

GENERAL SERVICES ADMINISTRATION (GSA)

Statement of Regulatory Priorities

The General Services Administration (GSA) establishes policy for and provides economical and efficient management of Government property and records, including construction and operation of buildings; procurement and distribution of supplies; utilization and disposal of property; and transportation, traffic, and communications management.

GSA's regulatory priorities for fiscal year 1997 are to ensure our regulations reflect the President's philosophy of being consistent, sensible, and understandable, and do not place an undue burden on the public. Toward that end, in the upcoming year GSA will monitor and review regulations and use regulatory direction only when it is essential to carry out GSA's mission and responsibilities.

GSA

PROPOSED RULE STAGE

137. FEDERAL SUPPLY SCHEDULE CONTRACTS—COOPERATIVE PURCHASING

Priority:

Other Significant

Reinventing Government:

This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority:

40 USC 486(c)

CFR Citation:

48 CFR 510; 48 CFR 532; 48 CFR 538;
48 CFR 552

Legal Deadline:

None

Abstract:

The General Services Administration (GSA) proposes to make changes to the General Services Administration Acquisition Regulation (GSAR) that would implement section 1555 of the Federal Acquisition Streamlining Act of 1994 (PL 103-355) which deals with cooperative purchasing.

Statement of Need:

Section 1555 amends subsection (b) of section 201 of the Federal Property and Administrative Services Act of 1949 (40 USC 481) to authorize the Administrator of General Services to provide for use of Federal Supply Schedules of the GSA upon request from a State or local government, the government of an Indian tribe, or the Commonwealth of Puerto Rico. Section 4309 of the Federal Acquisition Reform Act of 1996 (PL 104-106, February 10, 1996) provided for a delay in GSA's implementation of Section 1555. The General Accounting Office (GAO) is charged with submitting a report to the Administrator of GSA and Congress by February 1997 which provides an assessment of the effects on industry including small business and local dealers and the effects on State, local and tribal governments of opening Federal Supply Schedules for use by such governments. The Administrator of GSA after evaluating the GAO report will notify Congress, in accordance with section 4309, on plans to provide any Federal Supply Schedule for use by State, local or tribal governments.

GSA plans to publish a proposal to add subpart 538.70 to provide the policies and procedures for cooperative purchasing and to add to or revise the prescription for use of, or text of several solicitation provisions and contract clauses in other parts of the regulation, including parts 510, 532, and 552, in order to accommodate use of the schedule contracts by State, local, and Indian tribal governments, and the Commonwealth of Puerto Rico. After consideration of public comments, the regulation may be issued in final form.

Alternatives:

Alternatives were considered regarding different aspects of the proposed change. With respect to the process for identifying entities eligible to use GSA sources of supply including Federal Supply Schedules, GSA considered and rejected the idea of using a contract clause to provide a blanket authorization to eligible entities, with provisions for governmental entities to provide evidence to support their eligibility at the request of schedule contractors. The idea was rejected for several reasons. First, it placed a greater burden on both contractors and eligible governmental entities. Instead of a one-time application to GSA, governmental entities would be required to provide evidence of eligibility with virtually every order placed against schedule

contracts. In addition, schedule contractors would be unable to gauge the level of interest on the part of State, local, and Indian tribal governments in participating in the schedule contracts. In addition, every contractor would be faced with determining whether the evidence of eligibility provided by governmental entities was adequate. In addition, such an approach limits GSA's ability to control the program in order to ensure that service to executive agencies of the Federal Government is maintained. Instead, a one-time application process was determined to be the best approach. The proposal also encourages electronic submission (rather than paper copies) of the application form, as that is deemed the most cost-effective mechanism. The list of entities authorized to use GSA sources of supply will also be available electronically for use by schedule contractors.

Some consideration was given to requiring Federal Supply Schedule contractors to accept orders from State and local governments, Indian tribes, and the Commonwealth of Puerto Rico, but that approach was ultimately rejected. The foremost consideration of GSA in implementing cooperative purchasing is to ensure that the Federal Supply Schedule Program continues to be an efficient and cost-effective acquisition mechanism for executive agencies of the Federal Government, and it was felt that mandating contractor participation in cooperative purchasing could, in some instances, negatively impact the program. For that reason, it was decided to allow contractors to decide individually whether they want to open their contracts to cooperative purchasing, or to allow them not to do so. Similarly, GSA will look at each schedule and make a case-by-case determination that the schedule should be opened for ordering by State and local governments, Indian tribes, and the Commonwealth of Puerto Rico. This will allow GSA to exclude individual or classes of schedules from the program.

To militate against the potential adverse impact on dealers/ distributors, the proposal also provides for schedule contractors to maintain their dealer/distributor networks by allowing for their participation in the performance of schedule contracts.

Anticipated Costs and Benefits:

The Federal Acquisition Streamlining Act of 1994 authorizes the Administrator of GSA to require the

authorized non-Federal users of the Federal Supply Schedules to reimburse GSA for any administrative costs for using the schedules. Non-Federal users will be assessed the same user charge as Federal users. Schedule contract prices will be included in the administrative fee.

Federal Supply Schedule contracts are negotiated as volume purchase agreements, with generally favorable pricing. The ability of small governmental entities to order from the Federal Supply Schedules holds out the potential for significant cost savings for those organizations.

Risks:

None

Timetable:

Action	Date	FR Cite
ANPRM	04/07/95	60 FR 17764
ANPRM Comment Period End	06/06/95	
NPRM	10/00/96	

Small Entities Affected:

Businesses, Governmental Jurisdictions

Government Levels Affected:

State, Local, Tribal

Procurement:

This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

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GSA

FINAL RULE STAGE

138. • FEDERAL TRAVEL REGULATIONS

Priority:

Other Significant

Reinventing Government:

This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority:

5 USC 5738

CFR Citation:

41 CFR 201-21; 41 CFR 302-4; 41 CFR 302-5; 41 CFR 302-6; 41 CFR 302-10; 41 CFR 302-12

Legal Deadline:

None

Abstract:

GSA proposes to amend the FTR to implement statutory and regulatory changes as a result of Joint Financial Management Improvement Program (JFMIP) recommendations and the Federal Employee Travel Reform Act of 1996.

Statement of Need:

The JFMIP identified and addressed obstacles that impede the use of best travel practices in the Federal Government. GSA will implement the FTR changes. The major changes will be in the areas of temporary duty travel and Federal employee relocation reimbursement areas.

Amendment to the FTR includes:

Maximum use of Government charge cards for all travel and relocation expenses, but not limited to, transportation tickets (in conjunction with common carrier reservations), lodging, and car rentals; and increased use of automated teller machines (ATMs) to distribute travel advances and cash for out-of-pocket expenses.

A flat rate system to reimburse M&IE on partial days of travel. Employees will now be reimbursed a flat three-fourths of the applicable M&IE on partial days. This change will simplify recording of travel times for means and incidental expenses reimbursement.

The threshold for receipts will increase from \$25 to \$75 and allow agencies to determine receipt retention requirements. Long distance call certification is eliminated. Expense review is shifted to the approving official, and audit of vouchers will be by statistical sampling.

Federal agencies will outsource to Travel Management Centers (TMCs) all travel arrangements and travel cost estimations and expense reports. Agencies will partner to identify requirements to develop a range of expanded standard services. TMCs can use management information to integrate agency defined cost limit controls and meet agency fire safety reporting requirements.

In the area of employee relocation the FTR amendments will include:

Limited relocation allowances for a temporary change of station, the use of cost reimbursable relocation allowances for a temporary change of station, and paying pre-determined travel cost for temporary quarters.

Predetermined travel costs will be implemented for househunting trips, and locality per diem will be paid for employees not using predetermined travel costs.

The FTR will cap the value of homes paid for in the guaranteed home sale program, and home marketing incentives will be allowed. Changes will also allow agencies to separately contract for relocation services including property management services.

Federal employees will be allowed to ship privately owned vehicles within the U.S. when authorized by their agency.

Summary of the Legal Basis:

5 USC 5724a, 31 USC 1348(b)

Alternatives:

Continue paying relocation costs and temporary duty station travel as currently done, or implement JFMIP recommendations.

Anticipated Costs and Benefits:

Implementation of these changes to the FTR will save the Government \$760 million in administrative and direct costs. By amending the FTR, Federal agencies and employees will have options not previously available to them when they are relocating or performing extended assignments. These changes will ease the administrative burden on agencies, and it will provide more equitable reimbursement to employees. The changes reduce paperwork, cut red tape, and humanize the treatment of employees by establishing a parity with their private sector counterparts.

Timetable:

Action	Date	FR Cite
Final Action	09/00/97	

Small Entities Affected:

None

Government Levels Affected:

Federal

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