

prospective payment system (OPPS) for hospital outpatient services.

The OPPS is comprised of ambulatory payment classification groups, relative weights, and payment rates. The Balanced Budget Refinement Act of 1999 (Pub. L. 106-113), enacted on November 29, 1999, amended section 1833(t)(6) of the Act. This section authorized transitional pass-through payments for certain drugs, biologicals, and devices. These drugs, biologicals, and devices include those that were not being paid for as a hospital outpatient service as of December 31, 1996 and for which the cost is not insignificant in relation to the OPPS payment for the procedures associated with the drug, biological, or device. The Medicare, Medicaid and SCHIP Benefits Improvement and Protection Act of 2000 (Pub. L. 106-554), enacted on December 21, 2000, amended this provision to permit transitional pass-through payment for some older devices as well. By statute, transitional pass-through payment status extends at least 2 years, but no more than 3 years. Beginning January 1, 2003, almost all of the items that are eligible for transitional pass-through payments will reach the end of their eligibility for pass-through payments. Therefore, their costs must be recognized through other means under the OPPS. Participants at the town hall meeting are invited to share their opinions about how these items should be treated under the OPPS for calendar year (CY) 2003.

II. Meeting Format

The meeting will begin with an introduction of the OPPS, focusing on the treatment of transitional passthrough payments for drugs, biologicals, and devices under the OPPS for CY 2003. The remainder of the meeting will be reserved for statements from interested parties on this issue.

We will limit the time for participants to make a statement according to the number of registered participants. Individuals who wish to make a statement must contact Roechel Kujawa as soon as possible. Those individuals must subsequently mail their written submission no later than 5 p.m., Monday, April 1, 2002. Send written submissions to: Roechel Kujawa, Division of Outpatient Care, Center for Medicare Management, Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Mail Stop C4-05-25, Baltimore, Maryland 21244. All written submissions must be received no later than 5 p.m., Monday, April 1, 2002, at the above address. Comments from individuals not registered to speak

will be heard after scheduled statements, if time permits.

III. Registration Instructions

The Division of Outpatient Care is coordinating meeting registration. While there is no registration fee, all individuals must register to attend. Because this meeting will be located on Federal property, for security reasons, any persons wishing to attend this meeting must call Roechel Kujawa to register at least 72 hours in advance. Attendees must show photographic identification to the Federal Protective Service or Guard Service personnel before they will be permitted to enter the building. Individuals who have not registered in advance will not be allowed to enter the building to attend the meeting. Seating capacity is limited to the first 250 registrants.

Individuals requiring sign language interpretation for the hearing impaired or other special accommodations should contact Roechel Kujawa at least 10 days before the meeting.

Authority: Section 1833(t) of the Social Security Act (42 U.S.C. 1395l(t)) (Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: March 12, 2002.

Thomas A. Scully,

Administrator, Centers for Medicare & Medicaid Services.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 02-486; MM Docket No. 01-137; RM-10156]

Radio Broadcasting Services; Altus, OK

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; dismissal.

SUMMARY: The Commission, at the request of Katherine Pyeatt, dismisses the petition proposing the allotment of Channel 295C2 at Altus, Oklahoma, as the community's third local FM transmission service. See 66 FR 35768, July 9, 2001. A showing of continuing interest is required before a channel will be allotted. It is the Commission's policy to refrain from making an allotment to a community absent an expression of interest.

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 01-137 adopted February 20, 2002, and released March 1, 2002. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 02-6371 Filed 3-15-02; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 02-488; MM Docket No. 02-43, RM-10384]

Radio Broadcasting Services; Milan, NM

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Don Davis proposing the allotment of Channel 270A at Milan, New Mexico, as the community's second local FM transmission service. Channel 270A can be allotted to Milan in compliance with the Commission's minimum distance separation requirements at city reference coordinates. The coordinates for Channel 270A Milan are 35-10-11 North Latitude and 107-53-24 West Longitude.

DATES: Comments must be filed on or before April 22, 2002, reply comments on or before May 7, 2002.

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: Mr. Don Davis, 809 Wellesley NE., Albuquerque, New Mexico 87106 (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, MM Docket No. 02-43, adopted February 20, 2002, released March 1, 2002. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554.

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.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

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

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under New Mexico, is amended by adding Channel 270A at Milan.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 02-6372 Filed 3-15-02; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[I.D. 030702C]

RIN 0648-AM97

Fisheries of West Coast States and in the Western Pacific; Fishery Management Plan

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

ACTION: Notice of availability of a fishery management plan; request for comments.

SUMMARY: NMFS announces that the Western Pacific Fishery Management Council (Council) has submitted a Coral Reef Ecosystems Fishery Management Plan for the Western Pacific Region (CREFMP) for Secretarial review under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The CREFMP, an ecosystem-based plan, is intended to conserve and manage the coral reef ecosystems and associated habitats in the U.S. exclusive economic zones (EEZ) around American Samoa, Guam, Hawaii, Commonwealth of the Northern Mariana Islands (CNMI), and the remote U.S. Pacific island areas (PRIAs) in the Pacific Ocean. Its goal is to maintain sustainable coral reef fisheries while protecting stocks, habitat, protected species, and coral reef ecosystems from adverse impacts.

DATES: Comments on the CREFMP must be received no later than 5 p.m., Hawaii Standard Time May 17, 2002.

ADDRESSES: Written comments should be sent to Dr. Charles Karnella, Administrator, Pacific Islands Area Office, NMFS, 1161 Kapiolani Blvd, Suite 110, Honolulu, HI 96815. Comments will not be accepted if submitted via e-mail or the Internet.

FOR FURTHER INFORMATION CONTACT: Ms. Kitty Simonds, Executive Director, Western Pacific Fishery Management Council, at (808) 522-8220. The CREFMP is available at the Council's website, www.wpcouncil.org.

SUPPLEMENTARY INFORMATION: As authorized under the Magnuson-Stevens Act, the Council has developed and submitted for Secretarial review a CREFMP and associated amendments to the fishery management plans for western Pacific bottomfish and seamount groundfish fisheries

(Amendment 7), crustacean fisheries (Amendment 11), precious coral fisheries (Amendment 5,) and pelagic fisheries (Amendment 10). The CREFMP is an ecosystem-based fishery management plan that covers the coral reef ecosystems and adjacent marine habitats in the EEZ around American Samoa, Guam, Hawaii (main and Northwestern Hawaiian Islands or NWHI), CNMI, and the mostly uninhabited PRIAs. The PRIAs consist of Johnston and Palmyra Atolls, Kingman Reef, Jarvis, Howland, Baker and Wake Islands, and Midway Atoll. The vast majority of the total area covered by coral reefs under U.S. jurisdiction is located in the western Pacific region and would be covered by this FMP.

Development of the CREFMP began in 1996. The Council held scoping hearings in June 1999 to obtain public input on a new fishery management plan. On January 10, 2001, NMFS published a Notice of Availability (66 FR 1945) of a draft CREFMP. Public meetings and hearings were held on the draft CREFMP between January 16 and February 5, 2001. At its 110th meeting (June 21, 2001), the Council took final action on the FMP and approved its submission to NMFS for Secretarial review.

The conservation and management measures would: (1) Establish no-take marine protected areas (MPAs) (where the harvest of any management unit species listed under any FMP is prohibited) within Federal waters from 0-50 fathoms (fm) (0-50 91.5 m) (around French Frigate Shoals and Laysan Island (NWHI), Rose Atoll (American Samoa), the north half of Midway Atoll, Jarvis, Howland, and Baker Islands, and Kingman Reef (PRIAs), and from 0-10 fm throughout the remaining NWHI, except around Midway Atoll; (2) establish low-use MPAs (where the harvest of CREFMP management unit species is allowed on a case-by-case basis only after a review and determination that proposed activities would not harm the ecosystem) within Federal waters from 10-50 fm (18.3 m-91.5 m) around all other NWHI, and from 0-50 fm (0-91.5 m) around Palmyra, Johnston, and Wake, and the south half of Midway Atoll; (3) require special permits for the harvesting of any CREFMP management unit species in low-use MPAs, and for the harvesting of Potentially Harvested Coral Reef Taxa throughout the EEZ, except for (a) Incidental harvests by other western Pacific fisheries management plan permit holders and, (b) any harvest within three nautical miles (nm) of the CNMI; (4) restrict the use of fishing gear