

including suggestions for reducing this burden to the General Services Administration, FAR Secretariat (VIR), 1800 F Street, NW, Room 4035, Washington, DC 20405.

**FOR FURTHER INFORMATION CONTACT:**

Ernest Woodson, Contract Policy Division, GSA (202) 501-3775.

**SUPPLEMENTARY INFORMATION:**

**A. Purpose**

Rights in Data is a regulation which concerns the rights of the Government, and organizations with which the Government contracts, to information developed under such contracts. The delineation of such rights is necessary in order to protect the contractor's rights to not disclose proprietary data and to insure that data developed with public funds is available to the public.

The information collection burdens and recordkeeping requirements included in this regulation fall into the following four categories:

(a) A provision which is to be included in solicitations where the proposer would identify any proprietary data he would use during contract performance in order that the contracting officer might ascertain if such proprietary data should be delivered.

(b) Contract provisions which, in unusual circumstances, would be included in a contract and require a contractor to deliver proprietary data to the Government for use in evaluation of work results, or is software to be used in a Government computer. These situations would arise only when the very nature of the contractor's work is comprised of limited rights data or restricted computer software and if the Government would need to see that data in order to determine the extent of the work.

(c) A technical data certification for major systems, which requires the contractor to certify that the data delivered under the contract is complete, accurate and compliant with the requirements of the contract. As this provision is for major systems only, and few civilian agencies have such major systems, only about 30 contracts will involve this certification.

(d) The Additional Data Requirements clause, which is to be included in all contracts for experimental, developmental, research, or demonstration work (other than basic or applied research to be performed solely by a university or college where the contract amount will be \$500,000 or less). The clause requires that the contractor keep all data first produced in the performance of the contract for a

period of three years from the final acceptance of all items delivered under the contract. Much of this data will be in the form of the deliverables provided to the Government under the contract (final report, drawings, specifications, etc.). Some data, however, will be in the form of computations, preliminary data, records of experiments, etc., and these will be the data that will be required to be kept over and above the deliverables. The purpose of such recordkeeping requirements is to insure that the Government can fully evaluate the research in order to ascertain future activities and to insure that the research was completed and fully reported, as well as to give the public an opportunity to assess the research results and secure any additional information. All data covered by this clause is unlimited rights data paid for by the Government.

Paragraph (d) of the Rights in Data—General clause outlines a procedure whereby a contracting officer can challenge restrictive markings on data delivered. Under civilian agency contracts, limited rights data or restricted computer software is rarely, if ever, delivered to the Government. Therefore, there will rarely be any challenges. Thus, there is no burden on the public.

**B. Annual Reporting Burden**

*Respondents:* 1,100.

*Responses Per Respondent:* 1.

*Annual Responses:* 1,100.

*Hours Per Response:* .95.

*Total Burden Hours:* 1,040.

**C. Annual Recordkeeping Burden**

The annual recordkeeping burden is estimated as follows:

*Recordkeepers:* 9,000.

*Hours Per Recordkeeper:* 2.

*Total Recordkeeping Burden Hours:* 18,000 .

*Obtaining Copies of Proposals:* Requesters may obtain a copy of the information collection documents from the General Services Administration, FAR Secretariat (VIR), Room 4035, 1800 F Street, NW, Washington, DC 20405, telephone (202) 501-4755. Please cite OMB Control No. 9000-0090, Rights in Data and Copyrights, in all correspondence.

Dated: March 2, 2007.

**Ralph DeStefano,**

*Director, Contract Policy Division.*

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**Missile Defense Advisory Committee (MDAC)**

**AGENCY:** Department of Defense, Missile Defense Agency (MDA)

**ACTION:** Notice of closed meeting.

**SUMMARY:** The Missile Defense Advisory Committee will meet in closed session on March 21-22, 2007, in Washington, DC.

The mission of the Missile Defense Advisory Committee is to provide the Department of Defense advice on all matters relating to missile defense, including system development, technology, program maturity and readiness of configurations of the Ballistic Missile Defense System (BMDS) to enter the acquisition process. At this meeting, the Committee will receive classified briefings by intelligence officials concerning estimated future developments.

**FOR FURTHER INFORMATION CONTACT:** COL David R. Wolf, Designated Federal Official (DFO) at [david.wolf@mda.mil](mailto:david.wolf@mda.mil), phone/voice mail (703) 695-6438, or mail at 7100 Defense Pentagon, Washington, DC 20301-7100.

**SUPPLEMENTARY INFORMATION:** In accordance with Section 10(d) of the Federal Advisory Committee Act, Pub. L. 92-463, as amended (5 U.S.C. App. II), it has been determined that this Missile Defense Advisory Committee meeting concerns matters listed in 5 U.S.C. 552b(c)(1) and that, accordingly, the meeting will be closed to the public.

Dated: March 1, 2007.

**L.M. Bynum,**

*OSD Federal Register Liaison Office, Department of Defense.*

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**Meeting of the Uniform Formulary Beneficiary Advisory Panel**

**AGENCY:** Assistant Secretary of Defense (Health Affairs), Department of Defense.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice announces a meeting of the Uniform Formulary Beneficiary Advisory Panel. The panel will review and comment on recommendations made to the Director, TRICARE Management Activity, by the Pharmacy and Therapeutics Committee regarding the Uniform Formulary. The