

applicants and employees because of physical or mental disability and requires affirmative action to ensure that persons are treated without regard to disability. Section 503 applies to Federal contractors and subcontractors with contracts in excess of \$15,000.<sup>1</sup> VEVRAA prohibits employment discrimination against protected veterans and requires affirmative action to ensure that persons are treated without regard to their status as a protected veteran. VEVRAA applies to Federal contractors and subcontractors with contracts of \$150,000 or more.<sup>1</sup>

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1250–0004.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on January 31, 2020. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on October 3, 2019 (84 FR 52897).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty-(30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1250–0004. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the

<sup>1</sup> Effective October 1, 2015, the coverage threshold under VEVRAA increased from \$100,000 to \$150,000, in accordance with the inflationary adjustment requirements in 41 U.S.C. 1908.

functions of the agency, including whether the information will have practical utility:

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* DOL–OFCCP.

*Title of Collection:* Vietnam Era Veterans' Readjustment Assistance Act, as Amended.

*OMB Control Number:* 1250–0004.

*Affected Public:* Private Sector: Businesses or other for-profits.

*Total Estimated Number of Respondents:* 42,532,659.

*Total Estimated Number of Responses:* 42,532,659.

*Total Estimated Annual Time Burden:* 5,377,348 hours.

*Total Estimated Annual Other Costs Burden:* \$763,467.

*Authority:* 44 U.S.C. 3507(a)(1)(D).

Dated: January 23, 2020.

**Frederick Licari,**

*Departmental Clearance Officer.*

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number OMB–2019–0006, before the comment closing date to [www.regulations.gov](http://www.regulations.gov).

**SUPPLEMENTARY INFORMATION:** Protecting Americans against the unjust or arbitrary exercise of government power forms a cornerstone of the United States' constitutional structure. The presumption of innocence, adjudication by a neutral arbiter, fair and speedy proceedings, and the prohibition of double jeopardy, are some of the time-honored protections that constitute the rule of law in America.

The growth of administrative enforcement and adjudication over the last several decades has not always been accompanied by commensurate growth of protections to ensure just and reasonable process. Because many citizens' sole or principal interaction with the federal government is with a federal agency, it is of the utmost importance that administrative enforcement and adjudication operate subject to requirements that ensure they are fair, speedy, accurate, transparent, and respectful of the rights of Americans.

This Administration continues to evaluate a full range of options to make significant reforms in the context of administrative enforcement and adjudication. OMB invites public comment to promote an informed consideration of additional reforms. In particular, OMB solicits input on regulatory reforms that will better safeguard due process in the regulatory enforcement and adjudication settings (*i.e.*, non- Article III adjudications).

The Administration recognizes that procedural protections vary considerably by Department and/or agency, sub-agency, etc. Adjudications pursuant to the Administrative Procedure Act's section 554 (*i.e.*, "formal" adjudications) require more robust procedural protections. See 5 U.S.C 554, 556, and 557. Other adjudications (*i.e.*, "informal" adjudications) tend to enjoy more procedural flexibility. No matter the diversity of protections and/or types of proceedings, the Administration maintains an interest in overarching procedural reform. Put differently, the Administration requests public input on procedural reforms to both formal and informal adjudications and pre-adjudication enforcement protection(s). This request for information seeks ideas that will ensure each and every American enjoys adequate protections in regulatory enforcements and adjudications.

## OFFICE OF MANAGEMENT AND BUDGET

### Improving and Reforming Regulatory Enforcement and Adjudication

**AGENCY:** Office of Management and Budget (OMB), Executive Office of the President.

**ACTION:** Request for information: Improving and/or reforming regulatory enforcement and adjudication.

**SUMMARY:** In furtherance of the policy on *Promoting the Rule of Law Through Transparency and Fairness in Civil Administrative Enforcement and Adjudication*, the Office of Management and Budget invites the public to identify additional reforms that will ensure adequate due process in regulatory enforcement and adjudication.

**DATES:** Comments are due on or before March 16, 2020.

**ADDRESSES:** Interested parties should submit comments, identified by docket

Among the topics of interest, OMB invites feedback on the following queries:

- Prior to the initiation of an adjudication, what would ensure a speedy and/or fair investigation? What reform(s) would avoid a prolonged investigation? Should investigated parties have an opportunity to require an agency to “show cause” to continue an investigation?
- When do multiple agencies investigate the same (or related) conduct and then force Americans to contest liability in different proceedings across multiple agencies? What reforms would encourage agencies to adjudicate related conduct in a single proceeding before a single adjudicator?
- Would applying the principle of res judicata in the regulatory context reduce duplicative proceedings? How would agencies effectively apply res judicata?
- In the regulatory/civil context, when does an American have to prove an absence of legal liability? Put differently, need an American prove innocence in regulatory proceeding(s)? What reform(s) would ensure an American never has to prove the absence of liability? To the extent permissible, should the Administration address burdens of persuasion and/or production in regulatory proceedings? Or should the scope of this reform focus strictly on an initial presumption of innocence?
- What evidentiary rules apply in regulatory proceedings to guard against hearsay and/or weigh reliability and relevance? Would the application of some of the Federal Rules of Evidence create a fairer evidentiary framework, and if so, which Rules?
- Should agencies be required to produce all evidence favorable to the respondent? What rules and/or procedures would ensure the expedient production of all exculpatory evidence?
- Do adjudicators sometimes lack independence from the enforcement arm of the agency? What reform(s) would adequately separate functions and guarantee an adjudicator’s independence?
- Do agencies provide enough transparency regarding penalties and fines? Are penalties generally fair and proportionate to the infractions for which they are assessed? What reform(s) would ensure consistency and transparency regarding regulatory penalties for a particular agency or the federal government as a whole?
- When do regulatory investigations and/or adjudications coerce Americans into resolutions/settlements? What safeguards would systemically prevent unfair and/or coercive resolutions?

- Are agencies and agency staff accountable to the public in the context of enforcement and adjudications? If not, how can agencies create greater accountability?

- Are there certain types of proceedings that, due to exigency or other causes, warrant fewer procedural protections than others?

For each of the above queries, OMB requests specific, concrete examples of current due process shortfalls and concrete reform proposals to ensure adequate due process. Abstract, general principles will do little to advance actionable reform.

#### **Instructions for Written Responses**

Interested parties should provide written responses to the questions outlined in the supplementary information section of this **Federal Register** document. Submissions are due 45 days from publication of this document through [www.regulations.gov](http://www.regulations.gov) and should be identified by docket number OMB-2019-0006.

Please include the below in your response, *limiting this portion of your response to one page*:

- The name of the individual(s) and/or organization responding. Anonymous responses will also be accepted.
- A brief description of the responding individual(s) or organization's mission and/or areas of expertise, if the responder feels appropriate.
- A contact for questions or other follow-up on your response if desired.

Comments submitted in response to this document are subject to FOIA. OMB may also make all comments available to the public. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. Please note that responses to this public comment request containing any routine notice about the confidentiality of the communication will be treated as public comments that may be made available to the public notwithstanding the inclusion of the routine notice.

**Russell T. Vought,**

*Acting Director, OMB.*

[FR Doc. 2020-01632 Filed 1-29-20; 8:45 am]

**BILLING CODE 3110-01-P**

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

**[Notice (20-006)]**

#### **Notice of Intent To Grant Partially Exclusive License**

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of intent to grant partially exclusive patent license.

**SUMMARY:** NASA hereby gives notice of its intent to grant a partially exclusive patent license in the United States to practice the inventions described and claimed in U.S. Patent No. 8,167,204 B2 for an invention entitled “Wireless Damage Location Sensing System,” NASA Case Number LAR-17593-1; U.S. Patent No. 7,086,593 B2 for an invention entitled “Magnetic Field Response Measurement Acquisition System,” NASA Case Number LAR-16908-1; U.S. Patent No. 7,159,774 B2 for an invention entitled “Magnetic Field Response Measurement Acquisition System,” NASA Case Number LAR-17280-1; U.S. Patent No. 8,430,327 B2 for an invention entitled “Wireless Sensing System Using Open-Circuit, Electrically-Conductive Spiral-Trace Sensor,” NASA Case Number LAR-17294-1; U.S. Patent No. 8,042,739 B2 for an invention entitled “Wireless Tamper Detection Sensor and Sensing System,” NASA Case Number LAR-17444-1; U.S. Patent No. 7,814,786 B2 for an invention entitled “Wireless Sensing System for Non-Invasive Monitoring of Attributes of Contents in a Container,” NASA Case Number LAR-17488-1; U.S. Patent No. 8,673,649 B2 for an invention entitled “Wireless Chemical Sensor and Sensing Method for Use Therewith,” NASA Case Number LAR-17579-1; U.S. Patent No. 9,329,149 B2 for an invention entitled “Wireless Chemical Sensor and Sensing Method for Use Therewith,” NASA Case Number LAR-17579-2; U.S. Patent No. 9,733,203 B2 for an invention entitled “Wireless Chemical Sensing Method,” NASA Case Number LAR-17579-3; U.S. Patent No. 8,179,203 B2 for an invention entitled “Wireless Electrical Device Using Open-Circuit Elements Having No Electrical Connections,” NASA Case Number LAR-17711-1; and U.S. Patent No. 10,193,228 B2 for an invention entitled “Antenna for Near Field Sensing and Far Field Transceiving,” NASA Case Number LAR-18400-1, to Gyra Systems, Inc., having its principal place of business in La Mesa, CA. The fields of use may be limited to package monitoring quality sensors to detect changes in product quality and authenticity, such as pharmaceutical, food, beverage, tobacco, and cosmetics