

DEPARTMENT OF DEFENSE**GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****[OMB Control No. 9000-0035]****Proposed Collection; Comment
Request Entitled Claims and Appeals**

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.

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 Claims and Appeals. The clearance currently expires on March 31, 1999.

DATES: Comments may be submitted on or before January 29, 1999.

ADDRESSES: Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, or obtaining a copy of the justification, should be submitted to: FAR Desk Officer, OMB, Room 10102, NEOB, Washington, DC 20503, and a copy to the General Services Administration, FAR Secretariat (MVRs), 1800 F Street, NW, Room 4037, Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Jack O'Neill, Federal Acquisition Policy Division, GSA (202) 501-3856.

SUPPLEMENTARY INFORMATION:**A. Purpose**

It is the Government's policy to try to resolve all contractual issues by mutual agreement at the contracting officer's level without litigation. Contractor's claims must be submitted in writing to the contracting officer for a decision. Claims exceeding \$100,000 must be accompanied by a certification that (1) the claim is made in good faith; (2) supporting data are accurate and complete; and (3) the amount requested accurately reflects the contract adjustment for which the contractor believes the Government is liable. Contractors may appeal the contracting officer's decision by submitting written appeals to the appropriate officials.

B. Annual Reporting Burden

Public reporting burden for this collection of information is estimated to average 1 hour per completion, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The annual reporting burden is estimated as follows: Respondents, 4,500; responses per respondent, 3; total annual responses, 13,500; preparation hours per response 1; and total response burden hours, 13,500.

Obtaining Copies of Proposals

Requester may obtain a copy of the justification from the General Services Administration, FAR Secretariat (MVRs), Room 4037, 1800 F Street, NW, Washington, DC 20405, telephone (202) 501-4755. Please cite OMB Control No. 9000-0035, Claims and Appeals, in all correspondence.

Dated: November 24, 1998.

Edward C. Loeb,

Director, Federal Acquisition Policy Division.

[FR Doc. 98-31832 Filed 11-27-98; 8:45 am]

BILLING CODE 6820-34-P

DEPARTMENT OF DEFENSE**GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****[OMB Control No. 9000-0047]****Proposed Collection; Comment
Request Entitled Place of Performance**

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.

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 Place of Performance. The clearance currently expires on March 31, 1999.

DATES: Comments may be submitted on or before January 29, 1999.

ADDRESSES: Comments regarding this burden estimate or any other aspect of

this collection of information, including suggestions for reducing this burden, or obtaining a copy of the justification, should be submitted to: FAR Desk Officer, OMB, Room 10102, NEOB, Washington, DC 20503, and a copy to the General Services Administration, FAR Secretariat (MVRs), 1800 F Street, NW, Room 4037, Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Ralph DeStefano, Federal Acquisition Policy Division, GSA (202) 501-1758.

SUPPLEMENTARY INFORMATION:**A. Purpose**

The information relative to the place of performance and owner of plant or facility, if other than the prospective contractor, is a basic requirement when contracting for supplies or services (including construction). This information is instrumental in determining bidder responsibility, responsiveness, and price reasonableness. A prospective contractor must affirmatively demonstrate its responsibility. Hence, the Government must be apprised of this information prior to award. The contracting officer must know the place of performance and the owner of the plant or facility to (a) determine bidder responsibility; (b) determine price reasonableness; (c) conduct plant or source inspections; and (d) determine whether the prospective contractor is a manufacturer or a regular dealer. The information is used to determine the firm's eligibility for awards and to assure proper preparation of the contract.

B. Annual Reporting Burden

Public reporting burden for this collection of information is estimated to average 4 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The annual reporting burden is estimated as follows: Respondents, 79,397; responses per respondent, 14; total annual responses, 1,111,558; preparation hours per response, .07; and total response burden hours, 77,810.

Obtaining Copies of Proposals

Requester may obtain a copy of the justification from the General Services Administration, FAR Secretariat (MVRs), Room 4037, 1800 F Street, NW, Washington, DC 20405, telephone (202) 501-4755. Please cite OMB Control No. 9000-0047, Place of Performance, in all correspondence.

Dated: November 24, 1998.

Edward C. Loeb,

Director, Federal Acquisition Policy Division.
[FR Doc. 98-31833 Filed 11-27-98; 8:45 am]

BILLING CODE 6820-34-P

DEPARTMENT OF DEFENSE

Office of the Secretary

Privacy Act of 1974; System of Records

AGENCY: Office of the Secretary, DoD.

ACTION: Notice to amend a system of records.

SUMMARY: The Office of the Secretary of Defense proposes to amend a system of records notice in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

DATES: The amendment will be effective on December 30, 1998, unless comments are received that would result in a contrary determination.

ADDRESSES: Send comments to OSD Privacy Act Coordinator, Records Section, Directives and Records Division, Washington Headquarters Services, Correspondence and Directives, 1155 Defense Pentagon, Washington, DC 20301-1155.

FOR FURTHER INFORMATION CONTACT: Mr. David Bosworth at (703) 695-0970 or DSN 225-0970.

SUPPLEMENTARY INFORMATION: The Office of the Secretary of Defense notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address above.

The proposed amendments are not within the purview of subsection (r) of the Privacy Act (5 U.S.C. 552a), as amended, which would require the submission of a new or altered system report for each system. The specific changes to the record system being amended are set forth below followed by the notice, as amended, published in its entirety.

Dated: November 20, 1998.

L. M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DFMP 26

SYSTEM NAME:

Vietnamese Commando Compensation Files (*June 30, 1997, 62 FR 35158*).

CHANGES

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CATEGORIES OF INDIVIDUALS COVERED:

At the end of the paragraph add 'and parents and siblings of deceased Commandos.'

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AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Replace 'Section 657,' with 'Sections 657 and 658,'.

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PURPOSE(S):

In part (2) of the paragraph, delete 'October 1, 1998' and replace with 'November 15, 1998'.

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DFMP 26

SYSTEM NAME:

Vietnamese Commando Compensation Files.

SYSTEM LOCATION:

Commission on Compensation, Office of the Secretary of Defense, 4000 Defense Pentagon, Washington, DC 20301-4000.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who are former Vietnamese operatives who either (1) participated in OPLAN 34A (or its predecessor) and were captured and incarcerated by the Democratic Republic of Vietnam (DRG) as a result of such participation, or (2) participated in OPLAN 35, were captured and incarcerated by North Vietnam forces as a result of such participation in Laos or along Lao-Vietnamese border, remained in captivity after 1973 (or died in captivity), and have not previously received payment from the United States for the period spent in captivity, provided that neither claimant has served in the Peoples Army of Vietnam or provided active assistance to the Government of the DRG during the period 1958 through 1975; the surviving spouse of a deceased claimant; the surviving children (including natural and adopted) of the deceased claimant if there is no surviving spouse; parents of a deceased claimant if there is no surviving spouse or children; and siblings of the deceased claimant if there is no surviving spouse, children or parents of the deceased claimant.

CATEGORIES OF RECORDS IN THE SYSTEM:

System (including documentation) is comprised of (1) names (including aliases, former names, or other names used); (2) current address; (3) current telephone number(s); (4) United States Social Security Number, (if any), United States Immigration and Naturalization Service (INS) Identification or similar

number(s), (if any), and any equivalent social security or identification number(s), (if any), issued to applicant by the Democratic Republic of Vietnam, the Republic of Vietnam, or the current government of Vietnam; (5) date of birth; (6) place of birth; (7) distinguishing marks (fingerprints, scars, etc.); (8) family identification, including (a) parents; (b) spouse; (c) children; (d) brothers; (e) sisters; (f) others; (9) team name; (10) place of insertion; (11) date of launch; (12) dates of captivity; (13) name, address, and telephone number of counsel or attorney (if any); and (14) required sworn declaration of veracity of above, including denial of service with or collaboration with North Vietnam.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Pub.L. 104-201, sections 657, as amended by Pub.L. 105-261, 658, payments to certain persons captured or interned by North Vietnam.

PURPOSE(S):

To be used by officials of the Vietnamese Commandos Compensation Commission to (1) verify the identity of claimants; (2) ensure the claim has been submitted in a timely manner (on or before November 15, 1998); (3) adjudicate the claim; (4) establish verified list of claimants for disbursing agency and facilitate cash payments to claimants; (5) provide a check list for attorney's fees limitation (as specified in the law); (6) establish a check list of paid claimants to preclude future claims or judicial review; and (7) prepare future reports to the Congress.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

To the Department of Justice, Litigation Division, in connection with litigation concerning *Au Dong Quy et al./Lost Commandos vs. United States* for the purpose of representing the Department of Defense in pending or potential litigation to which the record is pertinent.

To the Central Intelligence Agency and the Immigration and Naturalization Service for the purpose of checking and verifying claim information.

The 'Blanket Routine Uses' set forth at the beginning of OSD's compilation of systems of records notices apply to this system.