

notification and automated meter reading. In order to help us in evaluating the applicability of BPL technology to power line carrier systems, we seek input on the following questions:

- Will the power line carrier systems currently deployed by the utility companies to control and monitor the electrical system be replaced in the future with the new high speed BPL equipment?
- How would the utility companies deploy these new control systems and how would these new systems coexist with the older control systems?
- Should power line carrier systems using BPL technology be subject to the coordination process in the current database maintained by UTC?
- Are any changes needed in the regulations governing power line carrier systems? Should power line carrier systems using BPL technology be subject to the general requirements for Access BPL systems, since the same system may now be carrying broadband signals as well as monitoring and control signals? How could, or should, these functions be separated?
- What interference issues, if any, besides the issues raised under the general BPL interference section, *supra*, must be addressed with the deployment of high-speed power line carrier systems?

16. *Other Matters.* The questions raised in this Notice of Inquiry are intended to solicit information to assist the Commission in deciding whether to propose rule changes as a result of the developing BPL technology. We realize that these questions do not necessarily encompass all of the possible issues raised by this technology. Parties therefore may wish to comment on the following additional topics:

- What standardized transport and data link protocols are typically used between a user's personal computer, for example, and the Internet point of presence, over Access BPL systems? For example, is Point-to-Point Protocol (PPP), PPP over Ethernet (PPPoE), Asynchronous Transfer Mode (ATM), or other such lower layer protocols involved?

17. We seek information on the subject of communications over electric power lines from all interested parties to obtain a wide representation of viewpoints. Accordingly, we request comments on any other matters or issues, in addition to those discussed previously, that may be pertinent to BPL technology.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 03-1225; MB Docket No. MB 03-105; RM-10671]

### Radio Broadcasting Services; Glens Falls, Indian Lake, Malta & Queensbury, NY

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed jointly by Vox New York, LLC, licensee of Station WNYQ, Channel 289B1, Queensbury, NY, and Entertronics, Inc., licensee of Station WCQL, Channel 240A, Glens Falls, NY ("Petitioners"). Petitioners request the substitution of Channel 289A for Channel 289B1 at Queensbury, reallocation of the channel to Malta, NY, and modification of the license for Station WNYQ accordingly; reallocation of Channel 240A from Glens Falls, NY to Queensbury, NY and modification of the license for Station WNYQ to specify operation on Channel 240A at Queensbury; and, allotment of Channel 290A at Indian Lake, NY, as a first local service. The coordinates for Channel 289A at Malta are 42-58-58 and 73-48-00. The coordinates for Channel 240A at Queensbury are 43-24-12 and 73-40-25. The coordinates for Channel 290A at Indian Lake are 43-46-57 and 74-16-20. The proposal complies with the provisions of Section 1.420(i) of the Commission's Rules, and therefore, the Commission will not accept competing expressions of interest in the use of Channels 289A at Malta and Channel 240A at Queensbury.

**DATES:** Comments must be filed on or before June 23, 2003, and reply comments on or before July 8, 2003.

**ADDRESSES:** Secretary, Federal Communications Commission, 445 12th Street, SW., Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, Interested parties should serve the petitioners' counsel, as follows: David G. O'Neil, Manatt, Phelps and Phillips, LLP, 1501 M Street, NW., Suite 700, Washington, DC 20005 (Vox New York, LLC) and Joseph E. Dunne, Law offices of Joseph E. Dunne III, P.O. Box 9203,

Durango, Colorado 81301 (Entertronics, Inc.).

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 03-105, adopted April 28, 2003, and released April 30, 2003. The full text of this Commission decision is available for inspection and copying during regular business hours in the FCC's Reference Information Center at Portals II, 445 12th Street, SW., CY-A257, Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractors, 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).

The 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, 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 York, is amended by removing Channel 289B1 and adding Channel 240A at Queensbury, by removing Channel 240A and Glens Falls, by adding Channel 289A, Malta and by adding Indian Lake, Channel 290A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 03-12919 Filed 5-22-03; 8:45 am]

BILLING CODE 6712-01-M

## DEPARTMENT OF DEFENSE

### 48 CFR Parts 239 and 252

#### [DFARS Case 2002-D020]

#### Defense Federal Acquisition Regulation Supplement; Information Assurance

**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 address requirements for information assurance in the acquisition of information technology. The rule implements policy issued by the National Security Telecommunications and Information Systems Security Committee.

**DATES:** DoD will consider all comments received by July 22, 2003.

**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-D020 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. Angelena Moy, OUSD(AT&L)DPAP(DAR), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062; facsimile (703) 602-0350. Please cite DFARS Case 2002-D020.

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. Angelena Moy, (703) 602-1302.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

In July 1990, the National Security Telecommunications and Information Systems Security Committee (NSTISSC) was established for the purpose of developing and promulgating national policies applicable to the security of national security telecommunications

and information systems. In January 2000, NSTISSC issued Policy No. 11, which addresses the national policy governing the acquisition of information assurance and information assurance-enabled information technology products. Policy No. 11 states that information assurance shall be considered as a requirement for all systems used to enter, process, store, display, or transmit national security information. DoD has issued DoD Directive 8500.1, Information Assurance, and DoD Instruction 8500.2, Information Assurance Implementation, to implement Policy No. 11. This proposed rule makes corresponding changes to DFARS subpart 239.71 and the clause at DFARS 252.239-7000.

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 the DFARS changes in this rule reflect existing Government policy pertaining to requirements for information assurance in the acquisition of information technology. 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-D020.

#### C. Paperwork Reduction Act

The information collection requirements in the clause at DFARS 252.239-7000 have been approved by the Office of Management and Budget, under Clearance Number 0704-0341, for use through October 31, 2004.

#### List of Subjects in 48 CFR Parts 239 and 252

Government procurement.

**Michele P. Peterson,**

*Executive Editor, Defense Acquisition Regulations Council.*

Therefore, DoD proposes to amend 48 CFR parts 239 and 252 as follows:

1. The authority citation for 48 CFR parts 239 and 252 continues to read as follows:

**Authority:** 41 U.S.C. 421 and 48 CFR chapter 1.

## PART 239—ACQUISITION OF INFORMATION TECHNOLOGY

2. Subpart 239.71 is revised to read as follows:

### Subpart 239.71—Security and Privacy for Computer Systems

Sec.

239.7100 Scope of subpart.

239.7101 General.

239.7102 Definition.

239.7103 Policy and responsibilities.

239.7103-1 General.

239.7103-2 Compromising emanations—TEMPEST or other standard.

239.7104 Contract clause.

#### 239.7100 Scope of subpart.

This subpart applies to all acquisitions for information technology. It includes information assurance and Privacy Act considerations.

#### 239.7101 General.

Information assurance includes the protection of information that is entered, processed, transmitted, stored, retrieved, displayed, or destroyed. Information assurance requirements are in addition to provisions concerning protection of privacy of individuals (*see* FAR subpart 24.1).

#### 239.7102 Definition.

*Information assurance*, as used in this subpart, means measures that protect and defend information and information systems by ensuring their availability, integrity, authentication, confidentiality, and non-repudiation. This includes providing for the restoration of information systems by incorporating protection, detection, and reaction capabilities.

#### 239.7103 Policy and responsibilities.

##### 239.7103-1 General.

(a) Agencies shall ensure that information assurance is provided for information technology in accordance with current policies, procedures, and statutes, to include—

(1) The National Security Act;

(2) The Clinger-Cohen Act;

(3) National Security

Telecommunications and Information Systems Security Policy No. 11;

(4) Federal Information Processing Standards;

(5) DoD Directive 8500.1, Information Assurance; and

(6) DoD Instruction 8500.2, Information Assurance Implementation.

(b) For all acquisitions, the requiring activity is responsible for providing to the contracting officer—

(1) Statements of work, specifications, or statements of objectives that meet information assurance requirements as