

DEPARTMENT OF DEFENSE**Defense Acquisition Regulations System****Information Collection Requirement; Defense Federal Acquisition Regulation Supplement; DoD Acquisition Process—Miscellaneous Requirements (OMB Control Number 0704–0187)**

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Notice and request for comments regarding a proposed extension of an approved information collection requirement.

SUMMARY: In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), DoD announces the proposed extension of a public information collection requirement and seeks public comment on the provisions thereof. DoD invites comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of DoD, including whether the information will have practical utility; (b) the accuracy of the 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 the use of automated collection techniques or other forms of information technology. The Office of Management and Budget (OMB) has approved this information collection requirement for use through February 28, 2009. DoD proposes that OMB extend its approval for use for three additional years.

DATES: DoD will consider all comments received by January 23, 2009.

ADDRESSES: You may submit comments, identified by OMB Control Number 0704–0187, using any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- E-mail: dfars@osd.mil. Include OMB Control Number 0704–0187 in the subject line of the message.
- Fax: 703–602–7887.
- Mail: Defense Acquisition Regulations System, Attn: Ms. Amy Williams, OUSD (AT&L) DPAP (DARS), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301–3062.
- Hand Delivery/Courier: Defense Acquisition Regulations System, Crystal

Square 4, Suite 200A, 241 18th Street, Arlington, VA 22202–3402.

Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided.

FOR FURTHER INFORMATION CONTACT: Ms. Amy Williams, 703–602–0328. The information collection requirements addressed in this notice are available on the World Wide Web at: <http://www.acq.osd.mil/dpap/dars/dfarspgi/current/index.html>. Paper copies are available from Ms. Amy Williams, OUSD (AT&L) DPAP (DARS), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301–3062.

SUPPLEMENTARY INFORMATION:

Title and OMB Number: Information Collection in Support of the DoD Acquisition Process (Miscellaneous Requirements) (Defense Federal Acquisition Regulation Supplement (DFARS) Parts 208, 209, 226, and 235 and associated clauses in Part 252); OMB Control Number 0704–0187.

Needs and Uses: This information collection requirement pertains to information required by DFARS Parts 208, 209, 226, and 235 and associated clauses in Part 252, that an offeror must submit to DoD with regard to a solicitation or contract requirement. DoD uses this information to—

- Determine whether to provide precious metals as Government-furnished material.
- Determine an entity's eligibility for award of a contract under a national security program.
- Determine whether there is a compelling reason for a contractor to enter into a subcontract with a firm, or subsidiary of a firm, that is identified in the List of Parties Excluded from Federal Procurement and Nonprocurement Programs as being ineligible for award of Defense contracts or subcontracts because it is owned or controlled by the government of a terrorist country.
- Verify the status of an offeror as a historically black college or university (HBCU) or minority institution (MI) in order to determine whether the offeror is eligible for award under a HBCU/MI set-aside.
- Evaluate claims of indemnification for loss or damage occurring under a research and development contract.
- Keep track of radio frequencies for electronic equipment under research and development contracts, so that the user does not interfere with other use of the same frequency.

Affected Public: Businesses or other for-profit and not-for-profit institutions.
Annual Burden Hours: 1,845.

Number of Respondents: 698.

Responses per Respondent:

Approximately 2.

Annual Responses: 1,260.

Average Burden per Response: 1.5 hours.

Frequency: On occasion.

Summary of Information Collection

This information collection pertains to the following DFARS requirements:

- **252.208–7000, Intent to Furnish Precious Metals as Government-Furnished Material.** Paragraph (b) of this clause requires an offeror to cite the type and quantity of precious metals required in the performance of the contract. Paragraph (c) requires the offeror to submit two prices for each deliverable item that contains precious metals: One based on the Government furnishing the precious metals, and the other based on the contractor furnishing the precious metals.

- **252.209–7001, Disclosure of Ownership or Control by the Government of a Terrorist Country.** Paragraph (c) of this provision requires an offeror to provide a disclosure with its offer if the government of a terrorist country has a significant interest in the offeror, in a subsidiary of the offeror, or in a parent company of which the offeror is a subsidiary.

- **252.209–7002, Disclosure of Ownership or Control by a Foreign Government.** Paragraph (c) of this provision requires the offeror to provide a disclosure with its offer of any interest a foreign government has in the offeror when that interest constitutes control of the offeror by a foreign government.

- **252.209–7004, Subcontracting with Firms that are Owned or Controlled by the Government of a Terrorist Country.** Paragraph (b) of this clause requires the Contractor to notify the contracting officer in writing before entering into a subcontract with a party that is identified in the List of Parties Excluded from Federal Procurement and Nonprocurement Programs as being ineligible for award of Defense contracts or subcontracts because it is owned or controlled by the government of a terrorist country. The notice must include the compelling reasons for doing business with the subcontractor.

- **252.226–7000, Notice of Historically Black College or University and Minority Institution Set-Aside.** Paragraph (c)(2) of this clause requires that, upon request of the contracting officer, the offeror will provide evidence prior to award that the Secretary of Education has determined the offeror to be a historically black college or university or minority institution.

○ 252.235-7000, *Indemnification Under 10 U.S.C. 2534—Fixed Price*; and 252.235-7001, *Indemnification Under 10 U.S.C. 2534—Cost-Reimbursement*. Paragraphs (f) and (e), respectively, of these clauses require the contractor to notify the contracting officer of any claim that might trigger the Government's liability under the clause, to furnish proof or evidence of any such claim, and to provide copies of all pertinent papers relating to the claim.

○ 252.235-7003, *Frequency Authorization*. Paragraph (b) of this clause requires that the contractor provide to the contracting officer the technical operating characteristics for any experimental, developmental, or operational equipment for which the appropriate frequency allocation has not been made.

Michele P. Peterson,

Editor, Defense Acquisition Regulations System.

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DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education.

SUMMARY: The IC Clearance Official, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before December 24, 2008.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, Washington, DC 20503. Commenters are encouraged to submit responses electronically by e-mail to oir_submission@omb.eop.gov or via fax to (202) 395-6974. Commenters should include the following subject line in their response "Comment: [insert OMB number], [insert abbreviated collection name, e.g., "Upward Bound Evaluation"]". Persons submitting comments electronically should not submit paper copies.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information

collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The IC Clearance Official, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: November 18, 2008.

Angela C. Arrington,

IC Clearance Official, Regulatory Information Management Services, Office of Management.

Office of Planning, Evaluation and Policy Development

Type of Review: New Collection.

Title: Evaluation of the Growth Model Pilot Program.

Frequency: Other: One time.

Affected Public: Businesses or other for-profit State, Local, or Tribal Gov't, SEAs or LEAs.

Reporting and Recordkeeping Hour Burden:

Responses: 36.

Burden Hours: 41.

Abstract: In November 2005 the U.S. Department of Education initiated the Growth Model Pilot Program (GMPP) with the goal of approving up to ten states to incorporate growth models in school AYP determinations under the No Child Left Behind (NCLB). As a condition of participation in Growth Model Pilot Program (GMPP), states are required to participate in an evaluation. The evaluation is designed to provide a more comprehensive picture of Growth Model Pilot Program (GMPP). Authorization to conduct this study is provided by the No Child Left Behind Act of 2001 (Pub. L. 107-110), Part E, Section 1501.

Requests for copies of the information collection submission for OMB review may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 3759. When you access the information collection, click on "Download Attachments " to

view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to ICDocketMgr@ed.gov or faxed to 202-401-0920. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to ICDocketMgr@ed.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. E8-27762 Filed 11-20-08; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

[OE Docket No. EA-346]

Application To Export Electric Energy; Credit Suisse Energy LLC

AGENCY: Office of Electricity Delivery and Energy Reliability, DOE.

ACTION: Notice of application.

SUMMARY: Credit Suisse Energy LLC (CSE) has applied for authority to transmit electric energy from the United States to Mexico pursuant to section 202(e) of the Federal Power Act.

DATES: Comments, protests, or requests to intervene must be submitted on or before December 24, 2008.

ADDRESSES: Comments, protests, or requests to intervene should be addressed as follows: Office of Electricity Delivery and Energy Reliability, Mail Code: OE-20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350 (FAX 202-586-5860).

FOR FURTHER INFORMATION CONTACT:

Ellen Russell (Program Office) 202-586-9624 or Michael Skinker (Program Attorney) 202-586-2793.

SUPPLEMENTARY INFORMATION: Exports of electricity from the United States to a foreign country are regulated by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require authorization under section 202(e) of the FPA (16 U.S.C. 824a(e)).

On October 31, 2008, DOE received an application from CSE for authority to transmit electric energy from the United States to Mexico as a power marketer. CSE does not own any electric transmission facilities nor does it hold