

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

[Docket Number DARS–2019–0019; OMB Control Number 0750–0001]

Information Collection Requirement; Defense Federal Acquisition Regulation Supplement (DFARS); Performance-Based Payments—Representation; Submission for OMB Review; Comment Request

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Notice.

SUMMARY: The Defense Acquisition Regulations System has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

DATES: Consideration will be given to all comments received by March 20, 2020.

SUPPLEMENTARY INFORMATION:

Title, Associated Form, and OMB Number: Defense Federal Acquisition Regulation Supplement (DFARS), Performance-Based Payments—Representation; OMB Control Number 0750–0001.

Affected Public: Businesses or other for-profit and not-for-profit institutions.

Respondent's Obligation: Required to obtain or retain benefits.

Frequency: On occasion.

Type of Request: New submission.

Number of Respondents: 144.

Responses per Respondent: 1.

Annual Responses: 144.

Average Burden per Response: Approximately .1 hours.

Annual Burden Hours: 15.

Needs and Uses: This information collection is a result of a new DFARS requirement to implement section 831 the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2017, which amends 10 U.S.C. 2307. The rule adds a new provision with a reporting requirement that will require an entry in the annual representations and certifications with regard to whether the offeror's financial statements are in compliance with Generally Accepted

Accounting Principles. This provision is for use in solicitations where the resulting contract may include performance-based payments. This representation will be included in the annual representations and certifications in the System for Award Management. (See DFARS Case 2019–D002, proposed rule published at 84 FR 18221 on April 30, 2019.)

Comments and recommendations on the proposed information collection should be sent to Ms. Jasmeet Seehra, DoD Desk Officer, at Oira_submission@omb.eop.gov. Please identify the proposed information collection by DoD Desk Officer and the Docket ID number and title of the information collection

You may also submit comments, identified by docket number and title, by the following method: *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

DoD Clearance Officer: Ms. Angela James. Requests for copies of the information collection proposal should be sent to Ms. James at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil.

Jennifer Lee Hawes,
Regulatory Control Officer, Defense Acquisition Regulations System.

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FOR FURTHER INFORMATION CONTACT:

James McCarthy, U.S. Department of Education, 400 Maryland Avenue SW, Room 5064D, Potomac Center Plaza, Washington, DC 20202–2800. Telephone: (202) 245–6703. Email: james.mccarthy@ed.gov.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service, toll-free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: For the purpose of providing individuals who are blind with remunerative employment, enlarging their economic opportunities, and stimulating greater efforts to make themselves self-supporting, the Randolph-Sheppard Act, 20 U.S.C. 107 *et seq.* (Act), authorizes individuals who are blind to operate vending facilities on Federal property and provides them with a priority for doing so. The vending facilities include, among other things, cafeterias, snack bars, and automatic vending machines. The Department administers the Act and designates an agency in each State—the State Licensing Agency (SLA)—to license individuals who are blind to operate vending facilities on Federal and other property in the State.

The Act provides for arbitration of disputes between SLAs and vendors who are blind and between SLAs and Federal agencies before three-person panels convened by the Department whose decisions constitute final agency action. 20 U.S.C. 107d–1. The Act also makes these decisions matters of public record and requires their publication in the **Federal Register**. 20 U.S.C. 107d–2(c).

The Department publishes lists of Randolph-Sheppard Act arbitration panel decisions in the **Federal Register** and the full text of the decisions listed are available on the Department's website or by request (see 82 FR 41941). Older, archived decisions are also added to the Department's website as they are digitized.

In the third and fourth quarters of 2018, Randolph-Sheppard arbitration panels issued the following decisions.

Case name	Case No.	Date	State
<i>Jerry Bird v. Oregon Commission for the Blind</i>	R–S/11–05	7/19/2018	Oregon.
<i>California Department of Rehabilitation v. United States Department of the Navy</i>	R–S/15–20	10/08/2018	California.
<i>California Vendors Policy Committee v. California Department of Rehabilitation</i>	R–S/10–09	10/15/2018	California.

These decisions and other decisions that we have already posted are searchable by key terms, are accessible

under Section 508 of the Rehabilitation Act, and are available in Portable Document Format (PDF) at www.ed.gov/

[programs/rsarsp/arbitration-decisions.html](#) or by request to the