Executive Order 12866 (as amended by Executive Order 13258, which merely reassigns responsibility of duties) directs agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). A regulatory impact analysis (RIA) must be prepared for major rules with economically significant effects ($100 million or more in any 1 year). This final rule is not economically significant and is not a major rule.

The RFA requires agencies to analyze options for regulatory relief of small businesses. For purposes of the RFA, small entities include small businesses, nonprofit organizations, and government agencies. Most hospitals and most other providers and suppliers are small entities, either by nonprofit status or by having revenues of $6 million to $29 million in any 1 year. Individuals and States are not included in the definition of a small entity. This final rule will have no significant impact on small businesses.

Section 202 of the Unfunded Mandates Reform Act of 1995 also requires that agencies assess anticipated costs and benefits before issuing any rule that may result in expenditure in any 1 year by State, local, or tribal governments, in the aggregate, or by the private sector, of $110 million. This final rule does not impose unfunded mandates on State, local, or tribal governments.

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a proposed rule (and subsequent final rule) that imposes substantial direct requirement costs on State and local governments, preempts State law, or otherwise has federalism implications. We have determined that this final rule does not significantly affect the rights, roles, and responsibilities of State or local governments.

The July 26, 2002, interim final rule with comment period was reviewed by the Office of Management and Budget (OMB) in accordance with provisions of Executive Order 12866.

List of Subjects in 45 CFR Part 146

Health care, Health insurance, Reporting and recordkeeping requirements.

PART 146—REQUIREMENTS FOR THE GROUP HEALTH INSURANCE MARKET

■ Accordingly, the interim final rule with comment period amending 45 CFR part 146, which was published on July 26, 2002, in the **Federal Register** at 67 FR 48802–48814 is adopted as a final rule without change.

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

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: July 28, 2003.

Thomas A. Scully,

Administrator, Centers for Medicare & Medicaid Services.

Dated: March 1, 2004.

Tommy G. Thompson,

Secretary.

[FR Doc. 04–16792 Filed 7–22–04; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 031104274–4011–02;I.D. 071604E]

Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Inseason Adjustment of the Quarter III Fishery for Loligo Squid

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

ACTION: Inseason adjustment.

SUMMARY: NMFS announces that the Regional Administrator, Northeast Region, NMFS (Regional Administrator) is decreasing the commercial Loligo squid quota for Quarter III in the Exclusive Economic Zone (EEZ). This inseason adjustment is necessary due to overages in the commercial quota landed in the Quarter 1.

DATES: Effective 0001 hours, July 20, 2004, through 2400 hours, September 30, 2004.

FOR FURTHER INFORMATION CONTACT: Don Frei, Fishery Management Specialist, 978–281–9221, fax 978–281–9135, e-mail *don.frei@noaa.gov*.

SUPPLEMENTARY INFORMATION: Section 648.21 (f)(2) requires the Regional Administrator to subtract any overages of *Loligo* squid commercial quota landed during Quarter I from the allocation for Quarter III. Accordingly, the Regional Administrator, based on dealer reports and other available information, has determined that there was a 5.6 percent overage in Quarter I *Loligo* squid directed fishery. Therefore, the quota for the directed fishery for *Loligo* squid in Quarter III is reduced from 6,435,130 lb (2,918.9 mt) to 5,733,152 lb (2,600.5 mt). The regulations governing the Atlantic mackerel, squid, and butterfish fisheries require notification to the public of this adjustment.

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

Dated: July 19, 2004.

Alan D. Risenhoover,

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

[FR Doc. 04–16835 Filed 7–20–04; 3:58 pm]

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