

where applicable, any other Federal health care program has imposed a longer period of exclusion under its own authorities.

**§ 402.306 Denial of request for reinstatement.**

(a) If a request for reinstatement is denied, the initiating agency provides written notice to the excluded person. Within 30 days of the date of this notice, the excluded person may submit to the initiating agency—

(1) Documentary evidence and a written argument challenging the reinstatement denial; or

(2) A written request to present written evidence and/or oral argument to an official of the initiating agency.

(b) If a written request as described in paragraph (a)(2) of this section is received timely by the initiating agency, the initiating agency, within 15 days of receipt of the excluded person's request, initiates communication with the excluded person to establish a time and place for the requested meeting.

(c) After evaluating any additional evidence submitted by the excluded person (or at the end of the 30-day period described in paragraph (a) of this section, if no documentary evidence or written request is submitted), the initiating agency sends written notice to the excluded person either confirming the denial, or approving the reinstatement in the manner set forth in § 402.304. If the initiating agency elects to uphold its denial decision, the written notice also indicates that a subsequent request for reinstatement will not be considered until at least 1 year after the date of the written denial notice.

(d) The decision to deny reinstatement is not subject to administrative review.

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

Dated: September 5, 2003.  
**Thomas A. Scully,**  
*Administrator, Centers for Medicare and Medicaid Services.*

Dated: March 15, 2004.  
**Tommy G. Thompson,**  
*Secretary.*  
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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 32**

**RIN 1018-AT40**

**2004-2005 Refuge-Specific Hunting and Sport Fishing Regulations; Correction**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Correction to proposed regulations.

**SUMMARY:** This document contains corrections to the proposed regulations which were published June 30, 2004, (69 FR 39552). The proposed regulations related to the addition of 10 refuges and wetland management districts to the list of areas open for hunting and/or sport fishing programs and increase the activities available at 7 other refuges. We also develop pertinent refuge-specific regulations for those activities and amend certain regulations on other refuges that pertain to migratory game bird hunting, upland game hunting, big game hunting, and sport fishing for the 2004-2005 season.

**DATES:** We must receive your comments on or before July 30, 2004.

**FOR FURTHER INFORMATION CONTACT:** Leslie Marler, (703) 358-2397.

**SUPPLEMENTARY INFORMATION:**

**Background**

We issue refuge-specific regulations when we open wildlife refuges to migratory game bird hunting, upland game hunting, big game hunting, or sport fishing. These regulations list the wildlife species that you may hunt or fish, season, bag or creel limits, methods of hunting or sport fishing, descriptions

of areas open to hunting or sport fishing, and other provisions as appropriate. The regulations that are the subject of these corrections increase opportunity to hunt upland game only at Big Oaks National Wildlife Refuge in the State of Indiana.

**Need for Correction**

We provided information in the **SUPPLEMENTARY INFORMATION** section indicating that Big Oaks National Wildlife Refuge was opening for the first time to migratory bird and upland game. The refuge is not opening to migratory bird hunting. The "X" will be removed from the chart in the **SUPPLEMENTARY INFORMATION** on page 39553 under migratory bird hunting, and the amendatory text under § 32.33 for that refuge should continue to reflect that migratory bird hunting is reserved and that we are opening to upland game hunting.

**Correction of Publication**

Accordingly, the publication on June 30, 2004, of the proposed regulations is corrected as follows:

**PART 32—[CORRECTED]**

**§ 32.33 [Corrected]**

1. Direction #15 on page 39595 in the third column is corrected by adding instruction c. as follows: c. Revising paragraph B. of "Big Oaks National Wildlife Refuge."

2. The listing for Big Oaks National Wildlife Refuge should be inserted on page 39595 in the third column in § 32.33 before the listing for "Muscatatuck National Wildlife Refuge". The listing reads as follows:

**Big Oaks National Wildlife Refuge**  
\* \* \*

*B. Upland Game Hunting.* We allow hunting of squirrel in accordance with State regulations subject to the following condition: We require a refuge permit.

\* \* \* \* \*

Dated: July 19, 2004.  
**Susan Wilkinson,**  
*Fish and Wildlife Service, Federal Register Liaison.*  
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