

via the Federal eRulemaking portal by searching the OMB control number. Select the link "Submit a Comment" that corresponds with "Information Collection 9000-0076, Novation/Change of Name Requirements". Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "Information Collection 9000-0076, Novation/Change of Name Requirements" on your attached document.

- *Fax:* 202-501-4067.
- *Mail:* General Services

Administration, Regulatory Secretariat (MVCB), 1275 First Street NE., Washington, DC 20417. ATTN: Hada Flowers/IC 9000-0076, Novation/Change of Name Requirements.

*Instructions:* Please submit comments only and cite Information Collection 9000-0076, Novation/Change of Name Requirements, in all correspondence related to this collection. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Mr. Curtis E. Glover, Sr., Procurement Analyst, Office of Governmentwide Acquisition Policy, GSA, (202) 208-4949 or via email [Curtis.glover@gsa.gov](mailto:Curtis.glover@gsa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Purpose**

FAR 42.1203 and 42.1204 provide requirements for contractors to request novation/change of name agreements and supporting documents when a firm performing under Government contracts wishes the Government to recognize (1) a successor in interest to these contracts, or (2) a name change, it must submit certain documentation to the Government.

##### **B. Discussion and Analysis**

One respondent submitted public comments on the extension of the previously approved information collection. The analysis of the public comments is summarized as follows:

*Comment:* The respondent commented that the extension of the information collection would violate the fundamental purposes of the Paperwork Reduction Act (PRA) because of the burden it puts on the entity submitting the information and the agency collecting the information. The respondent opposed granting the extension under the PRA.

*Response:* In accordance with the PRA, agencies can request an OMB approval of an existing information collection. The PRA requires that

agencies use the **Federal Register** notice and comment process, to extend the OMB's approval, at least every three years. This extension, to a previously approved information collection, pertains to FAR Subpart 42.12, Novation and Change-of-Name Agreements. The purpose of this subpart is to allow recognition of a successor in interest to Government contracts when contractor assets are transferred, recognition of a change in a contractor's name, and execution of novation agreements and change-of-name agreements by the responsible contracting officer. This subpart provides the contractor a process and a forum to transfer interest in a Government contract and recognition of a corporate name change. Not granting this extension would eliminate the contractor's ability to conduct business with the Government in those instances where the company has been sold or changed its name.

*Comment:* The respondent commented that the agency did not accurately estimate the public burden challenging that the agency's methodology for calculating it is insufficient and inadequate and does not reflect the total burden. For this reason, the respondent provided that the agency should reassess the estimated total burden hours and revise the estimate upwards to be more accurate, as was done in FAR Case 2007-006. The same respondent also provided that the burden of compliance with the information collection requirement greatly exceeds the agency's estimate and outweighs any potential utility of the extension.

*Response:* Serious consideration is given, during the open comment period, to all comments received and adjustments are made to the paperwork burden estimate based on reasonable considerations provided by the public. This is evidenced, as the respondent notes, in FAR Case 2007-006 where an adjustment was made from the total preparation hours from three to 60. This change was made considering particularly the hours that would be required for review within the company, prior to release to the Government.

The burden is prepared taking into consideration the necessary criteria in OMB guidance for estimating the paperwork burden put on the entity submitting the information. For example, consideration is given to an entity reviewing instructions; using technology to collect, process, and disclose information; adjusting existing practices to comply with requirements; searching data sources; completing and reviewing the response; and transmitting or disclosing information.

The estimated burden hours for a collection are based on an average between the hours that a simple disclosure by a very small business might require and the much higher numbers that might be required for a very complex disclosure by a major corporation. Also, the estimated burden hours should only include projected hours for those actions which a company would not undertake in the normal course of business. Careful consideration went into assessing the estimated burden hours for this collection, and it is determined that an upward adjustment is not required at this time. However, at any point, members of the public may submit comments for further consideration, and are encouraged to provide data to support their request for an adjustment.

##### **C. Annual Reporting Burden**

*Respondents:* 1,000.

*Responses per Respondent:* 1.

*Annual Responses:* 1,000.

*Hours per Response:* 2.0.

*Total Burden Hours:* 2,000.

*Obtaining Copies of Proposals:*

Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat (MVCB), 1275 First Street NE., Washington, DC 20417, telephone (202) 501-4755. Please cite OMB Control No. 9000-0076, Novation/Change of Name Requirements, in all correspondence.

Dated: October 5, 2012.

**William Clark,**

*Acting Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.*

[FR Doc. 2012-25293 Filed 10-12-12; 8:45 am]

**BILLING CODE 6820-EP-P**

## **DEPARTMENT OF DEFENSE**

### **GENERAL SERVICES ADMINISTRATION**

### **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

[OMB Control No. 9000-0067; Docket 2012-0076; Sequence 10]

#### **Federal Acquisition Regulation; Submission for OMB Review; Incentive Contracts**

**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, the Regulatory Secretariat will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement concerning incentive contracts. A notice was published in the **Federal Register** at 77 FR 18819, on March 28, 2012. One respondent submitted comments.

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the Federal Acquisition Regulation (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 November 14, 2012.

**ADDRESSES:** Submit comments identified by Information Collection 9000–0067, Incentive Contracts, by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by searching the OMB control number. Select the link “Submit a Comment” that corresponds with “Information Collection 9000–0067, Incentive Contracts”. Follow the instructions provided at the “Submit a Comment” screen. Please include your name, company name (if any), and “Information Collection 9000–0067, Incentive Contracts” on your attached document.

- *Fax:* 202–501–4067.

- *Mail:* General Services Administration, Regulatory Secretariat (MVCB), 1275 First Street NE., Washington, DC 20417. ATTN: Hada Flowers/IC 9000–0067, Incentive Contracts.

*Instructions:* Please submit comments only and cite Information Collection 9000–0067, Incentive Contracts, in all correspondence related to this collection. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael O. Jackson, Procurement

Analyst, Office of Acquisition Policy, GSA (202) 208–4949 or via email [michaelo.jackson@gsa.gov](mailto:michaelo.jackson@gsa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Purpose**

In accordance with FAR 16.4, incentive contracts are normally used when a firm fixed-price contract is not appropriate and the required supplies or services can be acquired at lower costs, and sometimes with improved delivery or technical performance, by relating the amount of profit or fee payable under the contract to the contractor's performance.

The information required periodically from the contractor, such as cost of work already performed, estimated costs of further performance necessary to complete all work, total contract price for supplies or services accepted by the Government for which final prices have been established, and estimated costs allocable to supplies or services accepted by the Government and for which final prices have not been established, is needed to negotiate the final prices of incentive-related items and services. Contractors are required to submit the information in accordance with several incentive fee FAR clauses: FAR 52.216–16, Incentive Price Revision—Firm Target; FAR 52.216–17, Incentive Price Revision—Successive Targets; and FAR 52.216–10, Incentive Fee.

The contracting officer evaluates the information received to determine the contractor's performance in meeting the incentive target and the appropriate price revision, if any, for the items or services.

##### **B. Discussion and Analysis**

One respondent submitted public comments on the extension of the previously approved information collection. The analysis of the public comments is summarized as follows:

*Comment:* The respondent commented that the extension of the information collection would violate the fundamental purposes of the Paperwork Reduction Act because of the burden it puts on the entity submitting the information and the agency collecting the information. The respondent opposes granting the extension of the information collection requirement.

*Response:* In accordance with the Paperwork Required Act (PRA), agencies can request an OMB approval of an existing information collection. The PRA requires that agencies use the **Federal Register** notice and comment process, to extend the OMB's approval, at least every three years. This

extension, to a previously approved information collection, pertains to several incentive fee FAR clauses: FAR 52.216–16, Incentive Price Revision—Firm Target; FAR 52.216–17, Incentive Price Revision—Successive Targets; and FAR 52.216–10, Incentive Fee. Incentive contracts are used when other types of fixed-price or cost reimbursement contracts are inappropriate because the assumption of risk on one of the contracting parties is unfavorable. Thus, incentive contracts provide an alternative that the contracting parties can agree impose some risk but not as much as the other types of fixed-price or cost reimbursement contracts. The information collected, which should be information collected in the normal course of doing business, allows a contractor to justify and the contracting officer to evaluate the contractor's performance in meeting the incentive target and the appropriate price revision, if any, for the items or services received. Not granting this extension would consequently eliminate FAR clauses that provide a benefit to the public and the agency collecting the information.

*Comment:* The respondent commented that the agency did not accurately estimate the public burden challenging that the agency's methodology for calculating it is insufficient and inadequate and does not reflect the total burden. For this reason, the respondent provided that the agency should reassess the estimated total burden hours and revise the estimate upwards to be more accurate, as was done in FAR Case 2007–006. The same respondent also provided that the burden of compliance with the information collection requirement greatly exceeds the agency's estimate and outweighs any potential utility of the extension.

*Response:* Serious consideration is given, during the open comment period, to all comments received and adjustments are made to the paperwork burden estimate based on reasonable considerations provided by the public. This is evidenced, as the respondent notes, in FAR Case 2007–006 where an adjustment was made from the total preparation hours from three to 60. This change was made considering particularly the hours that would be required for review within the company, prior to release to the Government.

The burden is prepared taking into consideration the necessary criteria in OMB guidance for estimating the paperwork burden put on the entity submitting the information. For example, consideration is given to an entity reviewing instructions; using

technology to collect, process, and disclose information; adjusting existing practices to comply with requirements; searching data sources; completing and reviewing the response; and transmitting or disclosing information. The estimated burden hours for a collection are based on an average between the hours that a simple disclosure by a very small business might require and the much higher numbers that might be required for a very complex disclosure by a major corporation. Also, the estimated burden hours should only include projected hours for those actions which a company would not undertake in the normal course of business. Careful consideration went into assessing the burden for this collection, and although adjustments were made, the estimated annual burden remains unchanged. However, at any point, members of the public may submit comments for further consideration, and are encouraged to provide data to support their request for an adjustment.

### C. Annual Reporting Burden

The estimated annual burden remains the same from the notice published at 77 FR 18819 on March 28, 2012. Adjustments were made to the estimated number of respondents, and the estimated annual responses using fiscal year 2011 data from the Federal Procurement Data System as a baseline. In addition, the estimated hours per response increased, but the total estimated burden hours remain unchanged.

*Respondents:* 1,000.

*Responses Per Respondent:* 2.

*Annual Responses:* 2,000.

*Hours Per Response:* 1.5.

*Total Burden Hours:* 3,000.

#### *Obtaining Copies of Proposals:*

Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat (MVCB), 1275 First Street NE., Washington, DC 20417, telephone (202) 501-4755. Please cite OMB Control No. 9000-0067, Incentive Contracts, in all correspondence.

Dated: October 5, 2012.

**William Clark,**

*Acting Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.*

[FR Doc. 2012-25294 Filed 10-12-12; 8:45 am]

**BILLING CODE 6820-EP-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### **Advisory Council on Dependents' Education; Meeting Cancellation Notice and Open Meeting Notice**

**AGENCY:** Department of Defense Education Activity (DoDEA), DoD.

**ACTION:** Meeting cancellation notice and open meeting notice.

**SUMMARY:** The meeting of the Department of Defense Advisory Council on Dependents' Education announced on August 31, 2012 (77 FR 53187-53188) under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), and the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and scheduled to occur on Tuesday, October 16, 2012, from 8:00 a.m. to 12:00 p.m. Eastern Daylight Savings Time; Stuttgart and Wiesbaden, Germany, from 2:00 p.m. to 6:00 p.m., Central European Summer Time (CEST); Okinawa, Japan, from 9:00 p.m. to 1:00 a.m., Japan Standard Time (JST); Honolulu, Hawaii, from 2:00 a.m. to 6:00 a.m., Hawaii-Aleutian Standard Time (H-AST); Peachtree City, Georgia, from 8:00 a.m. to 12:00 p.m., Eastern Daylight Savings Time (EDST) has been cancelled.

Under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102-3.150, the Department of Defense announces that the following Federal advisory committee meeting of the Advisory Council on Dependents' Education will take place.

**DATES:** Tuesday, December 4, 2012, Alexandria, Virginia (via Video Teleconference or Telephone Conference), from 8:00 a.m. to 12:00 p.m., Eastern Standard Time (EST); Stuttgart and Wiesbaden, Germany, from 2:00 p.m. to 6:00 p.m., Central European Standard Time (CET); Okinawa, Japan, from 10:00 p.m. to 2:00 a.m., Japan Standard Time (JST); Honolulu, Hawaii, from 3:00 a.m. to 7:00 a.m., Hawaii-Aleutian Standard Time (HAST); Peachtree City, Georgia, from 8:00 a.m. to 12:00 p.m., Eastern Standard Time (EST).

**ADDRESSES:** 4800 Mark Center Drive, Alexandria, VA 22350; USAG Stuttgart, Stuttgart, Germany; DoDDS-Europe Area Office, Wiesbaden, Germany; DoDDS-Pacific Area Office, Okinawa, Japan; Pacific Command, Honolulu, Hawaii; DDESS Area Office, Peachtree City, Georgia.

**FOR FURTHER INFORMATION CONTACT:** Mr. Joel K. Hansen at (571) 372-5812 or [Joel.Hansen@hq.dodea.edu](mailto:Joel.Hansen@hq.dodea.edu).

**SUPPLEMENTARY INFORMATION:** Purpose of the Meeting: Recommend to the Director, DoDEA, general policies for the operation of the Department of Defense Dependents Schools (DoDDS); to provide the Director with information about effective educational programs and practices that should be considered by DoDDS; and to perform other tasks as may be required by the Secretary of Defense.

**Agenda:** The meeting agenda will reflect current DoDDS schools operational status, educational practices, and other educational matters that come before the Council.

**Public Accessibility to the Meeting:** Pursuant to 5 U.S.C. 552b and 41 CFR 102-3.140 through 102-3.165 and the availability of space, this meeting is open to the public. Seating is limited and is on a first-come basis. All members of the public who wish to attend the public meeting at the Mark Center must contact Mr. Joel Hansen at the number listed in this notice no later than noon on Tuesday, November 27, 2012, to make arrangements for entrance to the Mark Center. The public attendees should arrive at the Mark Center no later than 7:30 a.m. on December 4, 2012. To receive access to the Mark Center, please come prepared to present a picture identification card.

**Committee's Point of Contact:** Mr. Joel K. Hansen at (571) 372-5812, 4800 Mark Center Drive, Alexandria, VA 22350 or [Joel.Hansen@hq.dodea.edu](mailto:Joel.Hansen@hq.dodea.edu).

**Special Accommodations:** Individuals requiring special accommodations to access the public meeting should contact Mr. Hansen at least five (5) business days prior to the meeting so that appropriate arrangements can be made.

Pursuant to 41 CFR 102-3.105(j) and 102-3.140 and section 10(a)(3) of the Federal Advisory Committee Act of 1972, the public or interested organizations may submit written statements to the Advisory Council on Dependents' Education about its mission and functions. Written statements may be submitted at any time or in response to the stated agendas of the planned meeting of the Advisory Council on Dependents' Education.

All written statements shall be submitted to the Designated Federal Officer (DFO) for the Advisory Council on Dependents' Education, Mr. Joel K. Hansen, 4800 Mark Center Drive, Alexandria, VA 22350; [Joel.Hansen@hq.dodea.edu](mailto:Joel.Hansen@hq.dodea.edu).

Statements being submitted in response to the agendas mentioned in