

Claims Settlement Authority Issuance to Defense Office of Hearings and Appeals

AGENCY: Department of Defense, Defense Office of Hearings and Appeals.

ACTION: Notice.

SUMMARY: The Legislative Branch Appropriations Act of 1996 transferred to the Director of the Office of Management and Budget (OMB) the Comptroller General's authority to settle claims. The OMB Director subsequently delegated the authorities listed below to the Department of Defense (DOD). The Secretary of Defense further delegated this authority to the Defense Office of Hearings and Appeals (DOHA). This notice announces DOHA's intent to issue regulations implementing this new authority in the near future and that, in the meantime, that DOHA will use the procedures and practices applicable to the claims before the effective date of the transfer of authority, June 30, 1996, which are published in title 4, Code of Federal Regulations, Chapter 1, Subchapter C.

EFFECTIVE DATE: September 25, 1996.

ADDRESSES: Comments may be mailed to the Defense Legal Services Agency, Defense Office of Hearings and Appeals, Chief, Claims Division, P.O. Box 3656, Arlington, VA 22303.

FOR FURTHER INFORMATION CONTACT: Michael Hipple, Chief, Claims Division, 703-696-8524.

SUPPLEMENTARY INFORMATION: Pursuant to the Legislative Branch Appropriations Act of 1996, most of the claims settlement functions of the U.S. General Accounting Office were transferred to the Director of OMB. See Sec. 211, Pub. L. 104-53, 109 Stat. 535. Subsequently, the Acting Director delegated these functions to various components within the Executive branch in a determination order dated June 28, 1996. This order delegated to the Department of Defense the authority to settle the following classes of claims against the United States:

a. Claims related to uniform services members' pay, allowances, travel, transportation, retired pay, and survivor benefits;

b. Claims by transportation carriers for amounts collected from them for loss and damage incurred to property incident to shipment at Government expense;

c. Claims for proceeds of sale of unclaimed property coming into the custody or control of the Army, Navy, Air Force or Coast Guard;

d. Final settlements of accounts of members of the Armed Forces, including the National Guard;

e. Reports on disposition of the effects of deceased members of the Army and Air Force for settlement under 10 U.S.C. 2771, 10 U.S.C. 4712 and 9712;

f. Claims for the proceeds of the sale of motor vehicles and items of household goods and personal property of members of the Uniformed Services reported dead, injured, ill or absent for a period of more than 29 days in a missing status;

g. Claims for the proceeds from the disposition of effects of deceased residents of the Armed Forces Retirement Home; and

h. Claims arising from DOD activities cognizable under 31 U.S.C. 3702, not otherwise delegated by the Director, OMB.

Effective September 4, 1996, the Secretary of Defense further delegated the authority to DOHA.

Before the effective date of the transfer, these claims were subject to the procedures prescribed by the Comptroller General at 4 C.F.R. Chapter 1, Subchapter C (1996). Until DOHA issues its own regulations implementing its new claims authority, DOHA's policy will be to apply these procedures and the U.S. General Accounting Office's practices to claims submitted to DOHA for settlement. As an exception, the authority to issue decisions in review of settlements will be exercised by a Claims Appeals Board on behalf of the Secretary of Defense.

For each of the types of claims described above, claimants should submit their claims to the agencies out of whose activity the claim arose and it is the agency's responsibility to forward the claim to DOHA with its comments. Claimants may submit their claims directly to DOHA. However, claimants are advised that submitting their claims directly to DOHA may delay consideration of their claims because DOHA will not settle a claim without first notifying the agency of the claim and requesting an administrative report from the agency. Claims should be sent to: Defense Legal Services Agency, Defense Office of Hearings and Appeals, Chief, Claims Division.

Dated: September 19, 1996.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 96-24480 Filed 9-24-96; 8:45 am]

BILLING CODE 5000-04-M

Department of the Army

Proposed Collection; Comment Request

AGENCY: Director of Information Systems for Command, Control, Communications, and Computers (DISC4), U.S. Army.

ACTION: Notice.

SUMMARY: In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Department of the Army announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited 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 information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by November 25, 1996.

ADDRESSES: Written comments and recommendations on the proposed information collection should be sent to U.S. Army Corps of Engineers, Waterborne Commerce Statistics Center, ATTN: CEWRC-NDC-C (Pierre S. Andrus), P.O. Box 61280, New Orleans, Louisiana 70161-1280.

Consideration will be given to all comments received within 60 days of the date of publication of this notice.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the above address, or call Department of the Army Reports clearance officer at (703) 614-0454.

Title: Vessel Operation Report, ENG FORMS 3925, 3925B, and 3925P, OMB Control Number 0710-0006.

Needs and Uses: The Corps of Engineers uses ENG Forms 3925, 3925B, and 3925P as the basic instruments to collect waterborne commerce statistics. These data constitute the sole source for domestic vessel movements of freight and passenger on U.S. navigable waterways and harbors.

Affected Public: Business or Other for-Profit.

Annual Burden Hours: 50,166.

Number of Respondents: 1,398.
Responses per Respondent: 835.
Average Burden per Response: 41 minutes.

Frequency: Monthly.

SUPPLEMENTARY INFORMATION: This Paperwork Reduction Act submission is a currently approved collection. These data are also critical to the enforcement of the "Harbor Maintenance Tax" authorized under Section 1402 of Pub. L. 99-662.

Gregory D. Showalter,
Army Federal Register Liaison Officer.
 [FR Doc. 96-24549 Filed 9-24-96; 8:45 am]
BILLING CODE 3710-08-M

Proposed Collection; Comment Request

AGENCY: Director of Information Systems for Command, Control, Communications, and Computers (DISC4), U.S. Army.

ACTION: Notice.

In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Department of the Army announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited 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 information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

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Consideration will be given to all comments received within 60 days of the date of publication of this notice.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments,

please write to the above address, or call Department of the Army Reports clearance officer at (703) 614-0454.

Title: Record of Arrivals and Departures of Vessels at Marine Terminals, ENG FORM 3926, OMB Control Number 0710-0005.

Needs and Uses: The Corps of Engineers uses ENG Form 3926 in conjunction with ENG Forms 3925, 3925B, and 3925P as the basic source of input to conduct the Waterborne Commerce Statistics data collection program. The annual publications, "Waterborne Commerce of the United States, Parts 1-5" are the result of the program.

Affected Public: Business or Other for-Profit.

Annual Burden Hours: 2,500.

Number of Respondents: 450.

Responses per Respondent: 12.

Average Burden per Response: 5 minutes.

Frequency: Monthly.

SUPPLEMENTARY INFORMATION: This Paperwork Reduction Act submission is a currently approved collection. If this data collection program being conducted voluntarily on ENG Form 3926 or an authorized automated equivalent were discontinued, then the accuracy of the statistics collected on ENG Forms 3925, 3925B, and 3925P would be negatively impacted.

Gregory D. Showalter,
Army Federal Register Liaison Officer.
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Corps of Engineers; Department of the Army

To Prepare a Draft Environmental Impact Statement for the Willamette River Basin Review Feasibility Study

AGENCY: U.S. Army Corps of Engineers, Department of Defense.

ACTION: Notice of intent to prepare a Draft Environmental Impact Statement (DEIS).

SUMMARY: The alternatives to be evaluated in this feasibility study and EIS address the modification of operation and storage allocation of the Corps' 13-reservoir Willamette Basin, Oregon, system to better serve current and anticipated future water resource needs. A proposed action will be identified in the Final EIS.

FOR FURTHER INFORMATION CONTACT:

Address questions about the alternatives and EIS to: Lynne Hamilton, telephone (503) 326-6169, Portland District, U.S. Army Corps of Engineers, Environmental Resources Branch, P.O.

Box 2946, Portland, Oregon, 97208-2946.

SUPPLEMENTARY INFORMATION: The Willamette River Basin lies in northwestern Oregon. The Willamette Basin is the largest river basin wholly within Oregon and supports most of the State's population, larger cities, and many major industries. It also contains some of Oregon's most productive agricultural lands and supports nationally and regionally significant fish, wildlife, and plant species. There are a number of streams in the basin designated as State scenic waterways and Federal wild and scenic rivers. Water-related recreational opportunities in the basin are numerous.

The basin is bounded on the east by the Cascade mountain range, on the south by the Calapooya mountains, and on the west by the Coast range. The basin has a drainage area of over 29,000 square kilometers (11,200 square miles) at its confluence with the Columbia River. At Salem, the capital of Oregon, near the middle of the basin, the drainage area is about 18,900 square kilometers (7,300 square miles). The mainstem Willamette River forms at the confluence of the Coast Fork and Middle Fork Willamette rivers near the cities of Eugene and Springfield. The river flows northward for a total of about 317 kilometers (197 miles). Major cities on the Willamette River downstream of Eugene-Springfield include Corvallis, Albany, Salem, and Portland. Major eastside tributaries include the Middle Fork Willamette, McKenzie, Santiam, and Clackamas rivers. Major westside tributaries include the Coast Fork Willamette, Long Tom, Marys, Luckiamute, Yamhill, and Tualatin rivers.

The purposes of the Corps' Willamette projects include flood damage reduction, power generation, navigation, irrigation, recreation, domestic water supply, fish and wildlife conservation, and pollution abatement. Of the 13 Corps reservoirs in the Willamette River Basin, 11 are multiple-purpose, and 2 are re-regulating reservoirs for hydropower.

Six of the Corps' multipurpose projects in the Willamette Basin generate hydropower and have exclusive reservoir storage for this purpose. Releases from the power projects are used to generate electrical energy for local and regional consumption. Energy generated by the Corps' projects is marketed by Bonneville Power Administration to help meet local and regional energy demand within the Federal Columbia River Power System.