

**FOR FURTHER INFORMATION CONTACT:** Ms. Cecelia L. Davis, Procurement Analyst, Acquisition Policy Division, GSA 202-219-0202 or email [Cecelia.davis@gsa.gov](mailto:Cecelia.davis@gsa.gov).

**SUPPLEMENTARY INFORMATION:**

**A. Purpose**

Part 28 of the Federal Acquisition Regulation contains guidance related to obtaining financial protection against damages under Government contracts (e.g., use of bonds, bid guarantees, insurance etc.). Part 52 contains the texts of solicitation provisions and contract clauses. These regulations implement a statutory requirement for information to be provided by Federal contractors relating to payment bonds furnished under construction contracts which are subject to 40 U.S.C. chapter 31, subchapter III, Bonds. This collection requirement is mandated by Section 806 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Pub. L. 102-190), as amended by Section 2091 of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103-335). The clause at FAR 52.228-12, Prospective Subcontractor Requests for Bonds, implements Section 806(a)(3) of Public Law 102-190, as amended, which specifies that, upon the request of a prospective subcontractor or supplier offering to furnish labor or material for the performance of a construction contract for which a payment bond has been furnished to the United States pursuant to 40 U.S.C. chapter 31, subchapter III, Bonds, the contractor shall promptly provide a copy of such payment bond to the requestor.

In conjunction with performance bonds, payment bonds are used in Government construction contracts to secure fulfillment of the contractor's obligations under the contract and to assure that the contractor makes all payments, as required by law, to persons furnishing labor or material in performance of the contract. This regulation provides prospective subcontractors and suppliers a copy of the payment bond furnished by the contractor to the Government for the performance of a Federal construction contract subject to 40 U.S.C. chapter 31, subchapter III, Bonds. It is expected that prospective subcontractors and suppliers will use this information to determine whether to contract with that particular prime contractor. This information has been and will continue to be available from the Government. The requirement for contractors to provide a copy of the payment bond upon request to any prospective

subcontractor or supplier under the Federal construction contract is contained in Section 806(a) (3) of Public Law 102-190, as amended by Sections 2091 and 8105 of Public Law 103-355.

**B. Analysis of Public Comments**

A notice was published in the **Federal Register** at 78 FR 56896 on September 16, 2013. One respondent submitted public comments on the extension of the previously approved information collection. The analysis of public comments is summarized as follows:

*Comment:* The respondent agrees that subcontractors and prospective subcontractors should have access to copies of the payment bonds and has advocated for this process. By having access to the bonds, the subcontractors and prospective subcontractors have the advantage of having insight on the prime contractor. At this time, the commenter does not have a recommendation for an alternative method for making this data available. However, the respondent recommends that alternatives be explored with associations involved and representing the surety industry.

*Response:* Because the respondent's suggestions neither question nor affect the information collection estimates included in this request for extension, the request for approval to extend this information collection will be submitted without change. However, the recommendation will be researched, and, as determined appropriate, revised as a separate action.

**C. Annual Reporting Burden**

No changes are being made to the burden.

*Respondents:* 14,628.

*Responses per Respondent:* 1.

*Total Responses:* 14,628.

*Hours per Response:* .25.

*Total Burden Hours:* 3,657.

*Obtaining Copies of Proposals:*

Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW., 2nd Floor, Washington, DC 20405, telephone 202-501-4755. Please cite OMB Control Number 9000-0135, Prospective Subcontractor Requests for Bonds, in all correspondence.

Dated: January 30, 2014.

**Karlos Morgan,**

*Acting Director, Federal Acquisition Policy Division, Office of Government-wide Acquisition Policy, Office of Acquisition Policy, Office of Government-wide Policy.*

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Administration for Children and Families**

**Proposed Information Collection Activity; Comment Request**

**Proposed Projects**

*Title:* Multistate Financial Institution Data Match with Federally Assisted State Transmitted Levy (FIDM/FAST-Levy).

*OMB No.:* 0970-0196.

*Description:* To satisfy any current support obligation and arrearage of an obligor who owes past-due support, state child support enforcement agencies are required to attach and seize assets of the obligor held in financial institutions. To locate an obligor's account, state child support enforcement agencies are required to enter into data matching agreements with financial institutions doing business in their state. The results of the data matches are used to secure information leading to the enforcement of the support obligation. The federal Office of Child Support Enforcement (OCSE) assists states fulfilling the data matching requirements with multistate financial institutions by facilitating matching through the centralized Federal Parent Locator Service.

To further assist states in meeting this statutory obligation, the OCSE developed the Federally Assisted State Transmitted (FAST) Levy application, an application within the Federal Parent Locator Service, providing a secure and automated method of collecting and disseminating electronic levy notices between state child support enforcement agencies and multistate financial institutions to help the child support agencies more efficiently secure financial assets.

The FIDM/FAST-Levy information collection activities are authorized by: 42 U.S.C. 652(l) which authorizes OCSE, through the Federal Parent Locator Service, to aid state child support agencies and financial institutions doing business in two or more States in reaching agreements regarding the receipt from financial institutions, and the transfer to the state child support agencies, of information pertaining to the location of accounts held by obligors who owe past-due support; 42 U.S.C. 666 (a)(2) and (c)(1)(G)(ii) which require state child support agencies in cases in which there is an arrearage to establish procedures to secure assets to satisfy any current support obligation and the arrearage by attaching and seizing assets of the obligor held in financial

institutions; (2) 42 U.S.C. 666(a)(17), which requires state child support agencies to establish procedures under which the state child support agencies shall enter into agreements with financial institutions doing business in the State to develop and operate, in coordination with financial institutions, and the Federal Parent Locator Service (in the case of financial institutions doing business in two or more States), a data match system, using automated

data exchanges to the maximum extent feasible, in which a financial institution is required to quarterly provide information pertaining to a noncustodial parent owing past-due support who maintains an account at the institution; and (ii) in response to a notice of lien or levy, encumber or surrender, assets held; (3) 42 U.S.C. 652(a)(7), which requires OCSE to provide technical assistance to state child support enforcement agencies to help them

establish effective systems for collecting child and spousal support; and (4) 45 CFR 303.7(a)(5), which requires state child support agencies to transmit requests for information and provide requested information electronically to the greatest extent possible.

*Respondents:* Multistate Financial Institutions and State Child Support Agencies

**ANNUAL BURDEN ESTIMATES**

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Financial Data Match Result File .....	259	4	.33	341.88
Election Form .....	122	1	0.5	61
FAST-Levy Response Withhold Record Specifications: Multistate Financial Institutions .....	5	1	317.5	1,587.5
FAST-Levy Request Withhold Record Specifications: State Child Support Enforcement Agencies .....	7	1	317.5	2,222.5

Estimated Total Annual Burden Hours: 4,212.88.

In compliance with the requirements of Section 506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 370 L'Enfant Promenade SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer. Email address: [infocollection@acf.hhs.gov](mailto:infocollection@acf.hhs.gov). All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Consideration will be given to comments and suggestions submitted within 60 days of this publication.

**Robert Sargis,**

*Reports Clearance Officer.*

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Administration for Children and Families**

**Proposed Information Collection Activity; Comment Request**

**Proposed Projects**

*Title:* Federal Case Registry (FCR).

*OMB No.* 0970-0421.

*Description:* Section 454A(e)(1) of the Social Security Act requires that states create a State Case Registry (SCR) within their statewide automated child support systems, to include information on IV-D cases and non-IV-D orders established or modified in the state on or after October 1, 1998. Section 454A(e)(5) requires states to regularly update their cases in the SCR.

The Federal Case Registry (FCR) informs states which other state(s) has information on cases or participants of interest to them. Section 454(A)(f)(1) requires states to furnish to the FCR the

minimum amount of information on child support cases (including updates to those cases) recorded in the SCR that is necessary to operate the FCR. The information alerts states to other states that have registered the same individual and automatically provides states with address, employment, and unemployment information to locate these parents and their employers to either establish or enforce a child support order.

The activities associated with the Federal Case Registry information collection are authorized by (1) 42 U.S.C § 654a(e) which requires that state child support agencies establish, update, maintain, and monitor an automated State case registry containing records pertaining to cases enforced by the child support agencies and order information pertaining to all cases, including cases not enforced by the child support agencies, using standardized data elements and including payment records; and (2) 42 U.S.C. § 654a(f)(1), which requires states to furnish certain State Case Registry information to the Federal Case Registry of Child Support Orders, an automated registry established within the Federal Parent Locator Service, to assist state child support enforcement agencies and for other purposes.

*Respondents:* State Child Support Agencies and Courts