	153,917	16.824%	82,677
Open access AFA vessels	56,215	6.145%	30,198
Total 2000 inshore pollock allocation	914,851	100%	491,422

¹Under 679.61(e)(1) the individual catch history for each vessel is equal to the vessel's best 2 of 3 years inshore pollock landings from 1995 through 1997 and includes landings to catcher/processors for vessels that made 500 or more mt of landings to catcher/processors from 1995 through 1997.

Classification

This action responds to the best available information recently obtained from the fishery. NMFS finds that the need to implement this action immediately in order to allow full utilization of the pollock TAC constitutes good cause to waive prior notice and comment as such procedures are unnecessary and contrary to the

public interest. As further delay would only disrupt the AFA and the FMP's objective of providing pollock for harvest in directed fisheries, NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is taken under 50 CFR 679.20, and is exempt from review under E.O. 12866.

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

October 13, 2000.

Clarence Pautzke

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

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