

**ACTION:** Notice of request for public comments regarding an extension to an existing OMB clearance (9000-0090).

**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 of a currently approved information collection requirement concerning rights in data and copyrights. A request for public comments was published at 69 FR 5511 on February 5, 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 May 19, 2004.

**ADDRESSES:** Submit comments including suggestions for reducing this burden to the General Services Administration, FAR Secretariat, 1800 F Street, NW., Room 4035, Washington, DC 20405.

**FOR FURTHER INFORMATION CONTACT:** Craig Goral, Acquisition Policy Division, GSA (202) 501-3856.

#### **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.

*Total 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 (MVA), Room 4035, 1800 F Street, Washington, DC 20405, telephone (202) 501-4755. Please cite OMB Control Number 9000-0090, Rights in Data and Copyrights, in all correspondence.

Dated: April 9, 2004.

**Ralph DeStefano,**

*Acting Director, Acquisition Policy Division.*

[FR Doc. 04-8750 Filed 4-16-04; 8:45 am]

**BILLING CODE 6820-EP-P**

## **DEPARTMENT OF DEFENSE**

### **Department of the Air Force**

#### **Privacy Act of 1974; System of Records**

**AGENCY:** Department of the Air Force, DoD.

**ACTION:** Notice to add a record system.

**SUMMARY:** The Department of the Air Force proposes to add a system of records notice to its inventory of records systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

**DATES:** The actions will be effective on May 19, 2004, unless comments are received that would result in a contrary determination.

**ADDRESSES:** Send comments to the Air Force FOIA/Privacy Manager, AF-CIO/P, 1155 Air Force Pentagon, Washington, DC 20330-1155.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Anne P. Rollins at (703) 601-4043.

**SUPPLEMENTARY INFORMATION:** The Department of the Air Force's record system notices for records systems 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 system report, as required by 5 U.S.C. 522a(r) of the

Privacy Act of 1974, as amended, was submitted on April 12, 2004, to the House Committee on Government Reform, the Senate Committee on Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A-130, 'Federal Agency Responsibilities for Maintaining Records About Individuals,' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: April 12, 2004.

**L.M. Bynum,**

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

#### **F044 AS SG U**

##### **SYSTEM NAME:**

Special Needs and Educational and Developmental Intervention Services (EDIS).

##### **SYSTEM LOCATION:**

Headquarters United States Air Force, Office of the Surgeon General, 110 Luke Avenue, Room 400, Bolling Air Force Base, Washington, DC 20332-7050;

Headquarters, Air Force Medical Support Agency, 5203 Leesburg Pike, Suite 702, Falls Church, VA 22041-3410; and

Major Command Surgeon's offices; Air Force hospitals, medical centers and clinics. Official mailing addresses are published as an appendix to the Air Force's compilation of systems of records notices.

##### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

All DoD beneficiaries who are entitled to healthcare at Air Force medical facilities.

##### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Records of family member special medical and/or educational needs, records of children receiving early intervention or related services from the Educational and Developmental Intervention Services clinics, medical summaries, individual educational program plans, general supportive documentation and correspondence.

##### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

10 U.S.C. 8013, Secretary of the Air Force and E.O. 9397 (SSN).

##### **PURPOSE(S):**

To document the treatment and activities of the Special Needs and Educational and Developmental Intervention Services (EDIS) process as they pertain to special educational and/or medical needs of children and family members, perform outreach and prevention activities, conduct

assessment and survey activities; compile database for statistical analysis, tracking, and reporting; evaluate program effectiveness and conduct research.

##### **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 any member of the family in whose sponsor's name the file is maintained, in furtherance of treating any member of the family.

To officials and employees of the Department of Veterans Affairs in the performance of their official duties relating to the adjudication of veterans claims and in providing medical care to members of the Air Force.

To officials and employees of other departments and agencies of the Executive Branch of government upon request in the performance of their official duties relating to review of the official qualifications and medical history of applicants and employees who are covered by this record system and for the conduct of research studies and relating to the coordination of EDIS and Special Needs programs, medical care and research concerning special educational or medical conditions.

To private organizations (including educational institutions) and individuals for authorized health research in the interest of the Federal government and the public. When not considered mandatory, patient identification data shall be eliminated from records used for research studies.

To officials and employees of the National Research Council in cooperative studies of the National History of Diseases; of prognosis and of epidemiology. Each study in which the records of members and former members of the Air Force are used must be approved by the Surgeon General of the Air Force.

To officials and employees of local and State governments and agencies in the performance of their official duties pursuant to the laws and regulations governing local control of communicable diseases, preventive medicine and safety programs, developmental disabilities, and other public health and welfare programs.

To the Federal, State or local governmental agencies when appropriate in the counseling and treatment of individuals or families with

special medical or educational needs, or receiving early intervention or related services.

To authorized surveying bodies for professional certification and accreditations.

To the individual organization or government agency as necessary when required by Federal statute, E.O., or by treaty.

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

**Note:** This system of records contains individually identifiable health information. The DoD Health Information Privacy Regulation (DoD 6025.18-R) issued pursuant to the Health Insurance Portability and Accountability Act of 1996, applies to most such health information. DoD 6025.18-R may place additional procedural requirements on the uses and disclosures of such information beyond those found in the Privacy Act of 1974 or mentioned in this system of records notice.

##### **POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

###### **STORAGE:**

Records may be stored in file folders, in computers, and on computer output products.

###### **RETRIEVABILITY:**

Records are retrieved by the name and Social Security Number of the sponsor or the sponsor's spouse.

###### **SAFEGUARDS:**

Records are maintained in various types of lockable filing equipment in monitored or controlled access lockable rooms or areas. Records are accessible only to authorized personnel that are properly screened and trained. Computer terminals are located in supervised areas with access controlled by password or other user-code systems. Records on computer storage devices are protected by computer system security software or physically stored in lockable filing equipment.

###### **RETENTION AND DISPOSAL:**

A Special Needs Assignment Coordination Record is closed when criteria for the Q-Code identifier no longer is met, or the AD member separates or retires from military services. An Educational and Developmental Intervention Services, early intervention services record is closed when the child, 0-3 years old, has reached and maintained age appropriate skills and is determined to no longer require services. A related services record is closed when the school age child no longer requires

services, passes the age criteria, transfers to a public education system. Cut off and transfer to the National Personnel Records Center, 9700 Page Blvd, St. Louis, MO 63132-1547, 2-years after the end of the calendar year in which the Q-code deletion request has been affirmed by AFPC where they are destroyed after 25 years.

#### SYSTEM MANAGER(S) AND ADDRESS:

Air Force Special Needs Program Manager and Educational and Developmental Intervention Services Program Manager, Air Force Medical Support Agency, Special Needs Program, 5203 Leesburg Pike, Suite 702, Falls Church, VA 22041-3410. Major Command Surgeons, and Commanders of Air Force medical treatment facilities. Official mailing addresses are published as an appendix to the Air Force's compilation of systems of records notices.

#### NOTIFICATION PROCEDURE:

Individuals seeking to determine if this system of records contains information on them should address inquiries to the Special Needs Coordinator at the Air Force medical treatment facility where services were provided. Official mailing addresses are published as an appendix to the Air Force's compilation of systems of records notices.

Requests should include the name and Social Security Number of the individual concerned.

#### RECORD ACCESS PROCEDURES:

Individuals seeking to access their records in this system should address requests to the Special Needs Coordinator at the Air Force medical treatment facility where services were provided. Official mailing addresses are published as an appendix to the Air Force's compilation of systems of records notices.

Requests should include the name and Social Security Number of the individual concerned.

#### CONTESTING RECORD PROCEDURES:

The Air Force rules for accessing records, and for contesting contents and appealing initial agency determinations are published in Air Force Instruction 33-332; 32 CFR part 806b; or may be obtained from the system manager.

#### RECORD SOURCE CATEGORIES:

Individual to whom the record pertains, reports from physicians and other medical department personnel; reports and information from other sources including educational institutions, medical institutions, public and private health and welfare agencies.

#### EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

[FR Doc. 04-8649 Filed 4-16-04; 8:45 am]

BILLING CODE 5001-06-M

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Notice of Intent To Grant Exclusive Patent Licenses; Seahawk Biosystems Corporation

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice.

**SUMMARY:** The Department of the Navy hereby gives notice of its intent to grant to Seahawk Biosystems Corporation, a revocable, nonassignable, exclusive license to practice in the fields of pathogen detection, disease and infection diagnostic testing, genetic testing for veterinary applications (small and large animals, including equine); pathogen and toxin detection and genetic testing in food products derived from animals; pathogen and toxin detection and genetic testing in food processing; pathogen and toxin detection in, and monitoring of, public water, wastewater, and groundwater in the United States and certain foreign countries, the Government-Owned inventions described in U.S. Patent No. 5,981,297 entitled "Biosensor Using Magnetically-Detected Label", Navy Case No. 77,576; U.S. Patent No. 6,180,418 entitled "Force Discrimination Assay", Navy Case No. 78,183; and U.S. Patent Application Serial No. 10/457,705 entitled "Fluidic Force Discrimination", Navy Case No. 84,529.

**DATES:** Anyone wishing to object to the grant of this license must file written objections along with supporting evidence, if any, not later than May 4, 2004.

**ADDRESSES:** Written objections are to be filed with the Naval Research Laboratory, Code 1004, 4555 Overlook Avenue, SW., Washington, DC 20375-5320.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jane F. Kuhl, Technology Transfer Office, NRL Code 1004, 4555 Overlook Avenue, SW., Washington, DC 20375-5320, telephone (202) 767-3083. Due to U.S. Postal delays, please fax (202) 404-7920, e-mail: [kuhl@utopia.nrl.navy.mil](mailto:kuhl@utopia.nrl.navy.mil) or use courier delivery to expedite response.

(Authority: 35 U.S.C. 207, 37 CFR part 404)

Dated: April 13, 2004.

**S. A. Hughes,**

*Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

[FR Doc. 04-8753 Filed 4-16-04; 8:45 am]

BILLING CODE 3810-FF-P

## DEPARTMENT OF EDUCATION

#### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**ACTION:** Notice of proposed information collection requests.

**SUMMARY:** The Acting Leader, Regulatory Information Management, Office of the Chief Information Officer, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** An emergency review has been requested in accordance with the Act (44 U.S.C. Chapter 3507 (j)), since public harm is reasonably likely to result if normal clearance procedures are followed. Approval by the Office of Management and Budget (OMB) has been requested by April 28, 2004. A regular clearance process is also beginning. Interested persons are invited to submit comments on or before June 18, 2004.

**ADDRESSES:** Written comments regarding the emergency review should be addressed to the Office of Information and Regulatory Affairs, Attention: Melanie Kadlic, Desk Officer: Department of Education, Office of Management and Budget; 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503 or should be electronically mailed to the Internet address [Melanie\\_Kadlic@omb.eop.gov](mailto:Melanie_Kadlic@omb.eop.gov).

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Director of OMB provide interested Federal agencies and the public an early opportunity to comment on information collection requests. The Office of Management and Budget (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 Acting Leader, Information Management Group, Office of the Chief Information Officer,