

## Rulemaking Analyses and Notices

### *Executive Order 12866 and DOT Regulatory Policies and Procedures*

We have reviewed this final rule under Executive Order 12866 and have determined that this is not a significant regulatory action. Additionally, this final rule is not likely to result in an annual effect on the economy of \$100 million or more. The purpose of this final rule is to ensure that Fishing Vessels, Fish Processing Vessels, or Fish Tender Vessels who lose their fishery endorsement in the Fishery Management Plan for Commercial King and Tanner Crab Fisheries in the Bering Sea and Aleutian Islands will not operate under foreign flag or under the authority of a foreign country.

This final rule is also not significant under the Regulatory Policies and Procedures of the Department of Transportation (44 FR 11034, February 26, 1979). The costs and benefits associated with this rulemaking are considered to be so minimal that no further analysis is necessary. Because the economic impact, if any, should be minimal, further regulatory evaluation is not necessary.

### *Regulatory Flexibility Act*

This Final rule will not have a significant economic impact on a substantial number of small entities. This Final rule only implements a statutory mandate to deny approval for a transfer of a vessel to a foreign registry or operation under authority of a foreign country when the vessel's fishery endorsement has been revoked. This rule does not impose a significant economic impact because owners of Fishing Vessels, Fish Processing Vessels, or Fish Tender Vessels who lose their fishery endorsement have been compensated through the crab fisheries buy-out program. Therefore, I certify that this final rule will not have a significant economic impact on a substantial number of small entities.

### *Federalism*

We have analyzed this final rule in accordance with the principles and criteria contained in E.O. 13132 ("Federalism") and have determined that it does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. These regulations have no substantial effects on the States, or on the current Federal-State relationship, or on the current distribution of power and responsibilities among the various local officials. Therefore, consultation with

State and local officials was not necessary.

### *Environmental Impact Statement*

We have analyzed this final rule for purposes of compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and have concluded that under the categorical exclusions provision in section 4.05 of Maritime Administrative Order ("MAO") 600-1, Procedures for Considering Environmental Impacts, 50 FR 11606 (March 22, 1985), the preparation of an Environmental Assessment, and an Environmental Impact Statement, or a Finding of No Significant Impact for this final rule is not required.

### **Executive Order 13175**

MARAD does not believe that this final rule will significantly or uniquely affect the communities of Indian tribal governments when analyzed under the principles and criteria contained in Executive Order 13175 ("Consultation and Coordination with Indian Tribal Governments"). Therefore, the funding and consultation requirements of this Executive Order do not apply.

### *Unfunded Mandates Reform Act of 1995*

This final rule does not impose an unfunded mandate under the Unfunded Mandates Reform Act of 1995. It does not result in costs of \$100 million or more, in the aggregate, to any of the following: State, local, or Native American tribal governments, or the private sector. This final rule is the least burdensome alternative that achieves the objective of the rule.

### *Paperwork Reduction Act*

This final rule does not contain information collection requirements.

### *Regulation Identifier Number (RIN)*

The Department of Transportation assigns a regulation identifier number (RIN) to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN number is contained in the heading of this document to cross-reference this action with the Unified Agenda.

### **List of Subjects in 46 CFR Part 221**

Administrative practice and procedure, Maritime carriers, Mortgages, Penalties, Reporting and recordkeeping requirements, Trusts and trustees, Uniform system of accounts.

Accordingly, MARAD amends 46 CFR part 221 to read as follows:

## **PART 221—REGULATED TRANSACTIONS INVOLVING DOCUMENTED VESSELS AND OTHER MARITIME INTERESTS**

1. The authority citation for part 221 continues to read as follows:

**Authority:** 46 App. U.S.C. 802, 803, 808, 835, 839, 841a, 1114(b), 1195; 46 U.S.C. chs. 301 and 313; 49 U.S.C. 336; 49 CFR 1.66. 2.

2. Section 221.15 is amended by adding introductory text to read as follows:

### **§ 221.15 Approval for transfer of registry or operation under authority of a foreign country or for scrapping in a foreign country.**

In no case will approval be granted to place under foreign registry or to operate under the authority of a foreign country a Fishing Vessel, Fish Processing Vessel, or Fish Tender Vessel that has had its fishery endorsement revoked pursuant to Appendix D of Public Law 106-554, 114 Stat 2763. Subject to this exclusion, approval requests will be considered as set forth in this section.

\* \* \* \* \*

Dated: October 30, 2001.

By order of the Acting Deputy Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 01-27625 Filed 11-1-01; 8:45 am]

**BILLING CODE 4910-81-P**

## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Part 73**

[DA 01-2316; MM Docket No. 00-18; RM-9790]

### **Radio Broadcasting Services; Barnwell, SC, Pembroke, Douglas and Willacoochee, GA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** At the request of the Bullie Broadcasting Corporation, this document substitutes Channel 257C1 for Channel 256C3 at Barnwell, South Carolina, reallots Channel 257C1 to Pembroke, Georgia, and modifies the license of Station WBAW to specify operation on Channel 257C1 at Pembroke. To accommodate this reallotment, this document reallots Channel 258C1 from Douglas, Georgia, to Willacoochee, Georgia, and modifies the Station WDMG license to specify Willacoochee as its community of

license. This document also allots Channel 256C3 to Barnwell, South Carolina. *See* 65 FR 7815, published February 16, 2000. This document dismisses a Counterproposal filed by Multi-Service Corp. proposing a channel substitution at Statesboro, Georgia, and new allotments at Pulaski and Twin City, Georgia. The reference coordinates for the Channel 257C1 allotment at Pembroke, Georgia, are 32-11-137 and 81-48-04. The reference Coordinates for the Channel 258C1 allotment at Willacoochee, Georgia, are 31-20-27 and 83-24-30. The reference coordinates for the Channel 256C3 allotment at Barnwell, South Carolina, are 33-24-29 and 81-16-43. With this action, the proceeding is terminated.

**DATES:** Effective November 20, 2001.

**FOR FURTHER INFORMATION CONTACT:** Robert Hayne, Mass Media Bureau (202) 418-2177.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order* in MM Docket No. 00-18, adopted October 3, 2001, and released October 5, 2001. The full text of this decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW, Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com)

#### List of Subjects in 47 CFR Part 73

Radio Broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

### PART 73—RADIO BROADCAST SERVICES

1. The authority citation for Part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, and 336.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Georgia, is amended by adding Pembroke, Channel 257C1.

3. Section 73.202(b), the Table of FM Allotments under Georgia, is amended by removing Channel 258C1 at Douglas, and adding Willacoochee, Channel 258C1.

4. Section 73.202(b), the Table of FM Allotments under South Carolina, is amended by removing Channel 256C3 and adding Channel 257C1 at Barnwell.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 01-27614 Filed 11-1-01; 8:45 am]

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### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[DA 01-2257]

#### Radio Broadcasting Services; Various Locations

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, on its own motion, editorially amends the Table of FM Allotments to specify the actual classes of channels allotted to various communities. The changes in channel classifications have been authorized in response to applications filed by licensees and permittees operating on these channels. This action is taken pursuant to *Revision of Section 73.3573(a)(1) of the Commission's Rules Concerning the Lower Classification of an FM Allotment*, 4 FCC Rcd 2413 (1989), and the *Amendment of the Commission's Rules to permit FM Channel and Class Modifications [Upgrades] by Applications*, 8 FCC Rcd 4735 (1993).

**DATES:** Effective November 2, 2001.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, adopted September 19, 2001, and released September 28, 2001. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

### PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Arizona, is amended by removing Channel 236C and adding Channel 236C2 at Yuma.

3. Section 73.202(b), the Table of FM Allotments under Idaho, is amended by removing Channel 298C and adding Channel 298A at Sun Valley.

4. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 280A and adding Channel 281A at Big Lake and by removing Channel 229C3 adding Channel 229C1 at Krum.

5. Section 73.202(b), the Table of FM Allotments under Utah, is amended by removing Channel 225C2 and adding Channel 225C1 at Logan.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 01-27613 Filed 11-1-01; 8:45 am]

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### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[DA 01-2448; MM Docket No. 01-48; RM-10062 and 10117]

#### Radio Broadcasting Services; Junction City and Marquand, MO

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** Bishop Community Radio, Inc. proposed the allotment of Channel 295A at Junction City, Missouri. *See* 16 FCC Rcd 3527 (2001). No comments were received supporting an allotment at Junction City. In response to a counterproposal filed by Dockins Communications, Inc., we shall allot Channel 295A to Marquand, Missouri, as a first local service. The coordinates for Channel 295A at Marquand are 37-30-00 and 90-06-41.

**DATES:** Effective December 3, 2001.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 01-48, adopted October 10, 2001, and released