

2. Effects on Other Providers

Effects on other providers are limited, except that providers in M+COs will not be required to provide credentialing material at a greater frequency than they are required to provide it by the private accreditation agencies and the M+COs' individual corporate requirements.

3. Effects on the Medicare and Medicaid Programs

This rule makes no change to the Medicaid program. The rule simplifies the recredentialing mandated cycle for consistency with the private accreditation processes for Medicare M+COs. If the rule is not promulgated, a cycle inconsistent with the private accreditation organizations will require private accreditation organizations to change their cycle in order to be deemed for Medicare and require M+COs and their providers to undergo an additional administrative cost and process without identified benefit to Medicare beneficiaries or the Medicare program.

C. Alternatives Considered

The only other alternative would be to leave the regulation unchanged. To meet our goal to be consistent, when appropriate, with the standards of the private accreditation organizations, we decided that the change is necessary.

D. Conclusion

For these reasons, we are not preparing analyses for either the RFA or section 1102(b) of the Act because we have determined, and we certify, that this rule does not have a significant economic impact on a substantial number of small entities, or a significant impact on the operations of a substantial number of small rural hospitals.

In accordance with the provisions of Executive Order 12866, this regulation was reviewed by the Office of Management and Budget.

List of Subjects Affected in 42 CFR Part 422

Administrative practice and procedure, Health facilities, Health maintenance organizations (HMO), Medicare+Choice, Penalties, Privacy, Provider-sponsored organizations (PSO), Reporting and recordkeeping requirements.

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

PART 422—MEDICARE+CHOICE PROGRAM

1. The authority citation for part 422 is revised to read as follows:

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

2. Revise § 422.204(b)(2)(ii) to read as follows:

§ 422.204 Provider selection and credentialing.

* * * * *

(b) * * *

(2) * * *

(ii) Recredentialing at least every 3 years that updates information obtained during initial credentialing, considers performance indicators such as those collected through quality assurance programs, utilization management systems, handling of grievances and appeals, enrollee satisfaction surveys, and other plan activities, and that includes an attestation of the correctness and completeness of the new information; and

* * * * *

Authority: Secs. 1102, 1851 through 1857, 1859, and 1871 of the Social Security Act (42 U.S.C. 1302, 1395w-21 through 1395w-27, and 1395hh).

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

Dated: September 7, 2001.

Thomas A. Scully,
Administrator, Centers for Medicare & Medicaid Services.

Dated: September 7, 2001.

Tommy G. Thompson,
Secretary.
[FR Doc. 01-22915 Filed 9-11-01; 8:45 am]
BILLING CODE 4120-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01-2055; MM Docket No. 01-89; RM-10094]

Television Broadcasting Services; Decatur, Plano, TX.

AGENCY: Federal Communications Commission.

ACTION: Final rule, dismissal.

SUMMARY: The Commission dismisses a petition for rule making filed by Word of God Fellowship, Inc. ("petitioner"), requesting the reallocation of Television Channel 29 from Decatur to Plano, Texas as the community's first local transmission service. Petitioner filed no comments in response to the Notice of Proposed Rulemaking.

FOR FURTHER INFORMATION CONTACT: Victoria M. McCauley, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 01-89 adopted August 22, 2001 and released August 31, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

Federal Communications Commission.

John A. Karousos,
Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 01-22834 Filed 9-11-01; 8:45 am]

BILLING CODE 6712-01-U

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 001121328-1041-02; I.D. 111500C]

Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; Adjustments to the 2001 Summer Flounder, Scup, and Black Sea Bass Commercial Quotas

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

ACTION: Commercial quota adjustment; correction.

SUMMARY: NMFS publishes corrected adjustments to the 2001 commercial quotas for summer flounder, scup, and black sea bass. This action is necessary to comply with the regulations that implement the Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries (FMP), which specify that any summer flounder landings in excess of or less than a given state's individual 2000 commercial quota be deducted from or added to that state's quota for 2001. For scup and black sea bass, the FMP specifies that landings in excess of a quota for a given period or quarter be deducted from the quota for the same period or quarter in the following year. The intent of this

action is to use the most accurate landings data to make adjustments to a state's annual quota and to correct errors in previous quota adjustments to provide fishermen the opportunity to harvest the quota available without harvesting fish in excess of the quota and requiring reduced catches in future quotas.

DATES: Effective September 7, 2001, through December 31, 2001.

FOR FURTHER INFORMATION CONTACT: Paul H. Jones, Fisheries Policy Analyst, (978) 281-9273, fax (978) 281-9135, e-mail paul.h.jones@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

At 66 FR 12902, March 1, 2001, and at 66 FR 16151, March 23, 2001, NMFS published final specifications for the 2001 scup and black sea bass; and summer flounder, fisheries, respectively, which included preliminary 2000 landings and 2001 quota adjustments. Further adjustments are made to the 2001 quotas through this notification, to account for audited 2000 summer flounder, scup, and black sea bass landings data from the states and for inadvertent errors in the preliminary 2000 quota adjustments.

Summer Flounder

The 2000 quota, reported 2000 landings, and the resulting 2000 overages and underages for all states for summer flounder are given in corrected summer flounder Table 2 in this document. The following states recorded 2000 landings of summer flounder that differ from those reported in the March 23, 2001, final rule, by the following amounts: MA, -1,506 lb (683 kg); RI, +9,310 lb (4,223 kg); CT, +5,520 lb (2,504 kg); NY, -37,048 lb (16,805 kg); NJ, -305,513 lb (138,578 kg); MD, -9,456 lb (4,289 kg); and VA, -19,477 lb (8,835 kg). While the State of NC reported additional landings, this action makes no quota adjustments because it is forbidden by a Court Order (*North Carolina Fisheries Association v. Evans*, July 30, 2001).

The resulting corrected and adjusted 2001 commercial quota for each state is given in corrected summer flounder Table 3 of this document.

Scup

The 2000 quotas (by period), reported 2000 landings (by period) and resulting overages for scup for all periods are given in corrected scup Table 2 of this document. Changes in 2000 landings from those reported in the March 1, 2001, final rule are as follows: Winter I, +17,661 lb (8,011 kg); Summer, +19,029 lb (8,631 kg); and Winter II, -357 lb (162

kg). This information resulted in total overages and resulting decreases to the 2001 Winter I and Summer quotas by 346,999 lb (157,396 kg) and 602,340 lb (273,217 kg), respectively.

The resulting adjusted 2001 quota for each period is given in corrected scup Table 3 of this document.

Black Sea Bass

The 2000 quotas (by quarter), reported 2000 landings (by quarter) and resulting overages for black sea bass for all quarters are given in corrected black sea bass Table 5 of this document. Changes in 2000 landings from those reported in the March 1, 2001, final rule are as follows: Quarter 1, -555 lb (252 kg); Quarter 2, +33,577 lb (15,230 kg); Quarter 3, -35,027 lb (15,888 kg); and Quarter 4, -58,292 lb (26,441 kg). This information resulted in total overages and resulting decreases to the 2001 Quarter 2, 3, and 4 quotas by 239,098 lb (108,453 kg), 61,049 lb (27,691 kg), and 22,760 lb (10,324 kg), respectively.

The resulting adjusted 2001 quota for each quarter is given in corrected black sea bass Table 6 of this document.

Corrections

1. In the document published at 66 FR 16151, March 23, 2001, the following corrections are made:

On page 16153, Tables 2 and 3 are revised in their entirety as follows:

TABLE 2. SUMMER FLOUNDER PRELIMINARY 2000 LANDINGS BY STATE

State	2000 Quota ¹		Preliminary 2000 landings		2000 Overages and Underages ³	
	lb	kg ²	lb	kg ²	lb	kg ²
ME	3,956	1,794	6,922	3,140	2,966	1,345
NH	51	23	0	0	(51) ³	(23) ³
MA	703,136	318,937	788,998	357,883	85,862	38,946
RI	1,742,566	790,415	1,703,593	772,737	(38,973) ³	(17,678) ³
CT	244,085	110,715	245,148	111,197	(1,063)	(482)
NY	849,672	385,405	836,936	379,628	(12,736) ³	(5,777) ³
NJ	1,794,299	813,880	1,848,119	838,293	53,820	24,412
DE	(31,303) ⁴	(14,199) ⁴	12,317	5,587	43,620	19,786
MD	226,568	102,770	251,751	114,192	25,183	11,423
VA	2,293,410	1,040,273	2,206,715	1,000,949	(86,695) ³	(39,324) ³
NC	3,049,560	1,383,257	3,347,841 ⁵	1,518,555	298,281	135,298
Total	10,876,000	4,933,271	11,248,340	5,102,161		

¹Reflects quotas as published on December 29, 2000 (65 FR 82945).

²Kilograms as converted from pounds and may not add to the converted total due to rounding.

³Numbers in parentheses are underages.

⁴Parentheses indicate a negative number.

⁵State of NC reports that 3,386,578 lb were landed; further quota adjustment forbidden by Court Order

TABLE 3. SUMMER FLOUNDER FINAL 2001 ADJUSTED QUOTAS

State	2000 Initial quota		2001 Adjusted quota	
	lb	kg ¹	lb	kg ¹
ME	5,112	2,319	2,146	973
NH	49	22	100	45
MA	733,031	332,497	647,169	293,551
RI	1,685,534	764,545	1,724,507	782,223

TABLE 3. SUMMER FLOUNDER FINAL 2001 ADJUSTED QUOTAS—Continued

State	2001 Initial quota		2001 Adjusted quota	
	lb	kg ¹	lb	kg ¹
CT	242,580	110,032	241,517	109,550
NY	821,863	372,791	834,599	378,568
NJ	1,797,524	815,343	1,743,704	790,931
DE	1,912	867	(41,708)	(18,918)
MD	219,153	99,406	193,970	87,983
VA	2,291,026	1,039,192	2,377,721	1,078,516
NC	2,949,751	1,337,985	2,651,470	1,202,687
Total ²	10,747,535	4,875,000	10,416,903	4,725,028

Note: Parentheses indicate a negative number.

¹ Kilograms are as converted from pounds and may not add to the converted total due to rounding.

² Total adjusted quota accounts for DE as zero.

2. In the document published at 66 FR 12902, March 1, 2001, the following corrections are made:

On pages 12904, 12905, and 12906, Tables 2, 3, 5, and 6 are revised in their entirety as follows:

TABLE 2. SCUP PRELIMINARY 2000 LANDINGS BY PERIOD

Period	2000 Quota ¹		2000 Landings		2000 Overage	
	lb	kg ²	lb	kg ²	lb	kg ²
Winter I	1,037,253	470,490	1,384,252	627,886	346,999	157,396
Summer	637,878	289,337	1,240,218	562,553	602,340	273,217
Winter II	70,356	31,913	34,582	15,686	0	0
Total	1,745,487	791,740	2,659,052	1,206,126	949,339	430,613

¹ Reflects quotas as published on August 18, 2000 (65 FR 50463).

² Kilograms are as converted from pounds and may not add to the converted total due to rounding.

TABLE 3. SCUP FINAL 2001 ADJUSTED QUOTAS

Period	2000 Initial Quota		2000 Adjusted quota ¹	
	lb	kg ²	lb	kg ²
Winter I	2,004,959	909,434	1,675,960	752,038
Summer	1,731,172	785,246	1,128,832	512,030
Winter II	708,469	321,356	708,469	321,356
Total	4,444,600	2,016,037	3,495,261	1,585,424

¹ Possession limits specified in Table 1.

² Kilograms are as converted from pounds and may not add to the converted total due to rounding.

* * * * *

TABLE 5. BLACK SEA BASS PRELIMINARY 2000 LANDINGS BY QUARTER

Period	2000 Quota		2000 Landings		2000 Overage	
	lb	kg ¹	lb	kg ¹	lb	kg ¹
1	1,168,760	530,141	847,463	384,403	0	0
2	734,088	332,982	973,186	441,430	239,098	108,453
3	238,795	108,317	299,844	136,007	61,049	27,691
4	490,038	222,281	512,798	232,601	22,760	10,324
Total	2,631,681	1,193,721	2,633,291	1,194,441	322,907	146,468

¹ Kilograms are as converted from pounds and may not add to the converted total due to rounding.

TABLE 6. BLACK SEA BASS FINAL 2001 ADJUSTED QUOTAS

Period	2001 Initial quota		2001 Adjusted quota ¹	
	lb	kg ²	lb	kg ²
1	1,168,760	530,141	1,168,760	530,141

TABLE 6. BLACK SEA BASS FINAL 2001 ADJUSTED QUOTAS—Continued

Period	2001 Initial quota		2001 Adjusted quota ¹	
	lb	kg ²	lb	kg ²
2	885,040	401,447	645,942	292,994
3	372,951	169,168	311,902	141,476
4	597,991	271,244	575,231	260,920
Total	3,024,742	1,372,000	2,701,835	1,225,532

¹ Trip limits specified in Table 4.² Kilograms are as converted from pounds and may not add to the converted total due to rounding.**Classification**

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

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

Dated: September 7, 2001.

Bruce C. Morehead,

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

[FR Doc. 01-22920 Filed 9-7-01; 3:17 pm]

BILLING CODE 3510-22-S

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

[Docket No. 010510121-1210-02; I.D. 012601B]

RIN 0648-AN23

Fisheries of the Exclusive Economic Zone Off Alaska; Revisions to Definition of Length Overall of a Vessel

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

ACTION: Final rule.

SUMMARY: NMFS issues a final rule to clarify the definition of length overall (LOA) of a vessel for the purposes of the regulations governing the groundfish fisheries in the exclusive economic zone (EEZ) off Alaska. The action is intended to clarify the existing definition of LOA and thus prevent any misunderstanding or equivocation by vessel owners in determining a vessel's LOA. Also, the action is intended to further the goals and objectives of the Fishery Management Plan (FMP) for Groundfish of the Gulf of Alaska and the FMP for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area.

DATES: Effective October 12, 2001.

ADDRESSES: Copies of the Regulatory Impact Review/Initial Regulatory Flexibility Analysis (RIR/IRFA) and supplemental Final Regulatory

Flexibility Analysis (FRFA) are available from the Sustainable Fisheries Division, NMFS, Alaska Region, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel.

FOR FURTHER INFORMATION CONTACT:

Patsy A. Bearden, 907-586-7228.

SUPPLEMENTARY INFORMATION: The domestic groundfish fisheries in the EEZ off Alaska are managed by NMFS under the FMPs. The FMPs were prepared by the North Pacific Fishery Management Council (Council) under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Regulations governing the Alaska groundfish fisheries appear at 50 CFR parts 600 and 679.

This final rule clarifies the definition of vessel LOA by removing the definitions of stem and stern, revising the definition of LOA at 50 CFR 679.2 to include bulwarks explicitly, and adding a definition for bulwarks. Further information on this action may be found in the preamble to the proposed rule published at 66 FR 28883, May 25, 2001. The proposed rule invited public comment on this action through June 25, 2001. No comments were received on the proposed rule.

The final rule makes one change to the proposed rule. The proposed rule would have added to the regulations a definition of "bulwark" to read as follows: "Bulwark means a section of a vessel's side, continued above the main deck as a protection against heavy weather." This final rule revises that definition to delete the phrase "as a protection against heavy weather." That phrase is merely descriptive, not essential to defining a bulwark, and, as such, is inappropriate for the regulatory definition.

Explanation of Rounding Conventions

The following conventions will be used when rounding the LOA to the nearest foot:

(1) When the amount exceeding a whole foot measurement is less than 6 inches (15.2 cm), the LOA would be equal to that whole foot measurement.

For example, if the horizontal distance of a vessel is 124 ft, 5-3/4 inches (37.9 m), the LOA of the vessel would be 124 ft (37.8 m).

(2) When the amount exceeding a whole foot measurement is greater than 6 inches (15.2 cm), the LOA would be equal to the next whole foot measurement. For example, if the horizontal distance of a vessel is 124 ft, 6-1/8 inches (38.0 m), the LOA of the vessel would be 125 ft (38.1 m).

(3) When the amount exceeding a whole foot measurement is exactly 6 inches (15.2 cm), the LOA would be equal to that whole foot measurement if the number is even; however, if the number is odd, the LOA would be equal to the next whole foot measurement. For example, if the horizontal distance of a vessel is 124 ft, 6 inches (37.9 m), the LOA of the vessel would be 124 ft (37.8 m), but, if the horizontal distance of the vessel is 59 ft, 6 inches (18.1 m), the LOA of the vessel would be 60 ft (18.3 m).

Classification

This final rule has been determined to be not significant for purposes of Executive Order 12866.

NMFS prepared a supplemental FRFA that analyzes the potential impact of this action on small entities for purposes of the Regulatory Flexibility Act (RFA). NMFS considered the status quo or "no action" alternative of retaining the present definition of LOA without change. However, this was rejected in order to define LOA unambiguously and provide clear and certain regulatory guidance for measuring LOA of fishing vessels operating in the EEZ off Alaska. While this action is intended simply to clarify the existing definition of LOA and thus prevent any misunderstanding or equivocation by vessel owners in determining a vessel's LOA, some vessels currently operating in the EEZ off Alaska under Federal Fisheries Permits may find their registered LOAs to be inconsistent with the regulatory definition of LOA. At present, approximately 1,613 vessels are registered to operate in the EEZ off