

revoke its previous designation regarding these fabrics.

Apparel articles from these fabrics remain eligible for quota-free and duty-free treatment under the textile and apparel commercial availability provisions of the CBTPA.

**D. Michael Hutchinson,**

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

#### **Annex**

1. A knitted outer-fusible material with a fold line that is knitted into the fabric. The fabric is a 45mm wide base substrate, knitted in narrow width, synthetic fiber based (made of 49% polyester / 43% elastomeric filament / 8% nylon with a weight of 4.4 oz., a 110/110 stretch, and a dull yarn), stretch elastomeric material with an adhesive (thermoplastic resin) coating. The 45mm width is divided as follows: 34mm solid, followed by a 3mm seam allowing it to fold over, followed by 8mm of solid.

2. A knitted inner-fusible material with an adhesive (thermoplastic resin) coating that is applied after going through a finishing process to remove all shrinkage from the product. The fabric is a 40mm synthetic fiber based stretch elastomeric fusible consisting of 80% nylon type 6/20% elastomeric filament with a weight of 4.4 oz., a 110/110 stretch, and a dull yarn.

[FR Doc. 04-20234 Filed 9-1-04; 2:46 pm]

**BILLING CODE 3510-DR-S**

#### **DEPARTMENT OF DEFENSE**

##### **Office of the Secretary of Defense; Proposed Collection; Comment Request**

**AGENCY:** Department of Defense, Office of the Under Secretary of Defense (Acquisition, Technology, and Logistics) / Office of the Deputy Under Secretary of Defense (Industrial Policy).

**ACTION:** Notice.

In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Deputy Under Secretary of Defense (Industrial Policy) announces the proposed extension of a currently approved collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c)

ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by November 8, 2004.

**ADDRESSES:** Interested parties should submit written comments and recommendations on the proposed information collection to: Office of the Deputy Under Secretary of Defense (Industrial Policy), Attn: Mr. Chris Gregor 3330 Defense Pentagon, Room 3E1060, Washington, DC 20301-3330; e-mail comments submitted via the Internet should be addressed to: *Christopher.Gregor@osd.mil*.

**FOR FURTHER INFORMATION CONTACT:** To request further information on this proposed information collection, or to obtain a copy of the proposal and associated collection instrument, please write to the above address or call Mr. Chris Gregor at (703) 607-4048.

*Title, Associated Form, and OMB Number:* Department of Defense Application for Priority rating for Production or Construction Equipment, DD Form 691, OMB Number 0704-0055.

*Needs and Uses:* Executive Order 12919 delegates to DoD authority to require certain contracts and orders relating to approved Defense Programs to be accepted and performed on a preferential basis. This program helps contractors acquire industrial equipment in a timely manner, thereby facilitating development and support of weapons systems and other important Defense Programs.

*Affected Public:* Business or Other for-Profit; Non-Profit Institutions; Federal Government.

*Annual Burden Hours:* 610.

*Number of Annual Respondents:* 610.

*Annual Responses to Respondent:* 1.

*Average Burden Per Response:* 1 Hour.

*Frequency:* On occasion.

#### **SUPPLEMENTARY INFORMATION:**

##### **Summary of Information Collection**

This information is used so the authority to use a priority rating in ordering a needed item can be granted. This is done to assure timely availability of production or construction equipment to meet current Defense requirements in peacetime and in case of national emergency. Without this information DoD would not be able to assess a contractor's stated requirement to obtain equipment needed for fulfillment of contractual obligations.

Submission of this information is voluntary.

Dated: September 1, 2004.

**L.M. Bynum,**

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

[FR Doc. 04-20275 Filed 9-3-04; 8:45 am]

**BILLING CODE 5001-06-M**

#### **DEPARTMENT OF DEFENSE**

##### **Office of the Secretary; Medal of Honor Flag Design Competition**

**AGENCY:** Office of the Under Secretary of Defense for Personnel and Readiness, DoD.

**ACTION:** Notice.

**SUMMARY:** In accordance with Pub. L. 107-248, Section 8143, this notice is published to collect designs from the public for a Medal of Honor Flag. The Medal of Honor is the Nation's highest military award for valor in action against an enemy force, which can be bestowed upon an individual serving in the Armed Forces of the United States. The President shall provide for presentation of the flag to each person to whom a MOH is awarded after the date of this enactment. The Medal of Honor Flag Design Committee is being established in consonance with the public interest. The committee will review and evaluate all designs submitted in response to the provision set by this law.

**DATES:** Consideration will be given to all designs submitted on or before October 22, 2004.

**ADDRESSES:** Designs shall be submitted to: Office of the Under Secretary of Defense (Personnel & Readiness), Attention: ODUSD (MPP) (OEPM), 4000 Defense pentagon, Washington, DC 20301-4000.

**FOR FURTHER INFORMATION CONTACT:** LTC Tim Donohue, (703) 614-2798.

**SUPPLEMENTARY INFORMATION:** A panel of eight members made up of representatives from each Service (Army, Navy, Marine Corps, Air Force and Coast Guard), one Office of Secretary Defense staff, one historian, and one representative from the Medal of Honor Society, will review and evaluate all designs submitted in response to the provision set by this law. The panel will make a final recommendation on the Medal of Honor Flag to the Principal Deputy to the Under Secretary of Defense for Personnel and Readiness, once the evaluation process has been completed.

Dated: September 1, 2004.

**L.M. Bynum,**

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

[FR Doc. 04-20276 Filed 9-3-04; 8:45 am]

BILLING CODE 5001-06-M

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0102]

#### **Federal Acquisition Regulation; Submission for OMB Review; Prompt Payment**

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of request for public comments regarding an extension to an existing OMB clearance (9000-0102).

**SUMMARY:** Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Federal Acquisition Regulation (FAR) Secretariat has submitted to the Office of Management and Budget (OMB) a request to review and approve an extension to a currently approved information collection requirement concerning prompt payment. A request for public comments was published at 69 FR 39910 on July 1, 2004. No comments were received.

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the FAR, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

**DATES:** Submit comments on or before October 7, 2004.

**ADDRESSES:** Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the General Services Administration, FAR Secretariat, 1800 F Street, NW, Room 4035, Washington, DC 20405. Please cite OMB Control No.

9000-0102, Prompt Payment, in all correspondence.

**FOR FURTHER INFORMATION CONTACT**  
Richard C. Loeb, Office of the Deputy  
Chief Acquisition Officer, GSA (202)  
208-3810.

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Purpose**

Part 32 of the FAR and the clause at FAR 52.232-5, Payments Under Fixed-Price Construction Contracts, require that contractors under fixed-price construction contracts certify, for every progress payment request, that payments to subcontractors/suppliers have been made from previous payments received under the contract and timely payments will be made from the proceeds of the payment covered by the certification, and that this payment request does not include any amount which the contractor intends to withhold from a subcontractor/supplier. Part 32 of the FAR and the clause at 52.232-27, Prompt Payment for Construction Contracts, further require that contractors on construction contracts -

(a) Notify subcontractors/suppliers of any amounts to be withheld and furnish a copy of the notification to the contracting officer;

(b) Pay interest to subcontractors/suppliers if payment is not made by 7 days after receipt of payment from the Government, or within 7 days after correction of previously identified deficiencies;

(c) Pay interest to the Government if amounts are withheld from subcontractors/suppliers after the Government has paid the contractor the amounts subsequently withheld, or if the Government has inadvertently paid the contractor for nonconforming performance; and

(d) Include a payment clause in each subcontract which obligates the contractor to pay the subcontractor for satisfactory performance under its subcontract not later than 7 days after such amounts are paid to the contractor, include an interest penalty clause which obligates the contractor to pay the subcontractor an interest penalty if payments are not made in a timely manner, and include a clause requiring each subcontractor to include these clauses in each of its subcontracts and to require each of its subcontractors to include similar clauses in their subcontracts.

These requirements are imposed by Public Law 100-496, the Prompt Payment Act Amendments of 1988.

Contracting officers will be notified if the contractor withholds amounts from

subcontractors/suppliers after the Government has already paid the contractor the amounts withheld. The contracting officer must then charge the contractor interest on the amounts withheld from subcontractors/suppliers. Federal agencies could not comply with the requirements of the law if this information were not collected.

##### **B. Annual Reporting Burden**

*Respondents:* 36,666.

*Responses Per Respondent:* 11.

*Total Responses:* 403,326.

*Hours Per Response:* .11.

*Total Burden Hours:* 44,366.

##### **C. Annual Recordkeeping Burden**

*Recordkeepers:* 33,333.

*Hours Per Recordkeeper:* 18.

*Total Recordkeeping Burden Hours:*

599,994.

##### *Obtaining Copies of Proposals:*

Requesters may obtain a copy of the information collection documents from the General Services Administration, FAR Secretariat (VR), 1800 F Street, NW, Room 4035, Washington, DC 20405, telephone (202) 501-4755. Please cite OMB Control No. 9000-0102, Prompt Payment, in all correspondence.

Dated: August 31, 2004

**Ralph J. De Stefano**

*Acting Director, Contract Policy Division.*

[FR Doc. 04-20227 Filed 9-3-04; 8:45 am]

BILLING CODE 6820-EP-S

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0014]

#### **Federal Acquisition Regulation; Information Collection; Statement and Acknowledgment (Standard Form 1413)**

**AGENCIES:** Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of request for public comments regarding an extension of an existing OMB clearance (9000-0014).

**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