

Dated: May 22, 1995.

Bruce C. Vladeck,
Administrator, Health Care Financing Administration.

[FR Doc. 95-21626 Filed 8-31-95; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 649

[Docket No. 950824215-5217-02; I.D. 080195B]

American Lobster Fishery; Technical Amendment; Clarifies Eligibility Requirements

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

ACTION: Final rule; technical amendment.

SUMMARY: NMFS issues this final rule to amend the regulations governing the Fishery Management Plan for the American Lobster Fishery (FMP). This rule corrects the eligibility requirements for lobster limited access permits to allow permit applicants who own a vessel that was under written contract for purchase as of March 25, 1991, to qualify for the limited access permit.

EFFECTIVE DATE: August 31, 1995.

FOR FURTHER INFORMATION CONTACT: Paul H. Jones, Fishery Policy Analyst, 508-281-9273.

SUPPLEMENTARY INFORMATION: Currently, regulations provide that eligibility for a lobster limited access permit can be established by proof that the permit applicant owned a vessel that was under written agreement for construction or for rerigging for directed American lobster fishing as of March 25, 1991 (60 FR 21994, May 4, 1995). This action makes a correction to these eligibility requirements by allowing vessels owners who entered into a written contract to purchase a vessel for directed American lobster fishing as of March 25, 1991, to qualify for a lobster limited access permit. The New England Fishery Management Council clarified at its June 29, 1995, meeting that this provision of the eligibility requirements for a limited access permit was inadvertently omitted from the regulations implementing Amendment 5 to the Lobster FMP.

Classification

Because this rule only corrects an omission in an existing set of regulations for which full prior notice and opportunity for comment have been given, under 5 U.S.C. 553(b)(B) it is unnecessary to provide additional notice and opportunity for comment.

This action imposes no new requirements on anyone subject to these regulations, but instead relieves a restriction. Accordingly, under

5 U.S.C. 553(d), this action may be made immediately effective.

This rule is exempt from review under E.O. 12866.

List of Subjects in 50 CFR Part 649

Fisheries.

Dated: August 25, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 649 is amended as follows:

PART 649—AMERICAN LOBSTER FISHERY

1. The authority citation for part 649 continues to read as follows:

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

2. In § 649.4, the first sentence of paragraph (b)(1)(i)(C) is revised to read as follows:

§ 649.4 Vessel permits.

(b) * * *

(1) * * *

(i) * * *

(C) The vessel was under written agreement for construction or rerigging for directed American lobster fishing, or was under written contract for purchase as of March 25, 1991, and the applicant meets one of the eligibility criteria set forth in paragraph (b)(1)(i)(A) or (B) of this section. * * *

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