

conform to the provisions of section 604 of the RFA. For purposes of section 1102(b) of the Act, we define a small rural hospital as a hospital that is located outside of a Metropolitan Statistical Area and has fewer than 50 beds.

This final rule incorporates the technical provisions of the proposed rule regarding resumption of entitlement. This rule has no budget impact because it merely conforms the regulations more closely to the intent of the Social Security Act in order to avoid any ambiguity concerning the conditions for resumption of Medicare entitlement. Therefore, we are not preparing analyses for either the RFA or section 1102(b) of the Act since we have determined, and the Secretary certifies, that this final rule will not result in a significant economic impact on a substantial number of small entities and will not have 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 not reviewed by the Office of Management and Budget.

List of Subjects in 42 CFR Part 406

Health facilities, Kidney diseases, Medicare.

42 CFR chapter IV, part 406 is amended as follows:

PART 406—HOSPITAL INSURANCE ELIGIBILITY AND ENTITLEMENT

1. The authority citation for part 406 continues to read as follows:

Authority: Secs. 202(t), 202(u), 226, 226A, 1102, 1818, and 1871 of the Social Security Act (42 U.S.C. 402(t), 402(u), 426, 426-1, 1302, 1395i-2, and 1395hh) and 103 of Pub. L. 89-97 (42 U.S.C. 426a) unless otherwise noted.

2. In § 406.13, paragraphs (f) and (g) are revised to read as follows:

§ 406.13 Individual who has end-stage renal disease.

* * * * *

(f) *End of entitlement.* Entitlement ends with—

(1) The end of the 12th month after the month in which a regular course of dialysis ends; or

(2) The end of the 36th month after the month in which the individual has received a kidney transplant.

(g) *Resumption of entitlement.* Entitlement is resumed under the following conditions:

(1) An individual who initiates a regular course of renal dialysis or has a kidney transplant during the 12-month period after the previous course of

dialysis ended is entitled to Part A benefits and eligible to enroll in Part B with the month the regular course of dialysis is resumed or the month the kidney is transplanted.

(2) An individual who initiates a regular course of renal dialysis or has a kidney transplant during the 36-month period after an earlier kidney transplant is entitled to Part A benefits and eligible to enroll in Part B with the month the regular course of dialysis begins or with the month the subsequent kidney transplant occurs.

(3) An individual who initiates a regular course of renal dialysis more than 12 months after the previous course of regular dialysis ended or more than 36 months after the month of a kidney transplant is eligible to enroll in Part A and Part B with the month in which the regular course of dialysis is resumed. If he or she is otherwise entitled under the conditions specified in paragraph (c) of this section, including the filing of an application, entitlement begins with the month in which dialysis is initiated or resumed, without a waiting period, subject to the limitations of paragraph (e)(1) of this section.

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

Dated: November 29, 1994.

Bruce C. Vladek,

Administrator, Health Care Financing Administration.

Dated: January 5, 1995.

Donna E. Shalala,

Secretary.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 7139

[AZ-930-1430-01; AZA 26964]

Withdrawal of National Forest System Land for Houston Mesa Campground; Arizona

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order withdraws 320 acres of National Forest System land from mining for 20 years to protect the Houston Mesa Campground site. The land has been and will remain open to mineral leasing and other uses authorized by the Forest Service.

EFFECTIVE DATE: May 8, 1995.

FOR FURTHER INFORMATION CONTACT: John Mezes, BLM Arizona State Office, P.O. Box 16563, Phoenix, Arizona 85011, 602-650-0509.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Subject to valid existing rights, the following described National Forest System land is hereby withdrawn from location and entry under the United States mining laws (30 U.S.C. Ch. 2 (1988)), but not from leasing under the mineral leasing laws, to protect the Houston Mesa Campground site.

Gila and Salt River Meridian

T. 11 N., R. 10 E.,

Sec. 27, N¹/₂.

The area described contains 320 acres in Gila County.

2. The withdrawal made by this order does not alter the applicability of those land laws governing the use of the National Forest System lands under lease, license or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (1988), the Secretary determines that the withdrawal be extended.

Dated: April 21, 1995.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 95-11191 Filed 5-5-95; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 90-90; RM-7128, RM-7332, RM-7410, RM-7411, RM-7412]

FM Radio Broadcasting Services; Sulphur and South Fort Polk, LA; Bay City, Edna, Galveston, Jasper, LaGrange, New Ulm, Palacios, Redland, Rosenberg, and Winnie, TX

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document grants the rule making petition filed by KSIG Broadcasting Company, Inc.,

substituting Channel 267C3 for Channel 265A at Sulphur, Louisiana and modifying the license of Station KTQQ-FM, Sulphur, to specify operation on Channel 267C3. *See Notice of Proposed Rule Making*, 55 FR 9148 (March 12, 1991). In order to accommodate this upgrade, we substitute Channel 239A for vacant Channel 267A at South Fort Polk, Louisiana. We also grant in part the counterproposal filed by Roy E. Henderson to substitute Channel 264C for Channel 264C2 at Jasper, Texas, reallocate Channel 264C to Winnie, Texas, and modify the license of Station KMIA-FM, Jasper, to specify operation of Channel 264C at Winnie. In order to accommodate this upgrade and change of community of license, we substitute Channel 259A for vacant Channel 264A at Palacios, Texas. *See Supplemental Information, infra.*

DATES: Effective June 19, 1995. The window period for filing applications for Channel 239A at South Fort Polk, Louisiana and for Channel 259A at Palacios, Texas will open on June 19, 1995, and close on July 20, 1995.

FOR FURTHER INFORMATION, CONTACT: J. Bertron Withers, Jr., Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Report and Order*, MM Docket No. 90-90, adopted April 27, 1995 and released May 3, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in FCC Dockets Branch (Room 230), 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, 2100 M Street, NW, Suite 140, Washington, DC 20037.

Channel 267C3 can be allotted to Sulphur, Louisiana, in compliance with

the Commission's minimum interstation distance separation requirements at Station KTQQ-FM's current transmitter site at coordinates North Latitude 30-14-55 and West Longitude 93-17-56. Channel 239A can be allotted to South Fort Polk, Louisiana, in compliance with the Commission's minimum interstation distance separation requirements at coordinates North Latitude 31-08-33 and West Longitude 93-15-15. Channel 264C can be allotted to Winnie, Texas, in compliance with the Commission's minimum interstation distance separation requirements at coordinates North Latitude 29-49-12 and West Longitude 94-23-00. Channel 259A can be allotted to Palacios, Texas, in compliance with the Commission's minimum interstation distance separation requirements at coordinates North Latitude 28-42-00 and West Longitude 96-12-48. With this action, the proceeding is terminated.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

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

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Louisiana, is amended by removing Channel 265A and adding Channel 267C3 at Sulphur, and by removing Channel 267A and adding Channel 239A at South Fort Polk.

3. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 264C2 at Jasper and adding Channel 264C at Winnie, and by removing Channel 264A and adding Channel 259A at Palacios.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 95-11215 Filed 5-5-95; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 90-651; RM-7544]

Radio Broadcasting Services; Bald Knob and Clarendon, AR

AGENCY: Federal Communications Commission.

ACTION: Final Rule; Application for Review.

SUMMARY: The Commission dismisses the Application for Review filed by B&H Broadcasting Company. B&H sought review of the action taken by the Chief, Policy and Rules Division on April 12, 1993, which dismissed as untimely B&H's petition for reconsideration of the Commission's action in MM Docket No. 90-651, 57 FR 45002 published September 30, 1992. B&H had requested withdrawal of its application, stating that it had received no consideration for such withdrawal in excess of its legitimate and prudent expenses incurred during the course of the proceeding. With this action, the proceeding is terminated.

EFFECTIVE DATE: May 8, 1995.

FOR FURTHER INFORMATION CONTACT: Arthur D. Scrutchins, Mass Media Bureau, (202) 776-1660.

Federal Communications Commission.

Douglas W. Webbink,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-11214 Filed 5-5-95; 8:45 am]

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