

spent in each of several specified expenditure categories; (3) whether industry members are involved in the appearance of their tobacco products in television shows or movies; (4) how much industry members spend on advertising intended to reduce youth tobacco usage; (5) the events, if any, during which industry members' tobacco brands are televised; and (6) for the cigarette industry, the tar, nicotine, and carbon monoxide ratings of their cigarettes, to the extent they possess such data. The information will again be sought using compulsory process under Section 6(b) of the FTC Act.

On August 7, 2008, the FTC sought public comment on its proposed information collection requests to the major cigarette and smokeless tobacco manufacturers. 73 FR 46006. One comment was received, which is discussed below.<sup>2</sup> Pursuant to the OMB regulations that implement the PRA, 5 CFR Part 1320, the FTC is providing this second opportunity for public comment while seeking OMB approval to extend the existing paperwork clearance for the information collection requests. All comments should be filed as prescribed in the ADDRESSES section above, and must be received on or before December 15, 2008.

#### Comment Received:

Altria Client Services Inc. filed a comment on behalf of Philip Morris USA Inc. ("PM USA"), in which it stated that PM USA believes the FTC's authority to collect the proposed information "should be extended given the important role that the FTC has played and should continue to play relative to these products." The comment then referenced a separate Commission matter, noting that if the FTC were to rescind its guidance that factual statements of cigarette tar and nicotine yields based on the Cambridge Filter Method generally do not violate the FTC Act,<sup>3</sup> PM USA would question the Commission's need to continue collecting such information.

The matter referred to by PM USA is still being considered by the Commission. If the 1966 guidance is rescinded, the Commission will decide whether to continue collecting tar, nicotine, and carbon monoxide yield

<sup>2</sup> That comment is available at <http://www.ftc.gov/os/comments/tobaccoreportspra/index.shtm>.

<sup>3</sup> On July 14, 2008, the Commission published a Federal Register notice seeking comment on a proposal to rescind its guidance, issued in 1966, that it is generally not a violation of the FTC Act to make factual statements of the tar and nicotine yields of cigarettes when statements of such yields are supported by testing conducted pursuant to the Cambridge Filter Method. 73 FR 40,351.

data to the extent the companies possess them.

#### Estimated annual hours burden:

The FTC staff's estimate of the hours burden is based on the time required to respond to each information request. Although the FTC currently anticipates sending information requests to the six largest cigarette companies and the five largest smokeless tobacco companies in 2009,<sup>4</sup> the burden estimate is based on up to 15 information requests being issued per year to take into account any future changes in these industries. These companies vary greatly in size, in the number of products that they sell, and in the extent and variety of their advertising and promotion. Prior input received from the industries, combined with staff's knowledge of them, suggests that the time most companies would require to gather, organize, format, and produce their responses would range from 30 to 80 hours per information request for the smaller companies, to as much as hundreds of hours for the very largest companies. As an approximation, staff continues to assume a per company average of 180 hours for the ten largest recipients of the Commission's information request to comply with it; cumulatively, 1,800 hours per year.<sup>5</sup> Staff further estimates that for the eleventh recipient of the information request to be issued in 2009 and the four possible additional recipients, all of which would be smaller companies than the initial ten recipients, the burden should not exceed 60 hours per company or 300 hours, cumulatively. Thus, the overall estimated burden for a maximum of 15 recipients of the information request is 2,100 hours. These estimates include any time spent by separately incorporated subsidiaries and other entities affiliated with the ultimate parent company that has received the information request.

#### Estimated cost burden:

It is not possible to calculate with precision the labor costs associated with this data production, as they entail varying compensation levels of management and/or support staff among companies of different sizes. Financial, legal, marketing, and clerical personnel may be involved in the information collection process. Commission staff assumes that professional personnel will handle most of the tasks involved

<sup>4</sup> In August 2008, the Commission issued information requests to six cigarette companies and five smokeless tobacco companies. The Commission anticipates that it will issue requests to the same number of companies in 2009.

<sup>5</sup> 70 FR 24415 (May 9, 2005); 70 FR 62313 (Oct. 31, 2005).

in gathering and producing responsive information, and have applied an average hourly wage of \$150/hour for their combined labor. Staff's best estimate for the total labor costs for up to 15 information requests is \$315,000. Staff believes that the capital or other non-labor costs associated with the information requests are minimal. Although the information requests may necessitate that industry members maintain the requested information provided to the Commission, they should already have in place the means to compile and maintain business records.

**William Blumenthal,**  
General Counsel.

[FR Doc. E8-26882 Filed 11-12-08; 8:45 am]  
BILLING CODE 6750-01-S

## GENERAL SERVICES ADMINISTRATION

[OMB Control No. 3090-XXXX]

### General Services Administration; Office of Governmentwide Policy; Information Collection; Standard Form SF-XXXX, Tangible Personal Property Report

**AGENCY:** Office of Governmentwide Policy, General Services Administration (GSA).

**ACTION:** Notice of request for comments regarding a new OMB clearance.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the GSA will be submitting to the Office of Management and Budget (OMB) a request to review and approve a new information collection requirement regarding reporting tangible personal property. A request for public comments was published at 72 FR 64648, November 16, 2007. Comments were received.

GSA, on behalf of the Grants Policy Committee proposes to issue a new standard form, the Tangible Personal Property Report (SF-XXXX). We anticipate this being the final notice before the form and instructions are finalized. The general public and Federal agencies are invited to comment on the proposed final form. To view the form, go to OMB's main Web page at <http://www.OMB.gov> and click on the "Grants Management," then "Forms" then Proposed Government-Wide Standard Grants Reporting Forms Links.

Public comments are particularly invited on: Whether this collection of information is necessary and whether it will have practical utility; whether our estimate of the public burden of this

collection of information is accurate, and based on valid assumptions and methodology; and ways to enhance the quality, utility, and clarity of the information to be collected.

**DATES:** Submit comments on or before: December 15, 2008.

**FOR FURTHER INFORMATION CONTACT:** Michael Nelson, Chair, Post-Award Workgroup; telephone 202-482-4538; fax 202-482-1844; e-mail [Michael.Nelson@noaa.gov](mailto:Michael.Nelson@noaa.gov); mailing address 1401 Constitution Avenue, NW., Room 6054, Washington, DC 20230.

**ADDRESSES:** Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to GSA Desk Officer, OMB, Room 10236, NEOB, Washington, DC 20503, and a copy to the Regulatory Secretariat (VPR), General Services Administration, Room 4041, 1800 F Street, NW., Washington, DC 20405. Please cite OMB Control No. 3090-XXXX, Tangible Personal Property Report, in all correspondence.

**SUPPLEMENTARY INFORMATION:**

**A. Purpose**

GSA, on behalf of the Federal Grants Streamlining Initiative, proposes to issue a new standard form, the Tangible Personal Property Report (SF-XXXX). The SF-XXXX includes a cover page, an Annual Report attachment, a Final Report attachment, a Disposition/ Request Report attachment and a Supplemental Sheet to provide detailed item information. The purpose of this new form is to provide a standard form for assistance recipients to use when

they are required to provide a Federal agency with information related to federally owned property, or equipment and supplies (tangible personal property) acquired with assistance award funds. The form does not create any new reporting requirements. It does establish a standard annual reporting date of September 30 to be used if an award does not specify an annual reporting date. The standard form will replace any agency unique forms currently in use to allow uniformity of collection and to support future electronic submission of information.

*Background*

On November 16, 2007, GSA, on behalf of the Federal Grants Streamlining Initiative, announced in the **Federal Register** its intent to issue a new standard form, the Tangible Personal Property Report (SF-XXXX) (72 FR 64648).

Public Law 106-107 required OMB to direct, coordinate, and assist Executive Branch departments and agencies in establishing an interagency process to streamline and simplify Federal financial assistance procedures for non-Federal entities. The law also required executive agencies to develop, submit to the Congress, and implement a plan to achieve streamlined and simplified procedures.

Twenty-six Executive Branch agencies jointly submitted a plan to the Congress in May 2001, as the Act required. The plan described the interagency process through which the agencies would review current policies and practices, and seek to streamline and simplify them. The process involved interagency work groups under the auspices of the

Grants Management Committee of the Chief Financial Officers Council. The plan also identified substantive areas in which the interagency work groups had begun their review.

One of the substantive areas that the agencies identified in the plan was a need to streamline and simplify Federal grant reporting requirements and procedures and associated business processes to reduce unnecessary burdens on recipients and to improve the timeliness, completeness and quality of the information collected.

Under the standards for management and disposition of federally owned property, equipment and supplies (tangible personal property) in 2 CFR part 215, the "Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations", and the "Uniform Administrative Requirements for Grants and Agreements with State and Local Governments", codified by Federal agencies at 53 FR 8048 (March 11, 1988), recipients may be required to provide Federal agencies with information concerning property in their custody annually, at award closeout, or when the property is no longer needed.

During the public consultation process mandated by Public Law 106-107, recipients suggested the need for a standard form to help them submit appropriate property information when required. The Public Law 106-107 Post Award Reports Subgroup developed the Tangible Personal Property Report (SF-XXXX) for submission of required data in the situations outlined in the Table below:

For . . .	A recipient must . . .	When . . .	Under . . .
Federally owned equipment . . . . .	Submit an inventory listing the equipment.	Annually, with information accurate as of 30 September, unless the award specifies a different date.	2 CFR 215.33(a)(1); A-102, __.32(f)(2).
	Request Federal agency authorization.	It wants to use the equipment on other activities not sponsored by the Federal Government.	2 CFR 215.34(d).
	Notify the Federal awarding agency.	Immediately upon finding equipment is lost, damaged, or stolen.	2 CFR 215.34(f)(4).
	Request disposition instructions.	The equipment is no longer needed . . . . . Upon completion of the award . . . . .	2 CFR 215.33(a)(1); A-102, __.32(f)(3). 2 CFR 215.33(a)(1) and 2 CFR 215.71(f); A-102, __.50(b)(5).
Grantee-acquired equipment in which the Federal Government retains an interest.	Obtain Federal awarding agency approval.	Acquiring replacement equipment, before: (1) using the current equipment as trade-in; or (2) selling it and using the proceeds to offset the costs of the replacement equipment.	2 CFR 215.34(e); A-102, __.32(c)(4).
	Compensate the original Federal awarding agency or its successor.	Equipment has a per unit fair market value of greater than \$5,000 and the grantee no longer needs the equipment for Federally supported activities but will retain the equipment for other uses.	2 CFR 215.34(g); A-102, __.32(e)(2).

For . . .	A recipient must . . .	When . . .	Under . . .
	Request disposition instructions. Sell the equipment and reimburse the Federal awarding agency for the Federal share.	Grantee no longer needs the equipment for any purpose. Equipment has a per unit fair market value of greater than \$5,000 and the recipient no longer needs the equipment for any purpose and requested disposition instructions, and either was instructed to sell the equipment or received no instructions within 120 days.	2 CFR 215.34(g). 2 CFR 215.34(g)(1); A-102, __32(e)(2).
	Account for the equipment ....	Upon completion of the award, when the awarding agency has reserved the right to transfer title to the Federal Government or a third party.	2 CFR 215.71(f) and 2 CFR 215.34(g)(4)(ii).
Supplies .....	Compensate the Federal Government for its share.	It has a residual inventory of unused supplies exceeding \$5,000 in aggregate value at the end of a project or program that are not needed for other Federally supported activities.	2 CFR 215.35(a); A-102, __33(b).

**Note:** Citations listed in this table for OMB Circular A-102 refer to each agency's implementing regulations. The underscore is where each agency's individual CFR location would be inserted. Citations for 2 CFR 215 are from OMB Circular A-110 which has been relocated to 2 CFR, Part 215. For further information on the Circulars, please refer to <http://www.whitehouse.gov/omb/grants/attach.html>.

*Comments on 2007 Federal Register Notice and Responses*

*Comment:* Requested clarification as to whether the new report would take precedence over specific reporting requirements in the provisions of their awards.

*Response:* The (SF-XXXX) will replace any agency unique forms

currently in use, but it does not create any new reporting requirements. The provisions of individual awards still apply.

**B. Annual Reporting Burden**

This report will be used to collect information related to tangible personal property (and supplies) when required by a Federal financial assistance award.

Since this form will primarily be used for reporting under grants, and GSA does not award grants, we are providing a burden estimate for one respondent.

*Respondents:* Federal agencies and their assistance recipients.

*Estimated Total Annual Burden Hours:* 2.75.

*Estimated Cost:* There is no expected cost to the respondents or to GSA.

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Tangible Personal Property Report (SF-XXXX) .....	1	1	0.166666667	0.166666667
Annual Report: Attachment to SF-XXXX .....	1	1	0.75	0.75
Final Report: Attachment to SF-XXXX .....	1	1	0.75	0.75
Disposition Request/Report: Attachment to SF-XXXX .....	1	1	0.75	0.75
Tangible Personal Property Report Supplemental Sheet (SF-XXXX-S) .....	1	1	0.333333333	0.333333333
<b>Total</b> .....				<b>2.75</b>

*Obtaining Copies of Proposals:*  
Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat (VPR), 1800 F Street, NW., Room 4041, Washington, DC 20405, telephone (202) 208-4755. Please cite OMB Control No. 3090-XXXX, Tangible Personal Property Report, in all correspondence.

Dated: October 17, 2008.

**Casey Coleman,**

*Chief Information Officer.*

[FR Doc. E8-26994 Filed 11-12-08; 8:45 am]

**BILLING CODE 6820-RH-P**

**GENERAL SERVICES ADMINISTRATION**

[OMB Control No. 3090-XXXX]

**General Services Administration; Office of Governmentwide Policy; Information Collection Standard Form (SF-XXXX), Real Property Status Report**

**AGENCY:** Office of Governmentwide Policy, General Services Administration (GSA).

**ACTION:** Interim Notice; request for comments regarding a new information collection.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the GSA Office of Governmentwide Policy will submit to

the Office of Management and Budget (OMB) a request to review and approve a new information collection requirement concerning reporting real property status. The GSA, on behalf of the Grants Policy Committee, proposes to issue a new standard form, the Real Property Status Report (RPSR) (SF-XXXX).

This interim notice is being issued to address comments received as a result of the notice published in the **Federal Register** at 72 FR 64646 on November 16, 2007, and to present changes made to the report as a result of those comments. We anticipate this being the interim notice before the form and instructions are finalized.

The general public and Federal agencies are invited to comment on the proposed revised report. To view the