

**CONTESTING RECORD PROCEDURES:**

Delete entry and replace with “The DLA rules for accessing records, for contesting contents, and appealing initial agency determinations are contained in 32 CFR part 323, or may be obtained from the DLA FOIA/Privacy Act Office, Headquarters, Defense Logistics Agency, ATTN: DGA, 8725 John J. Kingman Road, Suite 1644, Fort Belvoir, VA 22060–6221.”

\* \* \* \* \*

**S180.10****SYSTEM NAME:**

Congressional, Executive, and Political Inquiry Records.

**SYSTEM LOCATION:**

Office of Legislative Affairs, Headquarters, Defense Logistics Agency, 8725 John J. Kingman Road, Suite 2545, Fort Belvoir, VA 22060–6221, and the DLA Primary Level Field Activities. Mailing addresses for the DLA Primary Level Field Activities may be obtained from the System manager.

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

Individuals, organizations, and other entities who have requested Members of State and Federal Legislative and Executive Branches of Government make inquiries on their behalf.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Records contain representative's name, constituent's name, details surrounding the issue being researched and control number. The records may also contain the constituent's home address, home telephone number, or related personal information provided by the constituent/representative making the inquiry.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 301, Departmental Regulations; 10 U.S.C. 133, Under Secretary of Defense for Acquisition, Technology, and Logistics; and DOD Directive 5400.04, Provision of Information to Congress.

**PURPOSE(S):**

Information is collected to reply to inquiries and to determine the need for and course of action to be taken for resolution. Information may be used by the DLA Director, Chief of Staff, DLA Senior Leadership and DLA Primary Level Field Activity Commanders and decision makers as a basis to institute policy or procedural changes.

**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 of 1974, these records may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

Information is furnished to Members/Staff of State and Federal Legislative and Executive Branches of Government who wrote to DLA on behalf of the constituent and who use it to respond to the constituent.

To Federal and local government agencies having cognizance over or authority to act on the issues involved.

The DoD “Blanket Routine Uses” apply to this system of records.

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

Records are stored in paper and electronic form.

**RETRIEVABILITY:**

Retrieved by constituent name, representative name, or control number.

**SAFEGUARDS:**

Records are maintained in a secure, limited access, or monitored work area. Physical entry by unauthorized persons is restricted by the use of locks, guards, or administrative procedures. Access to personal information is restricted to those who require the records in the performance of their official duties. Access to computer records is further restricted to DL staff only. All personnel whose official duties require access to the information are trained in the proper safeguarding and use of the information.

**RETENTION AND DISPOSAL:**

Records are destroyed after eight years.

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

Director, Legislative Affairs, Headquarters, Defense Logistics Agency, 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060–6221, and the DLA Primary Level Field Activity Commanders.

**NOTIFICATION PROCEDURE:**

Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the DLA FOIA/Privacy Act Office, Headquarters, Defense Logistics Agency, ATTN: DGA, 8725 John J. Kingman Road, Suite 1644, Fort Belvoir, VA 22060–6221.

Individuals should provide their name, home address, representative's name, and control number, if known.

**RECORD ACCESS PROCEDURES:**

Individuals seeking access to information about themselves contained in this system should address written inquiries to the DLA FOIA/Privacy Act Office, Headquarters, Defense Logistics Agency, ATTN: DGA, 8725 John J. Kingman Road, Suite 1644, Fort Belvoir, VA 22060–6221.

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**RECORD SOURCE CATEGORIES:**

Information is provided by constituent, the constituent's representative, and from agency files.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

[FR Doc. 2011–27150 Filed 10–19–11; 8:45 am]

BILLING CODE 5001–06–P

**DEPARTMENT OF DEFENSE**

**Request for Public Comments on How the Department of Defense Can Improve the Way It Procures Defense Items and Defense Services in Support of Foreign Military Sales (FMS) Programs**

**AGENCY:** Department of Defense (DoD).

**ACTION:** Request for public comments.

**SUMMARY:** Defense Federal Acquisition Regulation Supplement (DFARS) subpart 225.73—Acquisition for Foreign Military Sales (FMS) implements 22 U.S.C. 2762 of the Arms Export Control Act (AECA) that authorizes DoD to enter into contracts for resale to foreign countries or international organizations. In a recent report signed by the Secretary of Defense titled “Security Cooperation Reform Phase 1”, a requirement directs the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics (OUSD(AT&L)) to seek information from industry on how to improve the FMS process. The report is available at [http://www.acq.osd.mil/dpap/cpic/ic/docs/Signed\\_SCRTF\\_Report\\_Phase\\_1\\_July%202011.pdf](http://www.acq.osd.mil/dpap/cpic/ic/docs/Signed_SCRTF_Report_Phase_1_July%202011.pdf).

**DATES: Submission of Comments:**

Submit written comments to the address shown below on or before December 2, 2011. Comments received will be considered by DoD in the formation of a recommendation to the Secretary of Defense if a revision to the regulation or policy is necessary and appropriate.

**ADDRESSES:** Submit comments to: Director, Defense Procurement and Acquisition Policy, 3060 Defense Pentagon, Washington, DC 20301-3060, or e-mail to [jeffrey.grover@osd.mil](mailto:jeffrey.grover@osd.mil).

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeff Grover, telephone 703-697-9352.

**SUPPLEMENTARY INFORMATION:** The Foreign Military Sales (FMS) Program is authorized under the Arms Export Control Act (AECA). The FMS program is an important instrument of U.S. foreign policy. It allows the United States to provide defense articles and defense services to friendly countries and international organizations in order to deter and defend against aggression, facilitate a common defense, address security issues of mutual strategic concern, and to strengthen the security of the United States. The sales agreement between the United States and a foreign country or international organization is executed via a Letter of Offer and Acceptance (LOA). Security Assistance Management Manual, DoD 5105.38-M, found at <http://www.dsca.osd.mil/samm/>, provides guidance for the administration and implementation of Security Assistance and related activities. The articles and services acquired via FMS sales are procured through the Department of Defense Acquisition System. In the LOA, the Department of Defense (DoD) promises that when procuring for the purchaser, DoD will, in general, employ the same contract clauses, the same contract administration, and the same quality and audit inspection procedures as would be used in DoD procurements. Pricing for FMS contracts typically use the same principles used in pricing of other defense contracts. However, the application of the pricing principles in Federal Acquisition Regulation (FAR) parts 15 and 31 to an FMS contract may result in prices that differ from other defense contract prices for the same item. Direct costs associated with meeting a foreign customer's additional or unique requirements are allowable under such contracts. Indirect burden rates applicable to such direct costs are permitted at the same rates applicable to acquisitions of like items purchased by DoD for its own use. If the foreign government has conducted a competition resulting in adequate price competition as identified in FAR part

15, the contracting officer shall not require the submission of cost or pricing data. The contracting officer should consult with the foreign government through security assistance personnel to determine if adequate price competition has occurred. In accordance with the Presidential policy statement of April 16, 1990, DoD does not encourage, enter into, or commit U.S. firms to FMS offset arrangements. The decision whether to engage in offsets, and the responsibility for negotiating and implementing offset arrangements, resides with the companies involved. Relating to offset costs, a U.S. defense contractor may recover all costs incurred for offset agreements with a foreign government or international organization if the LOA is financed wholly with customer cash or repayable Foreign Military Financing (FMF) credits. The U.S. Government assumes no obligation to satisfy or administer the offset requirement or to bear any of the associated costs. Typically, costs not authorized under FAR part 31 are not allowable in pricing FMS contracts. On November 22, 2002, the Defense Federal Acquisition Regulation Supplement (DFARS) was amended to increase FMS customer participation and acquisition transparency in DoD contracts awarded on behalf of FMS customers. DFARS subpart 225.73 provides authorization for FMS customers to participate in specifications development, delivery schedule planning, identification of warranties and other contractual requirements unique to the customer, as well as the review of pricing needed to make price-performance tradeoffs. This DFARS change encourages customer participation in both the acquisition process and industry discussions. Customers also are allowed to participate in the contract negotiation process within the limitations of DFARS subpart 225.73, to the degree authorized by the contracting officer (CO). This section specifically protects against unauthorized release of proprietary data and improper influence on the contracting process.

**Mary Overstreet,**

*Editor, Defense Acquisition Regulations System.*

[FR Doc. 2011-27218 Filed 10-19-11; 8:45 am]

**BILLING CODE 5001-06-P**

**DEPARTMENT OF DEFENSE****Department of the Air Force****U.S. Air Force Scientific Advisory Board Notice of Meeting**

**AGENCY:** US Air Force Scientific Advisory Board, Department of the Air Force, DoD.

**ACTION:** Meeting Cancellation Notice.

**SUMMARY:** Due to difficulties, beyond the control of the U.S. Air Force Scientific Advisory Board or its Designated Federal Officer, the Board must cancel its October 13-14, 2011 meeting of the U.S. Air Force Scientific Advisory Board (76 FR 57026, September 15, 2011). Since the Department of the Air Force is unable to file a **Federal Register** notice cancelling the meeting within the 15-calendar day period the Advisory Committee Management Officer for the Department of Defense, pursuant to 41 CFR 102-3.150(b), waives the 15-calendar day notification requirement. The meeting was cancelled due to lack of approval of the Fiscal Year 2012 Board membership. This meeting will not be rescheduled.

**FOR FURTHER INFORMATION CONTACT:** The United States Air Force Scientific Advisory Board Executive Director and Designated Federal Officer, Lt Col Matthew E. Zuber, 240-612-5503, United States Air Force Scientific Advisory Board, 1500 West Perimeter Road, Ste. #3300, Joint Base Andrews, MD 20762, [matthew.zuber@pentagon.af.mil](mailto:matthew.zuber@pentagon.af.mil)

**Bao-Anh Trinh,**

*DAF, Air Force Federal Register Liaison Officer.*

[FR Doc. 2011-27140 Filed 10-19-11; 8:45 am]

**BILLING CODE 5001-10-P**

**DEPARTMENT OF EDUCATION****Notice of Proposed Information Collection Requests**

**AGENCY:** Department of Education.

**ACTION:** Comment request.

**SUMMARY:** The Department of Education (the Department), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the reporting burden on the public and helps the public understand the Department's information collection