

October 31, 2004. DoD proposes that OMB extend its approval for use through October 31, 2007.

**DATES:** DoD will consider all comments received by November 8, 2004.

**ADDRESSES:** You may submit comments, identified by OMB Control Number 0704-0255, using any of the following methods:

- Defense Acquisition Regulations Web Site: <http://emissary.acq.osd.mil/dar/dfars.nsf/pubcomm>. Follow the instructions for submitting comments.
- E-mail: [dfars@osd.mil](mailto:dfars@osd.mil). Include OMB Control Number 0704-0255 in the subject line of the message.

- Fax: Primary: (703) 602-7887;

Alternate: (703) 602-0350.

- Mail: Defense Acquisition Regulations Council, Attn: Mr. Euclides Barrera, OUSD(AT&L)DPAP(DAR), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062.

- Hand Delivery/Courier: Defense Acquisition Regulations Council, Crystal Square 4, Suite 200A, 241 18th Street, Arlington, VA 22202-3402.

All comments received will be posted to <http://emissary.acq.osd.mil/dar/dfars.nsf>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Euclides Barrera, (703) 602-0296. The information collection requirements addressed in this notice are available electronically on the Internet at: <http://www.acq.osd.mil/dpap/dfars/index.htm>.

Paper copies are available from Mr. Euclides Barrera, OUSD(AT&L)DPAP(DAR), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062.

**SUPPLEMENTARY INFORMATION:**

*Title and OMB Number:* Defense Federal Acquisition Regulation Supplement (DFARS) Part 236, Construction and Architect-Engineer Contracts, and Related Clauses at DFARS 252.236; OMB Control Number 0704-0255.

*Needs and Uses:* DoD contracting officers need this information to evaluate contractor proposals for contract modifications; to determine that a contractor has removed obstructions to navigation; to review contractor requests for payment for mobilization and preparatory work; to determine reasonableness of costs allocated to mobilization and demobilization; and to determine eligibility for the 20 percent evaluation preference for United States firms in the award of some overseas construction contracts.

*Affected Public:* Businesses or other for-profit and not-for-profit institutions.

*Annual Burden Hours:* 318,295.

*Number of Respondents:* 3,117.

*Responses Per Respondent:* Approximately 1.

*Annual Responses:* 3,152.

*Average Burden Per Response:* 100.98 hours.

*Frequency:* On occasion.

**Summary of Information Collection**

DFARS 236.570(a) prescribes use of the clause at DFARS 252.236-7000, Modification Proposals-Price Breakdown, in all fixed-price construction contracts. The clause requires the contractor to submit a price breakdown with any proposal for a contract modification.

DFARS 236.570(b) prescribes use of the following clauses in fixed-price construction contracts as applicable:

(1) The clause at DFARS 252.236-7002, Obstruction of Navigable Waterways, requires the contractor to notify the contracting officer of obstructions in navigable waterways.

(2) The clause at DFARS 252.236-7003, Payment for Mobilization and Preparatory Work, requires the contractor to provide supporting documentation when submitting requests for payment for mobilization and preparatory work.

(3) The clause at DFARS 252.236-7004, Payment for Mobilization and Demobilization, permits the contracting officer to require the contractor to furnish cost data justifying the percentage of the cost split between mobilization and demobilization, if the contracting officer believes that the proposed percentages do not bear a reasonable relation to the cost of the work.

DFARS 236.570(c) prescribes use of the following provisions in solicitations for military construction contracts that are funded with military construction appropriations and are estimated to exceed \$1,000,000:

(1) The provision at DFARS 252.236-7010, Overseas Military Construction-Preference for United States Firms, requires an offeror to specify whether or not it is a United States firm.

(2) The provision at DFARS 252.236-7012, Military Construction on Kwajalein Atoll-Evaluation Preference, requires an offeror to specify whether it is a United States firm, a Marshallese firm, or other firm.

**Michele P. Peterson,**

*Executive Editor, Defense Acquisition Regulations Council.*

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**BILLING CODE 5001-08-P**

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**TRICARE Formerly Known as the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Fiscal Year 2005 Mental Health Rate Updates**

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Notice of updated mental health per diem rates.

**SUMMARY:** This notice provides for the updating of hospital-specific per diem rates for high volume providers and regional per diem rates for low volume providers; the updated cap per diem for high volume providers; the beneficiary per diem cost-share amount for low volume providers for FY 2005 under the TRICARE Mental Health Per Diem Payment System; and the updated per diem rates for both full-day and half-day TRICARE Partial Hospitalization Programs for fiscal year 2005.

**DATES:** The fiscal year 2005 rates contained in this notice are effective for services occurring on or after October 1, 2004.

**FOR FURTHER INFORMATION CONTACT:** Christine Gavlick, Office of Medical Benefits and Reimbursement Systems, TRICARE Management Activity, telephone (303) 676-3841.

**SUPPLEMENTARY INFORMATION:** The final rule published in the **Federal Register** on September 6, 1988, (53 FR 34285) set forth reimbursement changes that were effective for all inpatient hospital admissions in psychiatric hospitals and exempt psychiatric units occurring on or after January 1, 1989. The final rule published in the **Federal Register** on July 1, 1993, (58 FR 35-400) set forth maximum per diem rates for all partial hospitalization admissions on or after September 29, 1993. Included in these final rules were provisions for updating reimbursement rates for each Federal fiscal year. As stated in the final rules, each per diem shall be updated by the Medicare update factor for hospitals and units exempt from the Medicare Prospective Payment System. For fiscal year 2005, Medicare has recommended a rate of increase of 3.3 percent for hospitals and units excluded from the prospective payment system. TRICARE will adopt this update factor for FY 2005 as the final update factor. Hospitals and units with hospital-specific rates (hospitals and units with high TRICARE volume) and regional specific rates for psychiatric hospitals and units with low TRICARE volume will have their TRICARE rates for FY 2004 updated by 3.3 percent for FY

2005. Partial hospitalization rates for full day and half day programs will also be updated by 3.3 percent for FY 2005. The cap amount for high volume hospitals and units will also be updated by the 3.3 percent for FY 2005. The beneficiary cost-share for low volume

hospitals and units will also be updated by the 3.3 percent for FY 2005. Consistent with Medicare, the wage portion of the regional rate subject to the area wage adjustment is 71.56 percent for FY 2005.

The following reflect an update of 3.3 percent for FY 2005.

**Regional Specific Rates for Psychiatric Hospitals and Units with Low Tricare Volume**

United States census region	Rate@
Northeast:	
New England .....	\$638
Mid-Atlantic .....	614
Midwest:	
East North Central .....	530
West North Central .....	500
South:	
South Atlantic .....	632
East South Central .....	685
West South Central .....	576
West:	
Mountain .....	575
Pacific .....	679
@Wage portion of the rate, subject to the area wage adjustment .....	71.56%

Beneficiary Cost-Share: Beneficiary cost-share (other than dependents of active duty members) for care paid on the basis of a regional per diem rate is the lower of \$169 per day or 25 percent

of the hospital billed charges effective for services rendered on or after October 1, 2004.

Cap Amount: Updated cap amount for hospitals and units with high TRICARE volume is \$802 per day for FY 2005.

The following reflect an update of 3.3 percent for FY 2005.

**Partial Hospitalization Rates for Full-Day and Half-Day Programs FY 2005**

United States census region	Full-day rate (6 hours or more)	Half-day rate (3-5 hours)
Northeast:		
New England (ME, NH, VT, MA, RI, CT) .....	\$256	\$192
Mid-Atlantic (NY, NJ, PA) .....	277	208
Midwest:		
East North Central (OH, IN, IL, MI, WI) .....	244	183
West North Central (MN, IA, MO, ND, SD, NE, KS) .....	244	183
South:		
South Atlantic (DE, MD, DC, VA, WV, NC, SC, GA, FL) .....	263	197
East South Central (KY, TN, AL, MS) .....	284	213
West South Central (AR, LA, TX, OK) .....	284	213
West:		
Mountain (MT, ID, WY, CO, NM, AZ, UT, NV) .....	287	216
Pacific (WA, OR, CA, AK, HI) .....	281	211

The above rates are effective for services rendered on or after October 1, 2004.

Dated: September 2, 2004.

**L.M. Bynum,**

*Alternate OSD Federal Register, Liaison Officer, Department of Defense.*

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**DEPARTMENT OF DEFENSE**

**GENERAL SERVICES ADMINISTRATION**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

[OMB Control No. 9000-0001]

**Federal Acquisition Regulation; Information Collection; Standard Form 28, Affidavit of Individual Surety**

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA),

and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of request for comments regarding an extension to an existing OMB clearance (9000-0001).

**SUMMARY:** Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Federal Acquisition Regulation (FAR) Secretariat will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a currently approved information collection requirement concerning Standard Form 28, Affidavit of Individual Surety. The clearance currently expires on October 31, 2004.