create confusion for both the public and HHS with respect to enforcement during this period. Thus, HHS hereby extends the expiration date of subpart E by one year. This action is being taken under HHS's authority at 42 U.S.C. 1302(a) and 1320d-6.

Notwithstanding this extension, HHS fully expects to issue the final rule that will result from the forthcoming rulemaking as soon as possible rather than at or near the new September 16, 2005 expiration date. However, a one-year extension should provide HHS with a period sufficient to avoid another extension, should unexpected circumstances delay the regulatory development process.

The Administrative Procedure Act generally requires agencies to provide advance notice and an opportunity to comment on agency rulemakings. However, there are certain exceptions to this requirement. As the preamble to the April 17, 2003 interim final rule explained, subpart E sets out—

> the procedures for provision by the agency of the statutorily required notice and hearing and procedures for issuing administrative subpoenas. Such provisions are exempted from the requirement for notice-and-comment rulemaking under the ''rules of agency * * * procedure, or practice'' exemption at 5 U.S.C. 553(b)(3)(A).

68 FR 18897. Since this regulatory action does no more than extend the effectiveness of a rule that itself was not required to be issued through notice-and-comment rulemaking, the extension of the rule likewise comes within the exemption of 5 U.S.C. 553(b)(3)(A). Accordingly, we do not request comment on the extension.

We have also determined that good cause exists to waive the requirement of publication 30 days in advance of the rule's effective date under 5 U.S.C. 553(d)(3). Since subpart E is already in effect, no useful purpose would be served in delaying the effective date of this action, as those entities who are subject to subpart E are already on notice of its terms. Making this extension effective on less than 30 days notice accordingly will not impose a burden upon anyone. In addition, to the extent that a delayed effective date occasioned a hiatus in the effectiveness of subpart E, it could cause the confusion that the extension seeks to avoid. Accordingly, we find good cause under 5 U.S.C. 553(d)(3) for not delaying the effective date of this action.

B. Review Under Procedural Statutes and Executive Orders

We have reviewed this final rule under the following statutes and executive orders governing rulemaking procedures: the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1501 *et seq.*; the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*; the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 801 *et seq.*; the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*; Executive Order 12866 (Regulatory Planning and Review), as amended by Executive Order 13258; and Executive Order 13132 (Federalism). Since this rule merely extends the expiration date of subpart E, the information in the compliance statements that we published on April 17, 2003 with the existing rule continues to apply.

List of Subjects in 45 CFR Part 160

Administrative practice and procedure, Computer technology, Electronic transactions, Employer benefit plan, Health, Health care, Health facilities, Health insurance, Health records, Hospitals, Investigations, Medicaid, Medical research, Medicare, Penalties, Privacy, Reporting and record keeping requirements, Security.

Dated: August 6, 2004.

Tommy G. Thompson,

Secretary.

[FR Doc. 04–20842 Filed 9–13–04; 10:15 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 25

[IB Docket No. 02–34; FCC 04–92]

Space Station Licensing Rules and Policies

AGENCY: Federal Communications Commission.

ACTION: Final rule, announcement of effective date.

SUMMARY: The Commission adopted rule revisions to extend mandatory electronic filing to all satellite and earth station applications. Certain rules contained new or modified information requirements and were published in the **Federal Register** on August 6, 2004. This document announces the effective date of these published rules. 47 CFR 25.110, 25.114, 25.115, 25.116, 25.117, 25.118(a), 25.130, 25.131, 25.154.

DATES: The revisions to §§ 25.110, 25.114, 25.115, 25.116, 25.117, 25.118(a), 25.130, 25.131, and 25.154, published at 69 FR 47790, August 6, 2004, became effective August 24, 2004.

FOR FURTHER INFORMATION CONTACT: Steven Spaeth, Satellite Division, International Bureau, at (202) 418–1539.

SUPPLEMENTARY INFORMATION: On August 24, 2004, the Office of Management and Budget (OMB) approved the information collection requirement contained in §§ 25.110, 25.114, 25.115, 25.116, 25.117, 25.118(a), 25.130, 25.131, and 25.154, pursuant to OMB Control No. 3060–0678.

Accordingly, the information collection requirement contained in these rules became effective on August 24, 2004.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 04–20786 Filed 9–14–04; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 22 and 24

[WT Docket No. 01–108; DA 04–2590]

Year 2000 Biennial Regulatory Review—Amendment of Part 22 of the Commission's Rules To Modify or Eliminate Outdated Rules Affecting the Cellular Radiotelephone Service and Other Commercial Mobile Radio Services

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: The Federal Communications Commission published in the **Federal Register** of April 1, 2004, a document relating to the resolution of Petitions for Reconsideration filed in the Commission's part 22 Cellular Biennial Regulatory Review proceeding in WT Docket No. 01–108, which incorrectly indicated that a new or modified information collection exists that requires approval by the Office of Management and Budget (''OMB''), and contained an incorrect DATES section. The effective date for the document (69 FR 17063) is corrected to read: **DATES:** Effective June 1, 2004. This document corrects the **DATES** section of the April 1, 2004 document.

DATES: Effective June 1, 2004.

FOR FURTHER INFORMATION CONTACT: Linda C. Chang, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th St., Washington, DC 20554, (202) 418–0620.

SUPPLEMENTARY INFORMATION: The FCC published a document in the **Federal Register** of April 1, 2004, (69 FR 17063) relating to the resolution of petitions for reconsiderations filed in the Commission's Part 22 Cellular Biennial