

provide for the verification of drafts prior to payment.

(i) Verification may utilize sampling techniques.

(ii) Payment of drafts shall be made out of Defense Health Program funds.

(f) *Rebate agreements.* (1) DoD is authorized to enter into an agreement with a manufacturer of a particular brand of a food item that provides for the exclusive supply to the program of the same or similar types of food items by that manufacturer.

(i) The agreement shall identify a contract brand of food item.

(ii) Under the agreement, the manufacturer shall rebate to the Department an agreed portion of the amounts paid by DoD for the procurement of the contract brand.

(2) The DoD shall use competitive procedures under title 10, chapter 137 to select the contract brand.

(3) Amounts rebated shall be credited to the appropriation available for carrying out the program and shall be applied against expenditures for the program in the same period as the other sums in the appropriation.

(g) *Administrative appeals and civil rights.* (1) Applicants who are denied certification or participants that are denied recertification shall be provided with a notice of ineligibility. The notice shall include information on the applicant's right to appeal the determination and instructions on doing so.

(2) Benefits shall not be provided while an appeal is pending when an applicant is denied benefits, a participant's certification has expired or a participant becomes categorically ineligible.

(3) A request for appeal shall be submitted in writing within five working days. If the decision is an adverse one it shall include notice to the applicant of his further appeal rights as reflected in (iii) below, and that he/she has five working days to effect any such appeal.

(4) Appeal reviews shall be conducted in the first instance by the CPA or team leader in charge of the local WIC Overseas office.

(i) Written notice of a decision shall be provided to the applicant within five working days.

(ii) If the appeal is upheld, retroactive benefits shall not be provided.

(iii) At an applicant's request a denied appeal may be forwarded to the regional program manager for review, who will provide a decision on the appeal within 5 working days.

(iv) If the regional program manager denies the appeal, there shall be no further right of appeal.

(5) Complaints about discriminatory treatment shall be handled in accordance with procedures established at each local WIC Overseas site.

(h) *Operations and Administration.* (1) Information collected about WIC Overseas applicants and participants shall be collected, maintained, and disclosed in accordance with applicable laws and regulations.

(2) Information and personnel security requirements shall be consistent with applicable laws and regulations.

[69 FR 15678, Mar. 26, 2004]

APPENDIX A TO PART 199—ACRONYMS

AFR—Air Force Regulation
 AR—Army Regulation
 ASD (HA)—Assistant Secretary of Defense (Health Affairs)
 CCLR—Claims Collection Litigation Report
 CEOB—CHAMPUS Explanation of Benefits
 CFR—Code of Federal Regulations
 CHAMPUS—Civilian Health and Medical Program of the Uniformed Services
 CRD—Chronic Renal Disease
 CT—Computerized Tomography
 DASD (A)—Deputy Assistant Secretary of Defense (Administration)
 D.D.S.—Doctor of Dental Surgery
 DEERS—Defense Enrollment Eligibility Reporting System
 DHHS—Department of Health and Human Services
 D.M.D.—Doctor of Dental Medicine
 DME—Durable Medical Equipment
 D.O.—Doctor of Osteopathy
 DoD—Department of Defense
 DSM-III—Diagnostic and Statistical Manual of Mental Disorders (Third Edition)
 EEG—Electroencephalogram
 EST—Electroshock Therapy
 FAR—Federal Acquisition Regulation
 FEHBP—Federal Employees Health Benefits Program
 FMCRA—Federal Medical Care Recovery Act
 FR—Federal Register
 HBA—Health Benefits Advisor
 HL—Hearing Threshold Level
 Hz—Hertz
 ICD-9-CM—International Classification of Diseases, 9th Revision, Clinical Modification
 ICU—Intensive Care Unit
 IQ—Intelligence Quotient

JCAH—Joint Commission on Accreditation of Hospitals
 L.P.N.—Licensed Practical Nurse
 L.V.N.—Licensed Vocational Nurse
 MBD—Minimal Brain Dysfunction
 MCO—Marine Corps Order
 M.D.—Doctor of Medicine
 MIA—Missing in Action
 NATO—North Atlantic Treaty Organization
 NAVMILPERSCOMINST—Navy Military Personnel Command Instruction
 NAVPERS—Navy Personnel
 NOAA—National Oceanic and Atmospheric Administration
 OCHAMPUS—Office of Civilian Health and Medical Program of the Uniformed Services
 OCHAMPUSEUR—Office of Civilian Health and Medical Program of the Uniformed Services for Europe
 OCHAMPUSPAC—Office of Civilian Health and Medical Program of the Uniformed Services for the Pacific Area
 OCHAMPUSSO—Office of Civilian Health and Medical Program of the Uniformed Services for the Southern Hemisphere
 OMB—Office of Management and Budget
 PFPWD—Program for Persons with Disabilities
 PKU—Phenylketonuria
 R.N.—Registered Nurse
 RTC—Residential Treatment Center
 SNF—Skilled Nursing Facility
 STF—Specialized Treatment Facility
 U.S.C.—United States Code
 USPHS—U.S. Public Health Service

[51 FR 24008, July 1, 1986, as amended at 62 FR 35097, June 30, 1997; 63 FR 48448, Sept. 10, 1998]

PART 203—TECHNICAL ASSISTANCE FOR PUBLIC PARTICIPATION (TAPP) IN DEFENSE ENVIRONMENTAL RESTORATION ACTIVITIES

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APPENDIX A TO PART 203—TECHNICAL ASSISTANCE FOR PUBLIC PARTICIPATION APPLICATION REQUEST FORM

AUTHORITY: 10 U.S.C. 2705.

SOURCE: 63 FR 5261, Feb. 2, 1998, unless otherwise noted.

§ 203.1 Authority.

Part 203 is issued under the authority of section 2705 of Title 10, United States Code. In 1994, Congress authorized the Department of Defense (DoD) to develop a program to facilitate public participation by providing technical assistance to local community members of Restoration Advisory Boards (RABs) and Technical Review Committees (TRCs) (section 326 of the National Defense Authorization Act for Fiscal Year 1995, Pub.L. 103-337). In 1996, Congress revised this authority (section 324 of the National Defense Authorization Act for Fiscal Year 1996, Pub.L. 104-112). It is pursuant to this revised authority, which is codified as new subsection (3) of section 2705, that the Department of Defense issues this part.

§ 203.2 Purpose and availability of referenced material.

(a) This part establishes the Technical Assistance for Public Participation (TAPP) program for the Department of Defense. It sets forth policies and procedures for providing technical assistance to community members of TRCs and RABs established at DoD installations in the United States and its territories. This part sets forth the procedures for the Department of Defense to accept and evaluate TAPP applications, to procure the assistance desired by community members of RABs and TRCs, and to manage the TAPP program. These provisions are applicable to all applicants/recipients of technical assistance as discussed in § 203.4 of this part.

(b) Any reference to documents made in this part necessary to apply for TAPP (e.g., the Office of Management and Budget (OMB) Circulars or DoD forms) are available through the DoD