

4. Revise § 162.1302 to read as follows:

**§ 162.1302 Standard for referral certification and authorization.**

The Secretary adopts the following standards for the referral certification and authorization transaction:

(a) [Reserved]

(b) *Dental, professional, and institutional referral certification and authorization.* The Secretary adopts the ASC X12N 278—Health Care Services Review-Request for Review and Response, Version 4010, May 2000, Washington Publishing Company, 004010X094 and Addenda to Health Care Services Review-Request for Review and Response, Version 4010, October 2001, Washington Publishing Company, 004010X094A1 as the standard for the referral certification and authorization transaction. The implementation specification is available at the addresses specified in § 162.920(a)(1).

5. Revise § 162.1402 to read as follows:

**§ 162.1402 Standard for health care claims status.**

The Secretary adopts the ASC X12N—276/277 Health Care Claim Status Request and Response, Version 4010, May 2000, Washington Publishing Company, 004010X093 and Addenda to Health Care Claim Status Request and Response, Version 4010, October 2001, Washington Publishing Company, 004010X093A1 as the standard for the health care claim status transaction. The implementation specification is available at the addresses specified in § 162.920(a)(1).

6. Revise § 162.1502 to read as follows:

**§ 162.1502 Standard for enrollment and disenrollment in a health plan.**

The Secretary adopts the ASC X12N 834—Benefit Enrollment and Maintenance, Version 4010, May 2000, Washington Publishing Company, 004010X095 and Addenda to Benefit Enrollment and Maintenance, Version 4010, October 2001, Washington Publishing Company, 004010X095A1 as the standard for enrollment and disenrollment in a health plan transaction. The implementation specification is available at the addresses specified in § 162.920(a)(1).

7. Revise § 162.1602(b) to read as follows:

**§ 162.1602 Standards for health care payment and remittance advice.**

\* \* \* \* \*

(b) *Dental, professional, and institutional health care claims and*

*remittance advice.* The ASC X12N 835—Health Care Claim Payment/Advice, Version 4010, May 2000, Washington Publishing Company, 004010X091 and Addenda to Health Care Claim Payment/Advice, Version 4010, October 2001, Washington Publishing Company, 004010X091A1. The implementation specification is available at the addresses specified in § 162.920(a)(1).

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

Dated: March 20, 2002.

**Tommy G. Thompson,**

*Secretary.*

[FR Doc. 02–13615 Filed 5–24–02; 4:53 pm]

**BILLING CODE 4120–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 02–1198, MB Docket No. 02–116, RM–10233]

#### Digital Television Broadcast Service; Billings, MT

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by KTVQ Communications, Inc., licensee of station KTVQ(TV), NTSC channel 2, Billings, Montana, requesting the substitution of DTV channel 10 for station KTVQ(TV)'s assigned DTV channel 17. DTV Channel can be allotted to at reference coordinates 45–46–00 N. and 108–27–27 W. with a power of 160, a height above average terrain HAAT of 165 meters. Since the community of Billings is located within 400 kilometers of the U.S.-Canadian border, concurrence from the Canadian government must be obtained for this allotment.

**DATES:** Comments must be filed on or before July 15, 2002, and reply comments on or before July 30, 2002.

**ADDRESSES:** The Commission permits the electronic filing of all pleadings and comments in proceedings involving petitions for rule making (*except in broadcast allotment proceedings*). See *Electronic Filing of Documents in Rule Making Proceedings*, GC Docket No. 97–113 (rel. April 6, 1998). Filings by paper can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we

continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, 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: Scott S. Patrick, Dow, Lohnes & Albertson, PLLC, 1200 New Hampshire Avenue, NW., Suite 800, Washington, DC 20036–6802 (Counsel for KTVQ Communications, Inc.)

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Media Bureau, (202) 418–1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 02–116, adopted May 17, 2002, and released May 24, 2002. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC, 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC, 20554, telephone 202–863–2893, facsimile 202–863–2898, or via-e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

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

Digital television broadcasting, Television.

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.

#### § 73.622 [Amended]

2. Section 73.622(b), the Table of Digital Television Allotments under Montana is amended by removing DTV channel 17 and adding DTV channel 10 at Billings.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 02-13646 Filed 5-30-02; 8:45 am]

BILLING CODE 6712-01-P

#### DEPARTMENT OF DEFENSE

#### 48 CFR Parts 232 and 252

#### [DFARS Case 2002-D001]

#### Defense Federal Acquisition Regulation Supplement; Electronic Submission and Processing of Payment Requests

**AGENCY:** Department of Defense (DoD).

**ACTION:** Proposed rule with request for comments.

**SUMMARY:** DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to implement Section 1008 of the National Defense Authorization Act for Fiscal Year 2001. Section 1008 requires contractors to submit, and DoD to process, payment requests in electronic form.

**DATES:** DoD will consider all comments received by July 30, 2002.

**ADDRESSES:** Respondents may submit comments directly on the World Wide Web at <http://emissary.acq.osd.mil/dar/dfars.nsf/pubcomm>. As an alternative, respondents may e-mail comments to: [dfars@acq.osd.mil](mailto:dfars@acq.osd.mil). Please cite DFARS

Case 2002-D001 in the subject line of e-mailed comments.

Respondents that cannot submit comments using either of the above methods may submit comments to: Defense Acquisition Regulations Council, Attn: Ms. Sandra Haberlin, OUSD(AT&L)DP(DAR), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062; facsimile (703) 602-0350. Please cite DFARS Case 2002-D001.

At the end of the comment period, interested parties may view public comments on the World Wide Web at <http://emissary.acq.osd.mil/dar/dfars.nsf>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandra Haberlin, (703) 602-0289.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

This rule proposes to add a new DFARS subpart and a contract clause to implement Section 1008 of the National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398).

Section 1008 provides that—

- Contractors must submit electronically, and DoD must process electronically, requests for payment under DoD contracts;
- DoD must transmit any supporting documentation electronically within DoD;
- The Secretary of Defense may exempt cases in any category if the Secretary determines that the requirement for using electronic means for submitting or transmitting payment requests is unduly burdensome; and
- This requirement shall apply to contracts for which solicitations are issued after June 30, 2001. DoD may delay implementation if the Secretary of Defense makes a finding that it is impracticable to implement this requirement by June 30, 2001, and publishes such notice in the **Federal Register**. In no event may implementation be delayed to a date after October 1, 2002.

Consistent with Section 1008(b) of the Defense Authorization Act, DoD submitted a plan to Congress describing how Section 1008 would be implemented. On August 21, 2001, DoD published a notice in the **Federal Register** (66 FR 43841) which announced a delay in implementation of Section 1008 until October 1, 2002.

This proposed DFARS rule—

- Requires contractors to submit requests for contract financing and invoice payments in electronic form;

- Requires DoD officials receiving payment requests in electronic form to process the payment requests and supporting documentation in electronic form;

- Identifies three acceptable electronic forms for transmission of payment requests. The rule also permits the contracting officer to authorize the contractor to use another electronic form, with the concurrence of the payment office and the contract administration office; and

- Identifies exemption categories being considered by DoD. The Director of Defense Procurement intends to process a request for the Secretary of Defense to approve exemptions for the categories identified in the rule.

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

##### B. Regulatory Flexibility Act

DoD does not expect this rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because any start-up costs that contractors will incur to comply with the rule are expected to be minimal, and should be offset by the reduced administrative costs that are expected to result from the electronic submission and processing of invoices. In addition, the rule provides for an exemption to the requirement for electronic submission in cases where the requirement would be unduly burdensome. Therefore, DoD has not performed an initial regulatory flexibility analysis. DoD invites comments from small businesses and other interested parties. DoD also will consider comments from small entities concerning the affected DFARS subparts in accordance with 5 U.S.C. 610. Such comments should be submitted separately and should cite DFARS Case 2002-D001.

##### C. Paperwork Reduction Act

This rule does not impose any additional information collection requirements that require the approval of the Office of Management and Budget (OMB) under 44 U.S.C. 3501, *et seq.* The information collection requirements for contractors to provide non-electronic payment requests already have been approved by OMB as indicated below:

FAR clause No.	Clause title	OMB control No.	Expiration date
52.216-7 .....	Allowable Cost and Payment .....	9000-0069	June 30, 2002.