

○ *Email:* [dfars@mail.mil](mailto:dfars@mail.mil). Include OMB Control Number 0704-0225 in the subject line of the message.

○ *Fax:* (571) 372-6094.

○ *Mail:* Defense Acquisition Regulations System, Attn: Ms. Jennifer Johnson, OUSD(AT&L)DPAP/DARS, Rm. 3B855, 3060 Defense Pentagon, Washington, DC 20301-3060.

Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jennifer Johnson, at (571) 372-6100. The information collection requirements addressed in this notice are available on the World Wide Web at: <http://www.acq.osd.mil/dpap/dars/dfarspgi/current/index.html>. Paper copies are available from Ms. Jennifer Johnson, OUSD (AT&L) DPAP (DARS), Room 3B855, 3060 Defense Pentagon, Washington, DC 20301-3060.

**SUPPLEMENTARY INFORMATION:**

*Title, Associated Form, and OMB Number:* Defense Federal Acquisition Regulation Supplement (DFARS) Appendix I, DoD Pilot Mentor-Protege Program; OMB Control Number 0704-0332.

*Needs and Uses:* DoD needs this information to ensure that participants in the Mentor-Protege Program (“the Program”) are fulfilling their obligations under the mentor-protege agreements and that the Government is receiving value for the benefits it provides through the Program. DoD uses the information as source data for reports to Congress required by section 811(d) of the National Defense Authorization Act for Fiscal Year 2000 (Pub. L. 106-65). Participation in the Program is voluntary.

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

*Number of Respondents:* 112.

*Responses per Respondent:* 1.97.

*Annual Responses:* 240.

*Average Burden per Response:* Approximately 1.0 hour.

*Annual Response Burden Hours:* 240.

*Reporting Frequency:* Two times per year for mentor firms; one time per year for protege firms.

**Summary of Information Collection**

DFARS Appendix I, section I-112.2(a)-(d), requires mentor firms to report on the progress made under active mentor-protege agreements semiannually for the periods ending March 31 and September 30. The September 30 report must address the entire fiscal year. Reports must include the following:

(1) Data on performance under the mentor-protege agreement, including dollars obligated, expenditures, subcontracts awarded to the protege firm, developmental assistance provided, impact and progress of the agreement.

(2) A copy of the Individual Subcontracting Report (ISR) or SF 294 and Summary Subcontracting Report (SSR) for each contract where developmental assistance was credited to subcontracting goals.

Section I-112.2(e) requires protege firms to submit reports on an annual basis. Reports must include progress made by the protege firm in employment, revenues, and participation in DoD contracts during each fiscal year of the Program participation term and each of the two fiscal years following the expiration of the Program participation term. During the Program participation term, the protege firms may provide this data to the mentor firm for inclusion in the mentor report required by I-112(a)-(d) for the period ending September 30.

Jennifer L. Hawes,  
*Editor, Defense Acquisition Regulations System.*

[FR Doc. 2016-14619 Filed 6-20-16; 8:45 am]

**BILLING CODE 5001-06-P**

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**Government-Industry Advisory Panel; Request for Information on Rights in Technical Data and the Validation of Proprietary Data Restrictions**

**AGENCY:** Department of Defense.

**ACTION:** Notice.

**SUMMARY:** The Government-Industry Advisory Panel, a Department of Defense (DoD) advisory committee established in accordance with the Federal Advisory Committee Act (FACA), is seeking information to facilitate a review of sections 2320 and 2321 of Title 10 of the United States Code (U.S.C.), regarding rights in technical data and the validation of proprietary data restrictions.

**DATES:** Submit written comments to the address shown in the **ADDRESSES** section on or before July 21, 2016.

**ADDRESSES:** Submit comments to Office of the Assistant Secretary of Defense (Acquisition), ATTN: LTC Andrew Lunoff/Designated Federal Officer (DFO), 3090 Defense Pentagon, Washington, DC 20301-3090; or by email to [andrew.s.lunoff@mail.mil](mailto:andrew.s.lunoff@mail.mil).

**FOR FURTHER INFORMATION CONTACT:** LTC Andrew Lunoff, Office of the Assistant Secretary of Defense (Acquisition), 3090 Defense Pentagon, Washington, DC 20301-3090; email: [andrew.s.lunoff@mail.mil](mailto:andrew.s.lunoff@mail.mil); phone: 571-256-9004.

**SUPPLEMENTARY INFORMATION:** Section 813 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2016 required DoD to establish the Government-Industry Advisory Panel for the purpose of reviewing 10 U.S.C. 2320 and 2321, regarding rights in technical data and the validation of proprietary data restrictions, and the regulations implementing such sections, for the purpose of ensuring that such statutory and regulatory requirements are best structured to serve the interests of the taxpayers and the national defense. The advisory panel is to give appropriate consideration to the following: (1) Ensuring that DoD does not pay more than once for the same work; (2) ensuring that the DoD contractors are appropriately rewarded for their innovation and invention; (3) providing for cost-effective re-procurement, sustainment, modification, and upgrades to the DoD systems; (4) encouraging the private sector to invest in new products, technologies, and processes relevant to the missions of the DoD; and (5) ensuring that the DoD has appropriate access to innovative products, technologies, and processes developed by the private sector for commercial use.

The regulatory implementation of 10 U.S.C. 2320 and 2321 are in the Defense Federal Acquisition Regulation Supplement (DFARS) at subpart 227.71, covering both commercial and noncommercial technical data. This regulatory scheme is also adapted to cover computer software in DFARS subpart 227.72, where nearly all elements of the technical data scheme are applied to noncommercial computer software, but not to commercial computer software. Thus, although the statutory sections apply only to technical data, the regulatory implementation has historically also affected how DoD acquires and manages computer software and, therefore, is another factor to be considered. In addition, a significant streamlining and integration of these DFARS subparts was published for public comment in 2010 entitled “Patent, Data, and Copyrights (DFARS case 2010-D001)” (see 75 FR 59411); the key elements of that proposed revision of regulatory scheme, and the public comments received in response to that proposed

rule, may be considered under these efforts.

DoD has also developed a considerable body of policy and guidance to further implement and manage technical data and computer software issues in the context of DoD acquisition programs. Most recently, DoD's Better Buying Power (BBP) activities have included direction to "enforce open system architectures and effectively manage technical data rights," which have spawned numerous key updates to DoD policy and guidance. For example, DoD Instruction 5000.02, "Operation of the Defense Acquisition System," was revised to require program managers to develop and maintain an Intellectual Property (IP) Strategy throughout the entire program life cycle, with additional guidance on this new requirement being provided in an "Intellectual Property Strategy" guidance document and within DoD's "Guidelines For Creating and Maintaining a Competitive Environment for Supplies and Services in the Department of Defense." DoD has also incorporated IP considerations into its training for the DoD workforce (e.g., through the Defense Acquisition University) and its outreach activities to industry (e.g., white paper entitled "DoD, Innovation, and Intellectual Property in Commercial & Proprietary Technologies").

Links to all of these statutes, regulations, policy, and guidance documents, as well as additional related materials, are provided at <https://database.faca.gov/committee/committee.aspx?cid=2561>.

As a representative sample of the core elements of the cited DoD policy and guidance, the following guiding principles for a strategic approach to IP management are discussed in more detail in the "Intellectual Property Strategy" guidance document:

1. Anticipate and plan for sustainment and competition over the entire system life cycle.
2. Align and integrate the IP Strategy with other program strategies and plans.
3. Just do it: Delivery now to ensure return on investment (ROI) for DoD-funded development (or prior acquisition).
4. But don't make an unnecessary "grab" for deliverables or license rights for "proprietary" IP.
5. Before and after: Up-front evaluation and back-end validation of IP deliverables and license rights assertions.

In order to facilitate the panel's review of 10 U.S.C. 2320 and 2321 and the regulations implementing these sections, public comment is requested,

using the factors and additional considerations summarized in this notice, on the following:

1. Any issues, concerns, benefits, and/or appropriateness of 10 U.S.C. 2320 and/or 2321.

2. Any issues, concerns, benefits, and/or appropriateness of the current implementing DFARS regulations (subparts 227.71 and 227.72, and associated clauses), including the extent to which these regulations are consistent with and effective in implementing 10 U.S.C. 2320 and 2321.

3. Any issues, concerns, benefits, and/or appropriateness of DoD's policy and guidance on IP strategy and management, including the extent to which such DoD policy and guidance is consistent with and effective in further implementing the cited governing statutes and regulations.

4. Any issues/concerns associated with whether and how DoD personnel are prepared and equipped to implement DoD's IP policy and guidance, and/or the governing statutes and regulations, including via DoD's training curriculum, or otherwise.

5. The current approach in regulation (DFARS 227.71 and 227.72) of extending and adapting the scheme of 10 U.S.C. 2320 and 2321 to apply to computer software, including the approach whereby most of the statutory scheme is applied to noncommercial computer software but not to commercial computer software.

6. The current approach in regulation of treating "Rights in Technical Data" and "Rights in Computer Software and Computer Software Documentation" as two separate topics/subparts (i.e., DFARS 227.71 and 227.72, respectively), or whether they should be merged into a single topic/subpart.

7. The applicability of 10 U.S.C. 2320 and 2321, and the implementing DFARS requirements and clauses, to contracts and subcontracts for commercial items.

8. Practices used by DoD in acquiring IP from non-traditional contractors, commercial contractors, and traditional contractors. The request isn't limited to where the law or regulations require a specific practice, but also includes where the Department uses a practice not required by law/regulation. For example, any of the following:

- a. What worked?
- b. What didn't work?
- c. What was fair?
- d. What wasn't fair?
- e. What practices encourage or discourage non-traditional contractors from entering the defense marketplace?
- f. What practices encourage or discourage commercial contractors from entering the defense marketplace?

g. What practices encourage or discourage traditional contractors from privately investing in new products, technologies, and processes relevant to the missions of the DoD?

9. IP acquisition practices used by DoD that encourage or discourage use of commercial technologies. For example, any of the following:

a. What practices encourage or discourage vendors from providing DoD access to innovative products, technologies, and processes that have been developed for commercial use?

b. What practices encourage or discourage the transition of Defense specific technologies into the commercial marketplace?

10. Any issues, concerns, benefits, and/or appropriateness of DoD's policy, guidance, and practices that link technical data management and other IP considerations with open systems architectures (OSA), and/or modular open systems approaches (MOSA).

11. Any issues, concerns, benefits, and/or appropriateness with sections 1701 (Modular Open System Approach in Development of Major Weapon Systems) and 1705 (Amendments Relating to Technical Data Rights) of the House Armed Services Committee markup of H.R. 4909, the NDAA for FY 2017.

Commenters are requested to include specific citations to law, regulations, DoD policy and/or guidance, as well as examples and supporting data (e.g., specific DoD solicitations and/or contracts that demonstrate DoD practices) to support their comments, to the extent available. Because the Panel is subject to the FACA, materials will be made available to the public when provided to the Panel members.

Comments submitted in response to this request for information will be used solely for the review of 10 U.S.C. 2320 and 2321 and the current implementing regulations by the Government-Industry Advisory Panel, pursuant to section 813 of the NDAA for FY 2016.

Please note that the Defense Acquisition Regulation System has separately published for public comment the following proposed rules to amend the DFARS regarding rights in technical data:

- Rights in Technical Data (DFARS case 2016-D008) (see 81 FR 28812-28816; published May 10, 2016).
- Rights in Technical Data and the Validation of Proprietary Data Restrictions (DFARS case 2012-D022) (see 81 FR 39482-39503; published June 16, 2016).

Comments on these proposed DFARS rules must be submitted in accordance with the specific instructions published

in each proposed rule in order to be considered in the formation of any final rule resulting therefrom.

Dated: June 16, 2016.

**Aaron Siegel,**

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

[FR Doc. 2016-14608 Filed 6-20-16; 8:45 am]

**BILLING CODE 5001-06-P**

## DEPARTMENT OF EDUCATION

[Docket No.: ED-2016-ICCD-0046]

### Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Trends in International Mathematics and Science Study (TIMSS 2019) Pilot Test Recruitment

**AGENCY:** National Center for Education Statistics (NCES), Department of Education (ED).

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 3501 *et seq.*), ED is proposing a revision of an existing information collection.

**DATES:** Interested persons are invited to submit comments on or before July 21, 2016.

**ADDRESSES:** To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED-2016-ICCD-0046. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW, LBJ, Room 2E-347, Washington, DC 20202-4537.

**FOR FURTHER INFORMATION CONTACT:** For specific questions related to collection activities, please contact NCES Information Collections at [NCES.Information.Collections@ed.gov](mailto:NCES.Information.Collections@ed.gov).

**SUPPLEMENTARY INFORMATION:** The Department of Education (ED), 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, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

*Title of Collection:* Trends in International Mathematics and Science Study (TIMSS 2019) Pilot Test Recruitment.

*OMB Control Number:* 1850-0695.

*Type of Review:* A revision of an existing information collection.

*Respondents/Affected Public:* Individuals or Households.

*Total Estimated Number of Annual Responses:* 1,464.

*Total Estimated Number of Annual Burden Hours:* 324.

*Abstract:* The Trends in Mathematics and Science Study (TIMSS) is an international assessment of fourth and eighth grade students' achievement in mathematics and science. Since its inception in 1995, TIMSS has continued to assess students every 4 years. The United States will participate in TIMSS 2019 to continue to monitor the progress of its students compared to that of other nations and to provide data on factors that may influence student achievement. New in 2019, TIMSS will be a technology-based assessment conducted in an electronic format. TIMSS is designed by the International Association for the Evaluation of Educational Achievement (IEA), and is conducted in the U.S. by the National Center for Education Statistics (NCES). In preparation for the TIMSS 2019 main study, in April 2017, U.S. will participate in a pilot study to assist in the development of eTIMSS, and then

U.S. will implement a field test, from March through April 2018, to evaluate new assessment items and background questions. This submission describes the plans for recruiting schools, teachers, and students for the pilot study beginning in October 2016. Recruitment for the field test will begin in May 2017, and recruitment for the main study in May of 2018. In the summer of 2016, NCES will submit a separate request for the pilot data collection and recruitment for the 2018 field test, including draft versions of the pilot test questionnaires.

Dated: June 15, 2016.

**Kate Mullan,**

*Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.*

[FR Doc. 2016-14563 Filed 6-20-16; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2426-225 and Project No. 2426-226]

#### California Department of Water Resources and Los Angeles Department of Water and Power; Notice of Applications Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric applications have been filed with the Commission and are available for public inspection.

- a. *Type of Applications:* Amendment of License.
- b. *Project No.:* 2426-225, 2426-226.
- c. *Date Filed:* March 10 and March 31, 2016.
- d. *Applicant:* California Department of Water and Los Angeles Department of Water and Power.
- e. *Name of Project:* South SWP Hydropower Project.
- f. *Location:* The South SWP Hydropower Project is located on the California Aqueduct in San Bernardino, Los Angeles, and Kern counties, California. The project occupies U.S. lands administered by the U.S. Forest Service.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r).
- h. *Applicant Contact:* Ted Craddock, Chief, Hydropower License Planning and Compliance Office, California Department of Water Resources, P.O. Box 942836, Sacramento, California 94236-0001, (916) 557-4555; and John R. Dennis, Director, Power Planning and