

FOR FURTHER INFORMATION CONTACT:

Theresa Linkowich, (410) 786-9249 (General inquiries concerning prosthetics and custom-fabricated orthotics), Centers for Medicare & Medicaid Services (CMS), 7500 Security Blvd, Baltimore MD 21244; or Lynn Sylvester, 202-606-9140, Federal Mediation and Conciliation Services, 2100 K Street, NW., Washington, DC 20427; or Ira Lobel, 518-431-0130, Federal Mediation and Conciliation Services, Clinton Square, Room 952, Albany, NY 12207

SUPPLEMENTARY INFORMATION: We published a document in the **Federal Register** on July 26, 2002 (FR pages 48839-48840) announcing the establishment of the negotiated rulemaking committee to advise us on developing a proposed rule that would establish special payment provisions and requirements for suppliers of prosthetics and certain custom-fabricated orthotics under the Medicare program. The notice also announced dates for the Committee's first two meetings on October 1-3, 2002 and October 29-31, 2002. On November 22, 2002 (FR page 70358), a notice of meetings was published in the **Federal Register** announcing the third meeting held January 6 and 7, 2003, and the fourth meeting which will be held February 10 and 11, 2003.

Through face-to-face negotiations, these meetings will help the Committee to reach consensus on the substance of the proposed rule. If consensus is reached, the Committee will transmit to us a report containing required information for developing a proposed rule and we will use the report as the basis for the proposed rule. The Committee is responsible for identifying the key issues, gauging their importance, analyzing the information necessary to resolve the issues, arriving at a consensus, and recommending the text and content of the proposed regulation. Detailed information is available on the CMS Internet Home Page: <http://cms.hhs.gov/faca/prosthetics/> or by calling the Federal Advisory Committee Hotline at (410) 786-9379.

The Agendas for the March 10 and 11 meeting and April 7 and 8 meeting will cover the following:

1. Review of the February 10 and 11 minutes. (March 10 and 11) and review of the March 10 and 11 minutes (April 7 and 8).
2. Discussion of statutory terms to be further defined by regulation.
3. Discussion on L codes.
4. Discussion on supplier and practitioner qualifications as set forth in the statute.

5. Presentation of Computer Assisted Design (CAD)

6. Presentation by National Orthotic Manufacturers Association (NOMA)

7. Oral comments from members of the public.

Public Participation

All interested parties are invited to attend these public meetings, but attendance is limited to the space available. No advance registration is required. Seating will be available on a first-come first-served basis. Individuals requiring sign language interpretation for the hearing impaired or other special accommodations should contact

Theresa Linkowich, mlinkowich@cms.hhs.gov or call (410) 786-9249 at least 10 days before the meeting. The Committee has the authority to decide to what extent oral presentations by members of the public may be permitted at the meeting. Oral presentations will be limited to statements of fact and views, and shall not include any questioning of the Committee members or other participants unless the facilitators have specifically approved these questions. The number of oral presentations may be limited by the time available.

Interested parties can file statements with the Committee. Mail written statements to the following address: Federal Mediation and Conciliation Services, 2100 K Street, NW., Washington, DC 20427, Attention: Lynn Sylvester, or call Lynn Sylvester at (202) 606-9140.

Additional Meetings

Meetings will be held as necessary. We will publish notices of future meetings in the **Federal Register**. All future meetings will be open to the public without advance registration.

Authority: Federal Advisory Committee Act (5 U.S.C. App. 2) (Catalog of Federal Domestic Assistance Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: January 17, 2003.

Thomas A. Scully,

Administrator, Centers for Medicare & Medicaid Services.

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 216**

[Docket No. 030114011-3011-01, I.D. 122702A]

Petition To Designate Alaska Transient Killer Whales as Depleted; Finding

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

ACTION: Notice of finding; request for information.

SUMMARY: NMFS received a petition to designate a group of transient killer whales as depleted under the Marine Mammal Protection Act (MMPA). This group of killer whales, identified as the AT1 group, inhabits Prince William Sound/Kenai Fjords, AK. NMFS finds that the petition presents substantial information indicating that the petitioned action may be warranted and will initiate a status review promptly. NMFS solicits information and comments from the public that may contribute to the status review.

DATES: Information and comments on the action must be received by March 10, 2003.

ADDRESSES: A copy of the petition may be requested from, and information and comments on this action should be submitted to, Assistant Administrator for Protected Resources, NMFS, 709 W. 9th St, Juneau, AK 99802-1668. Comments will not be accepted if submitted via email or the Internet; however, comments may be sent via fax to (907) 586-7012.

FOR FURTHER INFORMATION CONTACT: Kaja Brix, NMFS, Alaska Region (907) 586-7235 or Tom Eagle, NMFS, Office of Protected Resources, (301) 713-2322 ext. 105.

SUPPLEMENTARY INFORMATION:**Electronic Access**

Reference materials regarding this rule, including the petition, its attachments, and marine mammal stock assessment reports, may be obtained from the Internet at <http://www.fakr.noaa.gov>.

Background

A stock is depleted under the MMPA when its abundance is below optimum sustainable population (OSP) levels. OSP is the population size that falls within a range from the population level of a given species or stock which is the