otherwise agreed between GSA and DoJ. GSA will immediately notify DoJ of any payments credited by the agency to the debtor's account after referral of a debt under this section. DoJ will notify GSA of any payments it receives from the debtor.

§ 105–55.032 Claims Collection Litigation Report.

(a) Unless excepted by the Department of Justice (DoJ), GSA will complete the Claims Collection Litigation Report (CCLR) (see § 105–55.019(b) of this part), accompanied by a signed Certificate of Indebtedness, to refer all administratively uncollectible claims to DoJ for litigation. GSA will complete all sections of the CCLR appropriate to each claim as required by the CCLR instructions and furnish such other information as may be required in specific cases.

(b) GSA will indicate clearly on the CCLR the actions DoJ should take with respect to the referred claim. The CCLR permits the agency to indicate specifically any of a number of litigative activities which DoJ may pursue, including enforced collection, judgment lien only, renew judgment lien only, renew judgment lien and enforce collection, program enforcement, foreclosure only, and foreclosure and deficiency judgment.

(c) GSA also will use the CCLR to refer claims to DoJ to obtain approval of any proposals to compromise the claims or to suspend or terminate agency collection activity.

§ 105–55.033 Preservation of evidence.

GSA will take care to preserve all files and records that may be needed by DoJ to prove their claims in court. GSA ordinarily will include certified copies of the documents that form the basis for the claim in the packages referring their claims to DoJ for litigation. GSA will provide originals of such documents immediately upon request by DoJ.

§ 105–55.034 Minimum amount of referrals to the Department of Justice.

(a) GSA will not refer for litigation claims of less than $2,500, exclusive of interest, penalties, and administrative costs, or such other amount as the Attorney General shall from time to time prescribe. The Department of Justice (DoJ) will notify GSA if the Attorney General changes this minimum amount.

(b) GSA will not refer claims of less than the minimum amount unless—

(1) Litigation to collect such smaller claims is important to ensure compliance with the agency's policies or programs;

(2) The claim is being referred solely for the purpose of securing a judgment against the debtor, which will be filed as a lien against the debtor's property pursuant to 28 U.S.C. 3201 and returned to GSA for enforcement; or

(3) The debtor has the clear ability to pay the claim and the Government effectively can enforce payment, with due regard for the exemptions available to the debtor under state and Federal law and the judicial remedies available to the Government.

(c) GSA will consult with the Financial Litigation Staff of the Executive Office for United States Attorneys in DoJ prior to referring claims valued at less than the minimum amount.

[FR Doc. 03–17286 Filed 7–10–03; 8:45 am]

BILLING CODE 6820–34–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 03–2187, MB Docket No. 02–45, RM–10373]

Digital Television Broadcast Service; Cadillac and Manistee, MI

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Central Michigan University, substitutes DTV channel *17 for DTV channel *58 at Cadillac, and substitutes DTV channel *58 for DTV channel *17 at Manistee. *See* 67 FR 10871, March 11, 2002. DTV channel *17 can be allotted to Cadillac in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates 44–44–53 N. and 85–04–08 W. with a power of 500, HAAT of 399 meters and with a DTV service population of 327 thousand. DTV channel *58 can be allotted to Manistee in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates 44–03–57 N. and 86–19–58 W. with a power of 200, HAAT of 104 meters and with a DTV service population of 78 thousand. Since the communities of Cadillac and Manistee are located within 400 kilometers of the U.S.-Canadian border, concurrence from the Canadian government has been obtained for these allotments. With this action, this proceeding is terminated.

DATES: Effective August 21, 2003.

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MB Docket No. 02–45, adopted July 2, 2003, and released July 7, 2003. 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. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, CY-B402, Washington, DC, 20554, telephone 202–863–2893, facsimile 202–863–2898, or via e-mail *qualexint@aol.com.*

List of Subjects in 47 CFR Part 73

Digital television broadcasting, Television.

■ Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

■ 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 Michigan, is amended by removing DTV channel *58 and adding DTV channel *17 at Cadillac.

■ 3. Section 73.622(b), the Table of Digital Television Allotments under Michigan, is amended by removing DTV channel *17 and adding DTV channel *58 at Manistee.

Barbara A. Kreisman,

Chief, Video Division, Media Bureau.

[FR Doc. 03–17575 Filed 7–10–03; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 74

[ET Docket No. 01–75; RM–9418; RM–9856; DA 03–1141]

Revision of Broadcast Auxiliary Service

AGENCY: Federal Communications Commission.

ACTION: Final rule; suspension.

SUMMARY: This document suspends the effectiveness of §§ 74.502(d) and 74.638(b), of the rules published March 17, 2003, (68 FR 12743) from April 16, 2003 to October 16, 2003. Society of Broadcast Engineers requested a

Temporary Stay to allow Broadcast Auxiliary Service (BAS) licensees time to provide and to correct BAS receive site information in our licensing database, the Universal Licensing System (ULS), to ensure that the new procedures effectively avert interference to existing systems. The Commission adopted and released an Order granting the requested relief for six months, on April 16, 2003, suspending the effectiveness of the rules until October 16, 2003.

DATES: Effective April 16, 2003, §§ 74.502(d) and 74.638(b), of 47 CFR Chapter I are suspended until October 16, 2003.

FOR FURTHER INFORMATION CONTACT: Ted Ryder, Office of Engineering and Technology, (202) 418–2803.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order, ET Docket No. 01–75, DA 03–1141, adopted April 15, 2003, and released April 15, 2003. The full text of this document is available for inspection and copying during regular business hours in the FCC Reference Center (Room CY–A257), 445 12th Street, SW., Washington, DC 20554. The complete text of this document also may be purchased from the Commission's copy contractor, Qualex International, 445 12th Street, SW., Room, CY–B402, Washington, DC 20554. The full text may also be downloaded at: *http://www.fcc.gov.* Alternative formats are available to persons with disabilities by contacting Brian Millin at (202) 418–7426 or TTY (202) 418–7365.

Summary of the Order

1. In the *Order,* we granted a Request for Temporary Stay (Request) filed by the Society of Broadcast Engineers (SBE) to stay the effective date of prior coordination procedures adopted by *Report and Order,* for most fixed point-to-point Aural and TV Broadcast Auxiliary Service (BAS) stations. *See, Revisions to Broadcast Auxiliary Service Rules in Part 74 and Conforming Technical Rules for Broadcast Auxiliary Service, Cable Television Relay Service and Fixed Services in Parts 74, 78 and 101 of the Commission's rules,* ET Docket No. 01–75, FCC 02–298, 17 FCC Rcd 22979, 2002, 68 FR 12743, March 17, 2003. SBE requests the stay to allow BAS licensees time to provide and to correct BAS receive site information in our licensing database, the Universal Licensing System (ULS), to ensure that the new procedures effectively avert interference to existing systems. We grant the requested relief for six months, staying the effectiveness of §§ 74.502(d) and 74.638(b), of the rules until October 16, 2003.

2. In the *Report and Order,* we adopted prior coordination procedures for fixed Aural BAS stations above 944 MHz and fixed Television BAS (TV BAS) stations above 2110 MHz under part 74. We adopted these procedures to conform procedures for fixed BAS, and Cable Auxiliary Relay Service (CARS) under part 78, with those already in effect for Fixed Microwave Services (FS) under part 101, § 101.103(d). We found that the FS procedures were appropriate for fixed BAS and CARS, stating that uniform procedures for bands shared among these services are necessary to promote spectrum efficiency and to minimize the possibility of harmful interference. We note that because these procedures were already in effect for Aural and TV BAS stations in the bands 6425–6525 MHz and 17700–19700 MHz, the new rules only affect fixed BAS in the bands 944–952 MHz (950 MHz), 2450–2583.5 MHz (2.5 GHz), 6875–7125 MHz (7 GHz), and 12700–13250 MHz (13 GHz).

3. SBE requests a one-year stay to allow BAS licensees time to correct inaccurate receive site information, such as geographic coordinates, antenna height, make, and model. It notes that these errors are a legacy of licensing schemes previous to the ULS and occur in 29% of all fixed point-to-point BAS license records. SBE further notes that receive site information was not even required prior to 1974 and that it remains missing on many old licenses. SBE explains that, compared to the information coordination procedures currently in effect, prior coordination procedures require a more accurate database. SBE acknowledges previous Commission public notices asking broadcasters to examine and correct inaccuracies in the ULS, via informal correction procedures, but asserts that with the adoption of the prior coordination procedures, BAS licensees will now have a greater incentive to ensure that their license records are up to date. We also note that SBE asserts that interference standards for the mix of analog, hybrid analog-digital, and digital links encountered in BAS need to be developed and formalized before prior coordination procedures can take effect. Life Talk Radio and CPBE support SBE's Request.

4. We agree with SBE that legacy database inaccuracies in the ULS could seriously affect the efficacy of prior coordination procedures, which was not anticipated when the *Order* setting these procedures was adopted. We will therefore stay for six months the effective date of the prior coordination procedures for fixed BAS. We find that this six month time period is the proper balance to allow sufficient time for BAS licensees to correct legacy database inaccuracies without unnecessarily delaying the efficiency and protection benefits offered by prior coordination procedures.

5. The Commission generally employs a four-part test under the standard set forth in *Virginia Petroleum Jobbers Association* v. *Federal Power Commission* in determining whether to grant motions for stay. Under this standard, the petitioner must demonstrate (1) That it is likely to prevail on the merits; (2) that it will suffer irreparable harm if a stay is not granted; (3) that other interested parties will not be harmed if the stay is granted; (4) that the public interest favors grant of the stay. We find that a stay is warranted.

6. First, we believe the database issues raised by SBE are valid and have merit. The period of the stay will provide time for Commission staff to address completion and correction of receive site information in the ULS database, so that prior coordination procedures can begin. Second, we find that SBE has demonstrated that, absent a stay, BAS licensees will suffer irreparable harm because there is an increased likelihood of interference to their receive facilities. Third, we find that granting a stay for six months will not harm any interested parties. As with our finding in the *Report and Order* that use of existing local coordination procedures would be sufficient to avert harmful interference until the effective date of the prior coordination procedures, we find that continuance of these procedures during a six-month period will be sufficient to avert harmful interference. Finally, we find that the public interest favors a grant of a temporary stay, given the short time before the new rules would be effective and the benefits of reducing the risk for harmful interference to existing BAS receive facilities.

7. With regard to SBE's assertion that adequate time must be provided for interference standards to be developed, we note that five months has already passed since the release of the *Report and Order* on November 13, 2002. Moreover, as we pointed out in the *Report and Order,* the existing baseline interference criteria for 13 GHz BAS in current § 74.638 are identical to those for FS in § 101.105. Also, the FS criteria in § 101.105(c) already provide the flexibility to follow generally acceptable good engineering practices, such as the existing interference criteria already in use by broadcasters and cited by SBE, and we would therefore be hesitant to

further delay prior coordination for the mix of signals needed to effect transition to DTV pending the development of more detailed criteria.

Ordering Clauses

8. Pursuant to sections 4(i) of the Communications Act, as amended, 47 U.S.C. 154(i), and 1.429 (k) of the Commission's rules, 47 CFR 1.429 (k), that the Society of Broadcast Engineers' Request for Temporary Stay of the rules *is granted,* suspending effect of these rules until October 16, 2003.

Federal Communications Commission.

Geraldine Matise,

Deputy Chief, Policy and Rules Division, Office of Engineering and Technology.

[FR Doc. 03–17569 Filed 7–10–03; 8:45 am]

BILLING CODE 6712–01–P

GENERAL SERVICES ADMINISTRATION

48 CFR Parts 501, 538, and 552

[GSAR Amendment 2003–02; GSAR Case No. 2002–G507]

RIN 3090–AH79

General Services Administration Acquisition Regulation; Consolidation of Industrial Funding Fee and Sales Reporting Clauses; Reduction in Amount of Industrial Funding Fee

AGENCIES: General Services Administration (GSA), Office of Acquisition Policy.

ACTION: Final rule.

SUMMARY: The General Services Administration (GSA) is amending the General Services Administration Acquisition Regulation (GSAR) to give GSA's Federal Supply Service (FSS) the unilateral right to change the percentage rate of the Industrial Funding Fee (IFF) in Multiple Award Schedule (MAS) contracts. The final rule also modifies and consolidates provisions of two existing GSA clauses that implement collection of the IFF by FSS on sales from all Federal Supply Schedule contracts. These clauses are Industrial Funding Fee and Contractor's Report of Sales. They have been consolidated into a single clause, Industrial Funding Fee and Sales Reporting. This new clause eliminates duplicative information from the preceding clauses, clarifies sales reporting procedures, and describes the procedures FSS will utilize to unilaterally effect future IFF rate changes.

Additionally, while the GSAR does not specify the percentage rate of the IFF, GSA's Federal Supply Service intends to lower the current IFF rate from 1.0 percent to 0.75 percent of reported sales, effective January 1, 2004. The final rule gives GSA's Federal Supply Service the authority to change the IFF after consulting with OMB prior to effecting any future changes.

The January 1, 2004, change will be implemented by means of a bilateral contract modification to be executed electronically. As consideration to Federal Supply Schedule contractors for any potential costs incurred as the direct result of this change, FSS will allow these vendors to continue to include the 1 percent IFF in their contract prices until December 31, 2003, but to forward to FSS an IFF of 0.75 percent for reported sales for the period of October 1, 2003, through December 31, 2003. Examples of the type of costs GSA anticipates contractors could incur include updating published prices and modifying accounting systems.

DATES: *Effective Date:* July 11, 2003.

Applicability Date: Solicitations issued and contracts awarded after July 1, 2003, shall comply with this change. Existing FSS contracts shall be modified by December 31, 2003.

FOR FURTHER INFORMATION CONTACT: Ms. Laurie Duarte, Regulatory Secretariat, Room 4035, GS Building, Washington, DC, 20405, (202) 501–4225, for information pertaining to status or publication schedules. For clarification of content, contact Vonda J. Sines, Procurement Analyst, at (703) 305–7542, or Linda Nelson, Procurement Analyst, at (202) 501–1900. Please cite GSAR Amendment 2003–02, GSAR case 2002–G507. The TTY Federal Relay Number for further information is 1–800–877–8973.

SUPPLEMENTARY INFORMATION:

A. Background

The General Services Administration published a proposed rule in the **Federal Register** at 68 FR 13212, March 18, 2003, with request for comments. Comments were received from 11 respondents, representing individual vendors as well as associations. GSA considered all comments and concluded that the proposed rule should be converted to a final rule with certain changes. Accordingly, the final rule:

1. Revises the clause at 552.238–74(a)(3) to make clear that reportable sales do not include those made under FAR Part 14 or non-FAR contracts, but do include sales to states and localities under Cooperative Purchasing authority.

2. Makes minor restructuring and editorial changes to the clause at 552.238–74 to provide a clearer intent of the clause language.

3. Adds the words ''and Sales Reporting'' to the clause at 552.215–71, Examination of Records by GSA (Multiple Award Schedules).

B. Summary and Discussion of Significant Public Comments

1. *IFF not currently included.* Five Schedule contractors indicated that they did not realize the IFF was intended to be passed on to their customers.

Response: GSA intends that the IFF cost be borne by the customer and merely collected and remitted by Schedule contractors. All current Multiple Award Schedule (MAS) contracts contain the clause at 552.238–76, Industrial Funding Fee. This clause requires that the IFF be included in the award price(s) and reflected in the total amount charged to ordering activities. GSA is consolidating and streamlining the current Industrial Funding Fee and Contractor's Report of Sales clauses to make doing business with the agency easier for Schedule contractors.

2. *Covered sales.* Three respondents stated that a sale should be subject to the IFF only if the order references the vendor's GSA Schedule or both the vendor and the purchasing agency agree that the purchase is being made under the vendor's MAS contract. They further commented that GSA should not require a vendor to provide the burden of proof that a sale was made outside the Schedule.

Response: Under current policy, GSA will consider the totality of the circumstances in determining if a sale is subject to the IFF. The final rule does not alter this policy, but recognizes various circumstances under which a sale would not be subject to the IFF (*e.g.*, contracts awarded under FAR parts 12, 13, 14, or 15, or a non-FAR contract). This clarification is designed to help ensure that sales conducted outside the authority of the Schedules program are not made subject to the IFF, even if the product or service being purchased is also available on a Schedule contract.

Since vendors always have the ability to make sales outside the Schedule, they need to establish with their customers at the time of order placement whether a sale is being conducted under or outside the Schedule. This distinction is important, since FSS, as a fee-for-service operation, must rely on the fees generated from Schedule sales to cover expenses associated with the MAS program.

3. *Consideration.* Five comments suggested that the costs of reprinting price lists/catalogs or of maintaining separate price lists are substantially greater than the consideration offered,