

natural disasters such as Hurricane Katrina.<sup>2</sup>

Consistent with that objective, Congress enacted and the President signed into law on February 8, 2006, the Digital Television and Public Safety Act of 2005, Title III of the Deficit Reduction Act of 2005. Among other things, this statute makes available analog television spectrum available for new communications services, including public safety interoperable communications in the 700 MHz band, by terminating television licenses in these frequencies on February 17, 2009. In addition, the Act requires the returned analog television spectrum be auctioned and the proceeds used to fund various new programs to promote the digital television transition, to improve public safety interoperable communications, and to reduce the deficit.

Specifically, Section 3006 of the Act directs NTIA to establish and implement a \$1 billion grant program to assist public safety agencies in the acquisition of, deployment of, or training for the use of interoperable communications systems that utilize, or enable interoperability with communications systems that can utilize, reallocated public safety spectrum for radio communications in the 700 MHz band. To spur the rapid distribution of these grant funds to our nation's first responders, the Act authorizes NTIA to borrow the funds needed for the grants as of October 1, 2006, well in advance of the receipt of auction proceeds. To further ensure the swift award of these grants to public safety agencies, Congress subsequently enacted and the President signed into law on December 22, 2006, the Call Home Act of 2006. Section 4 of this statute requires NTIA to make grant awards no later than September 30, 2007.

A 60-day delay in implementing this final rule would hamper NTIA's mission to improve public safety interoperable communications and be contrary to clear Congressional intent as expressed in Section 3006 of the Deficit Reduction

Act and Section 4 of the Call Home Act. If NTIA is not able to implement this program and make awards under this program before September 30, 2007, the \$1 billion may not be available after September 30, 2007 for NTIA to fulfill its statutory mandate. In order for NTIA to comply with this statutory mandate, eligible entities must submit applications no later than 30 days after publication in the **Federal Register**. Thus, in compliance with section 808(2) of the Congressional Review of Agency Rulemaking Act, 5 U.S.C. § 808(2), for good cause, NTIA finds that notice and public comment on this final rule is impracticable and contrary to the public interest. Accordingly, this final rule is effective on July 23, 2007.

Dated: July 18, 2007.

**John M.R. Kneuer,**

*Assistant Secretary for Communications and Information.*

[FR Doc. 07-3569 Filed 7-20-07; 8:45 am]

**BILLING CODE 3510-60-P**

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0135]

#### Submission for OMB Review; Prospective Subcontractor Requests for Bonds

**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 (9000-0135).

**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 Subcontractor Payments. A request for public comments was published in the **Federal Register** at 72 FR 19187, April 17, 2007. 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:** Comments may be submitted on or before August 22, 2007.

**ADDRESSES:** Comments including suggestions for reducing this burden should be submitted to: FAR Desk Officer, OMB, Room 10102, NEOB, Washington, DC 20503, and a copy to the General Services Administration, FAR Secretariat (VIR), 1800 F Street, NW, Room 4035, Washington, DC 20405.

**FOR FURTHER INFORMATION CONTACT** Ms. Cecelia Davis, Contract Policy Division, GSA (202) 219-0202.

#### SUPPLEMENTARY INFORMATION:

##### A. Purpose

Part 28 of the FAR contains guidance related to obtaining financial protection against damages under Government contracts (e.g., use of bonds, bid guarantees, insurance etc.). Part 52 contains the texts of solicitation provisions and contract clauses. These regulations implement a statutory requirement for information to be provided by Federal contractors relating to payment bonds furnished under construction contracts which are subject to the Miller Act (40 USC 270a-270d). This collection requirement is mandated by Section 806 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (P.L. 102-190), as amended by Section 2091 of the Federal Acquisition Streamlining Act of 1994 (P.L. 103-335). The clause at 52.228-12, Prospective Subcontractor Requests for Bonds, implements Section 806(a)(3) of P.L. 102-190, as amended, which specifies that, upon the request of a prospective subcontractor or supplier offering to furnish labor or material for the performance of a construction contract for which a payment bond has been furnished to the United States pursuant to the Miller Act, the contractor shall promptly provide a copy of such payment bond to the requestor.

In conjunction with performance bonds, payment bonds are used in Government construction contracts to secure fulfillment of the contractor's obligations under the contract and to assure that the contractor makes all payments, as required by law, to persons furnishing labor or material in

<sup>2</sup> See e.g., *The 9/11 Commission Report*, at 397 (July 2004); Public Safety Communications from 9/11 to Katrina: Critical Public Policy Lessons, 109th Cong. 1-4 (Sept. 29, 2005) (statement of Representative Fred Upton, Chairman, Subcommittee on Telecommunications and the Internet, House Committee on Energy and Commerce); *Communications Interoperability - Session I*, 109th Cong. (Sept 29, 2005) (statement of Senator Ted Stevens, Chairman, Committee on Commerce, Science, and Transportation, at [http://commerce.senate.gov/public/index.cfm?FuseAction=Hearings.Statement&Statement\\_ID=126](http://commerce.senate.gov/public/index.cfm?FuseAction=Hearings.Statement&Statement_ID=126)); *The Federal Response to Hurricane Katrina Lesson Learned*, at 44 (Feb. 2006).

performance of the contract. This regulation provides prospective subcontractors and suppliers a copy of the payment bond furnished by the contractor to the Government for the performance of a Federal construction contract subject to the Miller Act. It is expected that prospective subcontractors and suppliers will use this information to determine whether to contract with that particular prime contractor. This information has been and will continue to be available from the Government. The requirement for contractors to provide a copy of the payment bond upon request to any prospective subcontractor or supplier under the Federal construction contract is contained in Section 806(a)(3) of P.L. 102-190, as amended by Sections 2091 and 8105 of P.L. 103-355.

#### B. Annual Reporting Burden

*Respondents:* 12,698.

*Responses Per Respondent:* 5.

*Total Responses:* 63,490.

*Hours Per Response:* .25.

*Total Burden Hours:* 15,872.50.

*OBTAINING COPIES OF*

**PROPOSALS:** Requester may obtain a copy of the proposal from the General Services Administration, FAR Secretariat (VIR), Room 4035, 1800 F Street, Washington, DC 20405, telephone (202) 501-4755. Please cite OMB Control No. 9000-0135, Prospective Subcontractor Requests for Bonds, in all correspondence.

Dated: July 16, 2007.

**Al Matera,**

*Acting Director, Contract Policy Division.*

[FR Doc. 07-3563 Filed 7-20-07; 8:45 am]

**BILLING CODE 6820-EP-S**

#### DEPARTMENT OF DEFENSE

##### United States Marine Corps; Privacy Act of 1974; System of Records

**AGENCY:** United States Marine Corps, DoD.

**ACTION:** Notice to delete a system of records.

**SUMMARY:** The U.S. Marine Corps is deleting a system of records notice from its inventory of records systems subject to the Privacy Act of 1974, as amended (5 U.S.C. 552a).

**DATES:** Effective July 23, 2007.

**ADDRESSES:** Send comments to Headquarters, U.S. Marine Corps, FOIA/PA Section (CMC-ARSE), 2 Navy Annex, Room 1005, Washington, DC 20380-1775.

**FOR FURTHER INFORMATION CONTACT:** Ms. Tracy D. Ross at (703) 614-4008.

**SUPPLEMENTARY INFORMATION:** The U.S. Marine Corps' records 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 U.S. Marine Corps proposes to delete a system of records notices from its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended. The changes to the system of records are not within the purview of subsection (r) of the Privacy Act of 1974 (5 U.S.C. 552a), as amended, which requires the submission of new or altered systems reports.

DATE: July 17, 2007.

**L.M. Bynum,**

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

##### Deletion MMC00007

##### SYSTEM NAME:

Inspection of Government Property Assigned to Individual (August 3, 1993, 58 FR 41254).

##### REASON:

Information is now filed within the Navy's NM07320-1, Property Accountability Records printed in the **Federal Register** on May 20, 2007, with number of 72 FR29487.

[FR Doc. 07-3557 Filed 7-20-07; 8:45 am]

**BILLING CODE 5001-06-M**

#### DEPARTMENT OF DEFENSE

##### United States Marine Corps; Privacy Act of 1974; System of Records

**AGENCY:** United States Marine Corps, DoD.

**ACTION:** Notice to delete three records system.

**SUMMARY:** The U.S. Marine Corps is deleting three systems of records notices from its inventory of records systems subject to the Privacy Act of 1974, as amended (5 U.S.C. 552a).

**DATES:** Effective July 23, 2007.

**ADDRESSES:** Send comments to Headquarters, U.S. Marine Corps, FOIA/PA Section (CMC-ARSE), 2 Navy Annex, Room 1005, Washington, DC 20380-1775.

**FOR FURTHER INFORMATION CONTACT:** Ms. Tracy D. Ross at (703) 614-4008.

**SUPPLEMENTARY INFORMATION:** The U.S. Marine Corps' records systems notices for records systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the

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The U.S. Marine Corps proposes to delete three systems of records notices from its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended. The changes to the system of records are not within the purview of subsection (r) of the Privacy Act of 1974 (5 U.S.C. 552a), as amended, which requires the submission of new or altered systems reports.

Dated: July 17, 2007.

**L.M. Bynum,**

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

##### Deletions MMN00001

Absentee Processing and Deserter Inquiry File (February 22, 1993, 58 FR 10630).

##### REASON:

Marine Corps' system of records notice MMN0006, Marine Corps Military Personnel Records (OQR/SRB) printed in the **Federal Register** on April 8, 2002 with the number of 67 FR 16738 which covers this collection. Accordingly, all files have been merged into this system.

##### MMT00001

Dependent (Title 6) Schools Records System (February 22, 1993, 58 FR 10630).

##### REASON:

Office of the Secretary, DoD/Joint Staff's DoDEA 26, Department of Defense Education Activity Dependent Children's School Program Files printed in the **Federal Register** on May 3, 2007, with the number of 72 FR 24572, is a Defense notice which includes the Marine Corps' systems that include this type of collection. Accordingly, all files have been merged into that system.

##### MRS00002

Marine Corps Reserve Support Center (MCRSC) Management System (February 22, 1993, 58 FR 10630).

##### REASON:

Marine Corps' system of records notice MMN0006, Marine Corps Military Personnel Records (OQR/SRB) printed in the **Federal Register** on April 8, 2002 with the number of 67 FR 16738 covers this collection. Accordingly, all files have been merged into this system.

[FR Doc. 07-3559 Filed 7-20-07; 8:45 am]

**BILLING CODE 5001-06-M**