

(6) Forward to the Division Privacy Act Manager any Privacy Act requests received directly from a member of the public, so that the request may be administratively controlled and processed.

#### § 325.5 Procedures.

(a) *Access to records.* (1) Requests for information contained in a DCMA system of records should be addressed to the DCMA Privacy Officer, 6350 Walker Lane, Alexandria, VA 22310. Requests will be processed in accordance with the Privacy Act of 1974 (5 U.S.C. 552a), 32 CFR part 310, the Freedom of Information Act (5 U.S.C. 552), and this part.

(2) *Denial of access.* Access to information contained in a DCMA system of records may be formally denied in accordance with the Privacy Act of 1974 (5 U.S.C. 552a), and 32 CFR part 310.

(b) *Notification when information is lost, stolen, or compromised.* (1) DCMA will respond to breaches in accordance with 32 CFR part 310 as augmented by OMB Memorandum M-07-16, and DoD Policy Memo, subject: Safeguarding Against and Responding to the Breach of Personally Identifiable Information (PII).

(2) DCMA will establish appropriate administrative, technical, and physical safeguards to protect information against unauthorized disclosure, access or misuse.

(c) *Clauses in DCMA agreements with other government entities.* DCMA will include a DCMA PII Breach Notification Responsibility Statement in all agreements with other government entities that maintain or otherwise have access to DCMA generated personal information. (See Appendix B to Part 325)

#### Appendix A to Part 325—DCMA Certificate of Non Disclosure

(See section 325.4(h))

##### NON-DISCLOSURE AGREEMENT

CONTRACT NO. \_\_\_\_\_

DELIVERY/TASK ORDER NO. \_\_\_\_\_

I, \_\_\_\_\_, (hereinafter RECIPIENT), an employee and authorized representative of \_\_\_\_\_, a Contractor providing support services to the Defense Contract Management Agency (DCMA) with likely access to nonpublic, information, understand and agree to the following:

RECIPIENT is engaged in delivering support services to DCMA under contract; and

It is the intention of DCMA to protect and prevent access to and disclosure of nonpublic sensitive information to anyone other than employees or authorized contractor personnel of the United States Government who have a need to know unless so

authorized by the Contracting Officer and/or the Contracting Officer's representative; and

DCMA acknowledges that RECIPIENT will have or require access to such nonpublic information in the course of delivering the contract services; and, finally,

"Nonpublic information" includes such information as proprietary information (e.g., information submitted by a contractor marked as proprietary), advanced procurement information (e.g., future requirements, statements of work, and acquisition strategies), source selection information (e.g., bids before being made public, source selection plans, and rankings of proposals), trade secrets and other confidential business information (e.g., confidential business information submitted by a contractor), attorney work product, information protected by the Privacy Act (e.g., social security numbers, home addresses and telephone numbers), and other sensitive information that would not be released by DCMA under the Freedom of Information Act (e.g., program, planning and budgeting system information);

RECIPIENT further agrees to and promises as follows:

RECIPIENT shall not seek access to nonpublic information beyond what is required for the performance of the support services contract;

RECIPIENT will ensure that his or her status as a contractor employee is known when seeking access to and receiving such nonpublic information from Government employees;

As to any nonpublic information to which RECIPIENT has or is given access, RECIPIENT shall not use or disclose such information for any purpose other than providing the contract support services, and will not use or disclose the information for any personal or other commercial purpose; and

If RECIPIENT becomes aware of any improper release or disclosure of such nonpublic information, RECIPIENT will advise the contracting officer or a duly authorized representative in writing as soon as possible.

The RECIPIENT agrees to return any nonpublic information given to him or her pursuant to this agreement, including any transcriptions by RECIPIENT of nonpublic information to which RECIPIENT was given access, if not already destroyed, upon RECIPIENT leaving the employ of the contractor providing services to DCMA.

RECIPIENT understands that any unauthorized use, release or disclosure of nonpublic information in violation of this CERTIFICATE, whether during or after leaving the contractor's employ, will subject the RECIPIENT to administrative, civil or criminal remedies as may be authorized by law.

RECIPIENT: \_\_\_\_\_  
(Signature)

DATE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

#### Appendix B to Part 325—DCMA PII Breach Notification Responsibility Statement

(See section 325.5(c))

Personally Identifiable Information (PII). In the event (*name of signatory to MOU*) is collecting and maintaining PII on behalf of DCMA and the information is lost, stolen, or otherwise compromised, (*name of signatory to MOU*) shall notify the DCMA Privacy Officer, 6350 Walker Lane, Alexandria, VA 22310, (703) 428-1453, within 24 hours and provide all necessary information regarding the breach. A determination will be made at that time whether DCMA or (*name of signatory to the MOU*) will notify the affected individuals impacted by the breach. (*name of signatory to MOU*) is responsible for filing the Breach notification with US-CERT.

Dated: September 30, 2008.

**Patricia L. Toppings,**

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

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#### DEPARTMENT OF THE INTERIOR

##### National Park Service

##### 36 CFR Part 7

#### Negotiated Rulemaking Advisory Committee for Off-Road Vehicle Management for Cape Hatteras National Seashore

**AGENCY:** National Park Service (NPS), Interior.

**ACTION:** Notice of Meeting Location Change and Additional Public Comment Time for Eighth and Ninth Meetings.

**SUMMARY:** Notice is hereby given, in accordance with the Federal Advisory Committee Act (Pub. L. 92463, 86 Stat. 770, 5 U.S.C. App 1, section 10), that the meeting location has been changed and an additional public comment time added for the eighth and ninth meeting of the Negotiated Rulemaking Advisory Committee for Off-Road Vehicle (ORV) Management at Cape Hatteras National Seashore. These meetings were noticed on July 8, 2008 at 73 FR 38954. (See **DATES** section.)

**DATES:** The Committee will hold its eighth meeting on November 14-15, 2008, from 8:30 a.m. to 5:30 p.m. on November 14, and from 8:30 a.m. to 4 p.m. on November 15. The meeting on both days will be held at the Wright Brothers National Memorial Pavilion, 1000 Croatan Highway (Milepost 7.6), Kill Devil Hills, North Carolina 25948. The Committee will hold its ninth meeting on December 11-12, 2008, from 8:30 a.m. to 5:30 p.m. on December 11,

and from 8:30 a.m. to 4 p.m. on December 12. The meeting on both days will be held at the Wright Brothers National Memorial Pavilion, 1000 Croatan Highway (Milepost 7.6), Kill Devil Hills, North Carolina 25948.

These, and any subsequent meetings, will be held for the following reason: To work with the National Park Service to assist in potentially developing special regulations for ORV management at Cape Hatteras National Seashore.

The proposed agenda for these meetings of the Committee may contain the following items: Approval of Meeting Summary from Last Meeting, Subcommittee and Members' Updates since Last Meeting, Alternatives Discussions, National Environmental Policy Act Update, and Public Comment. However, the Committee may modify its agenda during the course of its work. The meetings are open to the public. Interested persons may provide brief oral/written comments to the Committee during the public comment period of the meetings each day before the lunch break and at 5 p.m. on the first day of each meeting or file written comments with the Park Superintendent.

**FOR FURTHER INFORMATION CONTACT:** Mike Murray, Superintendent, Cape Hatteras National Seashore, 1401 National Park Drive, Manteo, North Carolina 27954, (252) 473-2111, extension 148.

**SUPPLEMENTARY INFORMATION:** The Committee's function is to assist directly in the development of special regulations for management of ORVs at Cape Hatteras National Seashore (Seashore). Executive Order 11644, as amended by Executive Order 11989, requires certain Federal agencies to publish regulations that provide for administrative designation of the specific areas and trails on which ORV use may be permitted. In response, the NPS published a general regulation at 36 CFR 4.10, which provides that each park that designates routes and areas for ORV use must do so by promulgating a special regulation specific to that park. It also provides that the designation of routes and areas shall comply with Executive Order 11644, and 36 CFR 1.5 regarding closures. Members of the Committee will negotiate to reach consensus on concepts and language to be used as the basis for a proposed special regulation, to be published by the NPS in the **Federal Register**, governing ORV use at the Seashore. The duties of the Committee are solely advisory.

Dated: September 26, 2008.

**Michael B. Murray,**

*Superintendent, Cape Hatteras National Seashore.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R06-OAR-2007-0659; FRL-8727-1]

#### Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Approval of Section 110(a)(1) Maintenance Plans for the 1997 8-Hour Ozone Standard for the Parishes of Calcasieu and St. James

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the Louisiana State Implementation Plan (SIP) concerning maintenance plans addressing the 1997 8-hour ozone standard for the parishes of Calcasieu and St. James. On July 20, 2007 and August 24, 2007, the State of Louisiana submitted separate SIP revisions containing maintenance plans for the 1997 ozone standard for Calcasieu and St. James Parishes, respectively. These plans ensure the continued attainment of the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS) through the year 2014. These maintenance plans meet the statutory and regulatory requirements, and are consistent with EPA's guidance. EPA is approving the revisions pursuant to section 110 of the Federal Clean Air Act (CAA). On March 12, 2008, EPA issued a revised ozone standard. Today's action, however, is being taken to address requirements under the 1997 ozone standard. Requirements for the areas under the 2008 standard will be addressed in future actions.

**DATES:** Written comments must be received on or before November 10, 2008.

**ADDRESSES:** Comments may be mailed to Mr. Guy Donaldson, Chief, Air Planning Section (6PD-L), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733. Comments may also be submitted electronically or through hand delivery/courier by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the rules section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Ellen Belk, Air Planning Section (6PD-

L), Multimedia Planning and Permitting Division, U.S. EPA, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, telephone (214) 665-2164; fax number (214) 665-7263; e-mail address [belk.ellen@epa.gov](mailto:belk.ellen@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

For additional information, see the direct final rule, which is located in the rules section of this **Federal Register**.

Dated: September 29, 2008.

**Richard E. Greene,**

*Regional Administrator, Region 6.*

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## DEPARTMENT OF COMMERCE

### National Telecommunications and Information Administration

#### 47 CFR Chapter III

#### Low-Power Television and Translator Upgrade Program; Public Meeting

**AGENCY:** National Telecommunications and Information Administration, U.S. Department of Commerce.

**ACTION:** Advanced notice of proposed rulemaking, notice of public meetings.

**SUMMARY:** Section 3009 of the Deficit Reduction Act (Act) requires the National Telecommunications and Information Administration (NTIA) to implement and administer a program through which each eligible low-power television broadcast station, Class A television station, television translator