

and analyzing additional data or information as needed.

D. Meetings

Meetings will be held in the Baltimore/Washington area at either the Phoenix Park Hotel in Washington, DC, or at the Turf Valley Hotel in Ellicott City (Baltimore area) on the dates noted above. More detailed agenda for each meeting will be publicly available on the HCFA Home Page of the Internet (<http://www.HCFA.gov/quality/qlty-8a>). Unless announced otherwise, meetings are open to the public.

E. Committee Procedures

Under the general guidance and direction of the facilitator, and subject to any applicable legal requirements, the members will establish the detailed procedures for Committee meetings that they consider most appropriate.

F. Defining Consensus

The goal of the negotiating process is consensus. Under the Negotiated Rulemaking Act, consensus generally means that each interest concurs in the result unless the term is defined otherwise by the Committee. We expect the participants to fashion their working definition of this term.

G. Failure of Advisory Committee to Reach Consensus

If the Committee fails to reach consensus, the Committee may transmit a report specifying any areas on which consensus was reached, and may include in the report any information, recommendations, or other materials that it considers appropriate. Additionally, any Committee member may include such information in an addendum to a report.

If any Committee member withdraws, the remaining Committee members will evaluate whether the Committee should continue.

H. Record of Meetings

In accordance with FACA's requirements, minutes of all committee meetings will be kept. The minutes will be placed in the public rulemaking record and Internet site on our home page.

I. Other Information

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

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

Dated: May 1, 1998.

Nancy-Ann Min DeParle,

Deputy Administrator, Health Care Financing Administration.

Approved: May 28, 1998.

Donna E. Shalala,

Secretary.

[FR Doc. 98-14798 Filed 6-2-98; 8:45 am]

BILLING CODE 4120-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 98-71, RM-9266]

Radio Broadcasting Services; Newell, IA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Robert J. Maines, Jr., seeking the allotment of Channel 265A at Newell, Iowa, as the community's first local aural transmission service. Channel 265A can be allotted to Newell in compliance with the Commission's minimum distance separation requirements with a site restriction of 5.7 kilometers (3.5 miles) west in order to avoid a short-spacing conflict with the licensed operation of Station KJYL, Channel 264C3, Eagle Grove, Iowa. The coordinates for Channel 265A at Newell are 42-36-04 NL and 95-04-21 WL.

DATES: Comments must be filed on or before July 13, 1998, and reply comments on or before July 28, 1998.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Jerold L. Jacobs, Rosenman & Colin, LLP, 1300 19th Street, NW, Washington, DC 20036 (Counsel for petitioner).

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 98-71, adopted May 13, 1998, and released May 22, 1998. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW, Washington, DC. The complete text of this decision may also be purchased from the Commission's

copy contractor, ITS, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments.

See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR PART 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 98-14683 Filed 6-2-98; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 98-74; RM-9269]

Radio Broadcasting Services; Eatonville, Wenatchee and Moses Lake, WA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Barbara J. Geesman proposing the substitution of Channel 285C3 for Channel 285A at Eatonville, Washington, and the modification of Station KKBV-FM's license accordingly. To accommodate the upgrade, petitioner also proposes the substitution of Channel 262C2 for Channel 285C2 at Wenatchee, Washington, and the modification of Station KKRK(FM)'s license accordingly; the substitution of Channel 285C1 for Channel 262C1 at Moses Lake, Washington, and the modification of Station KWIQ-FM's license accordingly. Channel 285C3 can be substituted at Eatonville in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction at petitioner's requested site. The coordinates for Channel 285C3 at Eatonville are North Latitude 46-50-19

and West Longitude 122-11-53. See Supplementary Information, *infra*.

DATES: Comments must be filed on or before July 13, 1998, and reply comments on or before July 28, 1998.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Matthew H. McCormick, Esq., Reddy, Begley, & McCormick, 2175 K Street, NW., Suite 350, Washington, DC 20037 (Counsel for Petitioner).

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making and Order to Show Cause, MM Docket No. 98-74, adopted May 13, 1998, and released May 22, 1998. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., 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.

Additionally, Channel 262C2 can be substituted at Wenatchee in compliance with the Commission's minimum distance separation requirements at Station KKRv(FM)'s presently licensed site; and Channel 285C1 can be substituted at Moses Lake at Station KWIQ-FM's presently licensed site. The coordinates for Channel 262C2 at Wenatchee are North Latitude 47-28-44 and West Longitude 120-12-49; and the coordinates for Channel 285C1 at Moses Lake are North Latitude 47-06-09 and West Longitude 119-14-26.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 98-14681 Filed 6-2-98; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 980427104-8104-01; I.D. 072897B]

RIN 0648-AK29

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic States; Certification of Bycatch Reduction Devices

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS issues this proposed rule to prescribe additional procedures for the testing and certification of bycatch reduction devices (BRDs) for use in penaeid shrimp trawls in the exclusive economic zone (EEZ) in the South Atlantic. The use of BRDs in all such trawls became mandatory under the final rule implementing Amendment 2 to the Fishery Management Plan for the Shrimp Fishery of the South Atlantic Region (FMP). In addition, the proposed rule would add a paragraph to the Testing Protocol for BRD Certification providing details on the additional testing and certification procedures. The proposed rule also would add four measures to the list of measures that may be implemented or modified through the framework procedures contained in Amendment 2 for adjusting management measures. The additional testing and certification procedures that would be prescribed by the proposed rule should foster the development of alternative BRDs that meet the bycatch reduction criterion for Spanish mackerel and weakfish, while minimizing inconvenience to fishermen and/or loss of shrimp. The addition of management measures that may be adjusted via the framework procedures is intended to enhance the ability of the South Atlantic Fishery Management Council (Council) and NMFS to react in a timely manner to changes in the fishery or to new data.

DATES: Written comments must be received on or before July 6, 1998.

ADDRESSES: Comments on the proposed rule must be sent to the Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

Comments regarding the collection-of-information requirement contained in this rule should be sent to Edward E. Burgess, Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702, and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20503 (Attention: NOAA Desk Officer).

Requests for copies of the *Bycatch Reduction Device Testing Protocol Manual*, should be sent to the South Atlantic Fishery Management Council, One Southpark Circle, Suite 306, Charleston, SC 29407-4699; Phone: 803-571-4366; Fax: 803-769-4520.

FOR FURTHER INFORMATION CONTACT: Peter J. Eldridge, 813-570-5305.

SUPPLEMENTARY INFORMATION: The shrimp fishery in the EEZ of the South Atlantic is managed under the FMP. The FMP was prepared by the Council and is implemented through regulations issued under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) at 50 CFR part 622.

The availability of Amendment 2 to the FMP was announced in the **Federal Register** on November 25, 1996 (61 FR 59856). The final rule implementing Amendment 2 to the FMP (62 FR 18536, April 16, 1997) requires the use of certified BRDs in all penaeid shrimp trawls in the EEZ in the South Atlantic, identifies the three BRDs certified by NMFS for such use, and sets forth administrative procedures and a testing protocol for certifying additional BRDs meeting Amendment 2's bycatch reduction criterion for Spanish mackerel and weakfish. The criterion for certification of a BRD for use in shrimp trawls in the South Atlantic EEZ is a reduction of at least 40 percent in the number of weakfish and Spanish mackerel caught incidentally in shrimp trawls or a reduction of at least 50 percent in the bycatch component of fishing mortality for Spanish mackerel and weakfish. The Testing Protocol for BRD Certification was published as an uncodified appendix to the final rule, and was corrected on September 4, 1997 (62 FR 46679). This rule proposes to establish additional testing and certification procedures and to add a paragraph to the Testing Protocol for BRD Certification regarding those