A determination has been made under the authority of the Secretary of Defense that urgent and compelling reasons exist to publish an interim rule prior to affording the public an opportunity to comment. Federal Acquisition Circular 90–32 (60 FR 48206, September 18, 1995) revised the Federal Acquisition Regulation (FAR) to implement Title VIII of the Federal Acquisition Streamlining Act of 1994. This rule merely expands the DFARS rule implementing FAR requirements for conducting field pricing reviews, and approvals is already permitted by the Federal Acquisition Streamlining Act because: (1) purchases made outside the United States for use by armed forces outside the United States; (2) internal Government considerations regarding leasing; (3) production contracts where special tooling/special test equipment costs exceed $1,000,000; and (4) certain notification requirements under the Certificate of Competency Program which were repealed by Section 7101(b) of the Federal Acquisition Streamlining Act of 1994.

Item V—The use of class justifications and approvals is already permitted by the Federal Acquisition Regulation (FAR). This rule merely expands Defense FAR Supplement (DFARS) guidance to address the use of class justifications and approvals for multiple contracts extending across more than one program phase.

Item XI—The rule primarily relates to the application of Government resources for conducting field pricing reviews.

Item XIII—The rule merely reflects the extension of statutory authority for contractors to claim credit toward their small business subcontracting goals when awarding subcontracts to qualified nonprofit agencies for the blind or severely disabled.

Item XVI—The rule only applies in exceptional situations when non-DoD-owned toxic or hazardous materials are stored or disposed of on a military installation.

Item XVII—The DFARS already permits DoD to grant public interest exceptions to the Buy American Act, where the purposes of the Buy American Act are not served. This rule...
merely amends the DFARS guidance to reflect a recent statutory change to the criteria that must be considered when granting a public interest exception, and to streamline internal DoD approval requirements.

Item XX—The rule places restrictions on the acquisition of foreign products.

Item XXI—The rule only applies to contracts that are awarded in support of the closure or realignment of a military installation.

Item XXVI—The rule only applies to contracts that are awarded under the Manufacturing Science and Technology Program.

DAC 91–9, Items III, XIX, XXIV, XXVII, XXXII

The Regulatory Flexibility Act applies. A final regulatory analysis has been performed and is available by writing the Defense Acquisition Regulations Council, PDU(SD)(A&T)(DAR), 3062 Defense Pentagon, Washington, DC 20301–3062.

DAC 91–9, Item XXXV

This interim rule is expected to have a positive economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, et seq., because the rule simplifies procedures for DoD acquisition of commercial items. An Initial Regulatory Flexibility Analysis (IRFA) has been prepared and may be obtained from the address stated herein. A copy of the IRFA has been submitted to the Chief Counsel for Advocacy of the Small Business Administration. Comments from small entities concerning the affected DFARS subparts will be considered in accordance with Section 610 of the Act. Such comments must be submitted separately and cite DFARS Case 95–D712 in correspondence.

D. Paperwork Reduction Act

DAC 91–9, Items I, III, IV, V, VI, VII, VIII, X, XI, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII, XXXIII, XXXIV, XXXV

The Paperwork Reduction Act does not apply because the revisions in this rulemaking notice do not contain and/or affect information collection requirements which require the approval of OMB under 44 U.S.C. 3501 et seq.

D AC 91–9, Item XIII

The Paperwork Reduction Act applies. OMB has approved the information collection requirement under OMB Control Number 9000–0007.

Michele P. Peterson
Executive Editor, Defense Acquisition Regulations Council.

Defense Acquisition Circular (DAC) 91–9 amends the Defense Federal Acquisition Regulation Supplement (DFARS) 1991 edition. The amendments are summarized as follows:

Item I—Ethics (DFARS Case 95–D707)

This final rule deletes DFARS Subpart 203.71, Contractor Employee Communications with Government Officials, and the corresponding contract clause at 252.203–7003, Prohibition Against Retaliatory Personnel Actions. DFARS Subpart 203.71 and the clause at 252.203–7003 implemented 10 U.S.C. 2409a, which was repealed by Section 6005 of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103–355). Guidance on whistleblower protections for contractor employees has been added to the FAR at Subpart 3.9, by Federal Acquisition Circular 90–30, dated July 21, 1995.

Item II—Sequence of Progress Payments and Contract Modifications (DFARS Case 93–D016/95–D012)

This final rule was issued by Departmental Letter 95–012, effective July 3, 1995. The rule amends DFARS Subparts 204.71, 215.4, 217.74, and 243.1 to provide additional guidance regarding identification of funding under DoD contracts. Contracting officers shall ensure that contracts clearly identify the accounting classification reference numbers which apply to each line and subline item. When a line item contains multiple accounting classification citations, the contract shall include instructions which provide for payment in a manner that reflects the performance of work on the contract. Contracts that contain both fixed-price and cost-reimbursement line or subline items shall identify the contract type for each line or subline item. In addition, contract modifications which obligate or deobligate funds shall identify the accounting changes for each line and subline item to facilitate appropriate payment.

Item III—Personal Services Contracts (DFARS Case 94–D302)

The interim rule published as Item XXX of DAC 91–7 is revised and finalized. The rule establishes procedures for entering into personal services contracts under 10 U.S.C. 1091 to carry out health care responsibilities in medical treatment facilities. The final rule differs from the interim rule in that it adds language at DFARS 206.001, deletes 206.102, and amends 237.104(b)(ii), to recognize that personal services contracts authorized by 10 U.S.C. 1091 are exempt from FAR Part 6 competition requirements.

Item IV—Contract Award (DFARS Case 95–D701)

The interim rule issued by Departmental Letter 95–016 on August 7, 1995, is converted to a final rule without change. The rule (1) revises DFARS 206.302–5(b)(ii) to exclude soft drinks, that are manufactured in the United States, from the limitations which apply to noncompetitive acquisition of items from military exchange stores outside the United States; (2) adds a new section at DFARS 207.470 to place restrictions on the lease of vessels, aircraft, or vehicles for a term of 18 months or more; (3) deletes the language at DFARS 215.871 concerning production special tooling and production special test equipment; and (4) deletes DFARS 219.602–1(a), 219.602–70, and 252.219–70 to eliminate certain notification requirements pertaining to the Certificate of Competency Program. These DFARS revisions implement Sections 1506, 3065, 3066, and 7101(b) of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103–355).

Item V—Class Justifications and Approvals (DFARS Case 95–D009)

This final rule adds language at DFARS 206.303–1(c) and 207.102 to state that: (1) When conditions warrant, a class justification for other than full and open competition may provide for award of multiple contracts extending across more than one program phase; and (2) when a class justification for other than full and open competition has been approved, planning for competition shall be consistent with the terms of that approval.

Item VI—Integrated Materiel Management (DFARS Case 95–D005)

This final rule amends DFARS 208.7003 to permit greater flexibility for local purchase of items assigned for integrated materiel management (IMM), when such action is in the best interest of the Government. The dollar threshold at which file documentation is required to justify local purchase of an IMM item is increased from $100 per line item to the micro-purchase threshold. The dollar threshold at which a waiver is required, before local purchase of an IMM item, is increased from $5,000 per line item to the simplified acquisition threshold. Additionally, the list of points of contact for waiver requests is revised.
Item VII—Preaward Survey (DFARS Case 95-D016)

This final rule revises DFARS 209.106–1 to delete the requirement for the contracting officer to contact the cognizant contract administration activity when the contracting officer is unable to make a determination of responsibility for a low-dollar value acquisition. Guidance regarding sources of information to support determinations of responsibility can be found at FAR 9.105–1(c).

Item VIII—Qualification Requirements (DFARS Case 95-D011)

This final rule revises DFARS 209.202 to delegate authority for approval of qualification requirements, except those pertaining to Qualified Products Lists (QPLs) or Qualified Manufacturers Lists (QMLs), to the chief of the contracting office. QPLs and QMLs are managed in accordance with DoD Manual 4120.3-M, Defense Standardization Program Policies and Procedures.

Item IX—Institutions of Higher Education (DFARS Case 94-D310)

This interim rule was issued by Departmental Letter 95–007, effective March 6, 1995. The rule adds a new section and contract clause at DFARS 209.470 and 225.209–7005 to implement Section 558 of the Fiscal Year 1995 Defense Authorization Act (Pub. L. 103–337). Section 558 provides that no funds available to DoD may be provided by grant or contract to any institution of higher education that has a policy of denying, or which effectively prevents the Secretary of Defense from obtaining for military recruiting purposes, entry to campuses, access to students on campuses, or access to directory information pertaining to students.

Item X—Audit (DFARS Case 95-D705)

This final rule amends DFARS 215.804–8, 235.015–71, 237.7204, 252.239–7010, and C–204.3, and deletes the clause at 252.215–7001, to reflect revisions to the FAR published as Item I of Federal Acquisition Circular (FAC) 90–31 on August 16, 1995. Item I of FAC 90–31(1) revised the policy pertaining to contractor records retention at FAR 4.703; (2) deleted the clause at FAR 52.215–1, Examination of Records by Comptroller General; and (3) revised the clauses at FAR 52.214–26, Audit and Records—Sealed Bidding, and 52.215–2, Audit and Records—Negotiation, to provide for examination of records by the Comptroller General.

Item XI—Field Pricing Report (DFARS Case 95-D010)

This final rule amends DFARS 215.805–5 to increase, from $1 million to $10 million, the dollar threshold for requesting field pricing reports for cost-type proposals from offerors without significant estimating system deficiencies.

Item XII—Comprehensive Small Business Subcontracting Plans (DFARS Case 95-D002)

This final rule was issued by Departmental Letter 95–015, effective July 10, 1995. The rule amends DFARS 219.702 and the clause at 252.219–7004 to implement Section 7103 of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103–355). Section 7103 extends, through September 30, 1998, the test program for contractor use of comprehensive small business subcontracting plans.

Item XIII—Subcontracting Plans for Nonprofit Agencies for the Blind or Severely Disabled (DFARS Case 94-D312)

The interim rule issued by Departmental Letter 95–004, on February 27, 1995, is converted to a final rule without change. The rule amends DFARS 219.703 to implement Section 804 of the Fiscal Year 1995 Defense Authorization Act (Pub. L. 103–337). Section 804 extends, through September 30, 1997, the authority for contractors to claim credit toward their small business subcontracting goals for subcontractors with qualified nonprofit agencies for the blind or severely disabled.

Item XIV—Evaluation Preference for Small Disadvantaged Business Concerns (DFARS Case 95-D008)

This final rule was issued by Departmental Letter 95–017, effective August 22, 1995. The rule amends DFARS 219.7001 to state that the evaluation preference for small disadvantaged business concerns shall not be used in acquisitions for long distance telecommunications services.

Item XV—Environmentally Sound Products (DFARS Case 95-D303)

This final rule amends DFARS 223.404 to (1) designate the approving official for acquisition of EPA designated items which do not meet EPA or agency minimum recovered material standards; and (2) require agency collection and consolidation of annual, contractor certifications pertaining to the use of recovered materials.

Item XVI—Hazardous Materials (DFARS Case 94-D309)

The interim rule issued by Departmental Letter 95–006, on March 6, 1995, is revised and finalized. The rule amends DFARS Subpart 223.71 and the clause at 252.223–7006 to implement Section 325 of the Fiscal Year 1995 Defense Authorization Act (Pub. L. 103–337). Section 325 provides an additional exception to the statutory prohibition on storage and disposal of non-DoD-owned toxic and hazardous materials on military installations. The final rule differs from the interim rule in that it revises alternate paragraph (d) of the clause at 252.223–7006 to clarify requirements for flowdown of the clause to subcontractors.

Item XVII—Determinations Under the Buy American Act (DFARS Case 94-D313)

This final rule was issued by Departmental Letter 95–011, dated July 3, 1995, is converted to a final rule without change. The rule amends DFARS 225.102 to implement Section 812 of the Fiscal Year 1995 Defense Authorization Act (Pub. L. 103–337). Section 812 adds several factors to the series of factors at 10 U.S.C. 2533 that must be considered when deciding whether to grant a public interest exception to the Buy American Act. In addition, the rule changes the approval levels for granting such exceptions.

Item XVIII—Australian Memorandum of Agreement (DFARS Case 95-D013)

This final rule amends DFARS 225.872–1 to add Australia to the list of countries whose defense products are not subject to the restrictions of the Buy American Act/Balance of Payments Program. The rule implements a Memorandum of Agreement Concerning Reciprocal Defense Procurement, dated April 19, 1995, between the United States and Australia, and a determination made by the Deputy Secretary of Defense, on April 29, 1995, that it is inconsistent with the public interest to apply the restrictions of the Buy American Act to the acquisition of defense equipment produced or manufactured in Australia.

Item XIX—Restriction on Procurement of Goods (DFARS Case 94-D314)

The interim rule published as Item XIV of DAC 91–7 is revised and finalized. The rule implements the foreign source restrictions of 10 U.S.C. 2534. The interim rule differs from the final rule in that it revises DFARS 225.707–4, 225.7010–3, and 225.7016–3 to refer to, rather than repeat, the waiver criteria at 225.7004–4.
Item XX—Supercomputers (DFARS Case 95-D301)

The interim rule issued by Departmental Letter 95-013 on July 3, 1995, is revised and finalized. The rule adds a new section at DFARS 225.7023 and a contract clause at 252.225-7011 to implement Section 8023 of the Fiscal Year 1995 Defense Appropriations Act (Pub. L. 103-335). Section 8023 and comparable sections in prior Defense Appropriations Acts require that any supercomputers acquired with defense funds appropriated in Fiscal Years 1988 through 1995 must be manufactured in the United States, unless the Secretary of Defense certifies to the Congress that the supercomputers are for national security purposes and are not available from United States manufacturers. The final rule differs from the interim rule in that it corrects the statutory citation at 225.7023–1.

Item XI—Indian Incentives (DFARS Case 95-D027)

This final rule adds a new section at DFARS 226.103 to provide procedures for obtaining contract funding for an approved Indian incentive payment request.

Item XXI—Preference for Local Residents (DFARS Case 94-D315)

The interim rule published as Item XX of DAC 91-7 is revised and finalized. The rule implements Section 817 of the Fiscal Year 1995 Defense Authorization Act (Pub. L. 103-337). Section 817 authorizes the Secretary of Defense to give preference to entities that plan to hire local residents, when entering into contracts for services to be performed at a military installation that is affected by closure or realignment under a base closure law. The final rule differs from the interim rule in that it adds language at DFARS 226.7104 to clarify that the guidance in this section applies to contracts related to base closure activities.

Item XXIII—Payment Protections in Construction Contracts Between $25,000 and $100,000 (DFARS Case 95-D305)

This interim rule was issued by Departmental Letter 95-018, effective August 31, 1995. The rule adds a new section and contract clause at DFARS 228.171 and 252.228-7007. The rule provides alternative payment protections for construction contracts between $25,000 and $100,000, pending implementation of Section 4104(b)(2) of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103-355) in the FAR. Section 4104(b)(2) requires FAR revisions to provide alternatives to payment bonds as payment protections for suppliers of labor and material under construction contracts between $25,000 and $100,000. Federal Acquisition Circular 90-29 revised FAR Part 13 to exclude construction contracts and subcontracts at or below the simplified acquisition threshold from Miller Act bond requirements, in accordance with Section 4104(b)(1) of Pub. L. 103-355.

Item XXV—Limitation on Allowable Individual Compensation (DFARS Case 94-D318)

The interim rule published as Item XXII of DAC 91-7 is converted to a final rule without change. The interim rule amended DFARS 231.205, 231.303, 231.603, and 231.703 to implement Section 8117 of the Fiscal Year 1995 Defense Appropriations Act (Pub. L. 103-335). Section 8117 limits allowable costs for individual compensation to $250,000 per year. This limitation applies to contracts that are awarded after April 15, 1995, and that are funded with Fiscal Year 1995 appropriations.

Item XXV—Cost Principles (DFARS Case 95-D704)

This final rule amends the DFARS to delete language that was incorporated into the FAR by Federal Acquisition Circular 90-31, dated August 15, 1995. Accordingly, the following DFARS sections are deleted: 231.205–6(g)(2)(i); 231.603(1); 231.703(1); 231.70; 237.171; 242.705–1(b)(3) and (4); 242.770; 252.231–7001; 252.237–7020; 252.237–7021; and 252.242–7001.

Item XXVI—Manufacturing Science and Technology Program (DFARS Case 94-D307)

The interim rule published as Item XXVII of DAC 91-7 is converted to a final rule without change. The interim rule added language at DFARS 235.006 (a) and (b)(iv) to implement Section 256 of the Fiscal Year 1995 Defense Authorization Act (Pub. L. 103-337). Section 256 requires use of competitive procedures in awarding contracts under the Manufacturing Science and Technology Program, and use of a cost-sharing arrangement for these contracts unless an alternative arrangement is approved by the Secretary of Defense.

Item XXVII—Fedally Funded Research and Development Centers (FFRDCs) (DFARS Case 94-D306)

The interim rule published as Item XXVIII of DAC 91-7 is revised and finalized. The rule allows DoD-sponsored FFRDCs that function primarily as research laboratories to respond to solicitations and announcements for programs which promote research, development, demonstration, or transfer of technology. The final rule differs from the interim rule in that it adds, at DFARS 235.017–1, the names of DoD-sponsored FFRDCs that function primarily as research laboratories.

Item XXVIII—Research and Development Streamlined Contracting Procedures—Test (DFARS Case 92-D034)

This final rule amends DFARS 235.7002 to add the Army Soldier Systems Command and the Naval Command, Control and Ocean Surveillance Center to the list of contracting offices authorized to participate in the streamlined research and development contracting test program. In addition, editorial corrections are made at 235.7003(b)(1) and in paragraph H.5 of the exhibit at 235.7006(d).

Item XXIX—Firefighting and Security-Guard Services (DFARS Case 95-D035)

This final rule adds a new section at DFARS 237.102–70 to reflect the requirements of 10 U.S.C. 2465, which prohibits the award of DoD contracts for firefighting or security-guard functions except under certain conditions.

Item XXX—Annual Automatic Data Processing Equipment (ADPE) Leasing Review (DFARS Case 95-D017)

This final rule amends DFARS 239.7303 to eliminate the requirement for annual review of ADPE leasing costs and, instead, requires reviewing of ADPE leasing costs as warranted.

Item XXXI—Cost Monitoring (DFARS Case 95-D08)

This final rule deletes the language of DFARS 242.7003-1(b), regarding requirements for in-depth functional reviews of certain contractor activities, to provide contract administration offices greater flexibility in planning and executing cost monitoring programs.

Item XXXII—Contract Quality Requirements (DFARS Case 95-D007)

The interim rule issued by Departmental Letter 95-010, on June 13, 1995, is converted to a final rule without change. The rule amends DFARS Part 246 to encourage increased use of commercial quality standards by removing existing requirements to use military quality standards. The rule revises the definition of “quality program,” replaces direct references to MIL-I-45208 and MIL-Q-9858 with references to higher-level contract quality requirements, and deletes Table
This final rule contains the guidance issued by Departmental Letter 95–014, on July 6, 1995, and additional guidance pertaining to DD Form 350 and DD Form 1057 reporting requirements. The rule revises DFARS 204.6, 253.204–70 and 253.204–71 to comply with reporting requirements of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103–355). Except for contracting actions pertaining to contingencies as described at FAR 13.101, contracting officers will continue to use DD Form 350 to report all contracting actions exceeding $25,000. Contracting actions pertaining to contingencies will continue to be reported on DD Form 1057. Until the forms are revised, the term “small purchase procedures” used on DD Forms 350 and 1057 shall be interpreted to mean “simplified acquisition procedures.”

This final rule deletes DFARS 237.270, Master Agreements. The authority to award master agreements for advisory and assistance services under 10 U.S.C. 2304 expired on September 30, 1994.

This interim rule amends the DFARS to conform to the FAR changes pertaining to the acquisition of commercial items, published as Item III of FAC 90–32 on September 18, 1995. The rule also implements DoD-unique requirements of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103–355) regarding the acquisition of commercial items. Following is a summary of the DFARS amendments contained in this rule:

- Part 203 is amended to reflect that the statutory prohibitions of 10 U.S.C. 2397b do not apply to contractors that supply only commercial items to DoD.
- Part 207 is amended to reflect the preference for commercial items and the requirement for market research contained in FAR Parts 10 and 11.
- Parts 210, 211, and 212 are revised to reflect the restructuring of FAR Parts 10, 11, and 12. Part 210 is retitled “Market Research” and contains no DFARS text. Part 211 is retitled “Describing Agency Needs” and revised to include guidance that was previously included in Part 210; and Part 212 is retitled “Acquisition of Commercial Items” and revised to include two new subparts. Subpart 212.3 prescribes solicitation provisions and contract clauses for use in DoD acquisitions of commercial items, to include a new solicitation provision at 252.212–7000, Offeror Representations and Certifications—Commercial Items, and a new contract clause at 252.212–7001, Contract Terms and Conditions Required to Implement Statutes Applicable to Defense Acquisition of Commercial Items. Subpart 212.5 contains lists of statutes that do not apply, or have limited application to, contracts or subcontracts for the acquisition of commercial items.
- Part 217 is amended to state that the requirement for contractor identification of sources of supply does not apply to commercial items.
- Part 225 is amended to state that certain foreign source restrictions do not apply to commercial items or components purchased by contractors from subcontractors/suppliers.
- Part 227 is amended to delete definitions which appear in FAR Part 2 and to clarify that clauses prescribed by 227.7102–3 and 227.7103–15 do not flow down to subcontractors providing commercial items or components.
- Part 234 is amended to include the definitions of “systems” and “systems acquisition” which were deleted from 210.001.
- Part 246 is amended to conform to the policy in FAR 12.208 on contract quality assurance.
- Amendments are made to conform terminology to the definition of “commercial items” in FAR Part 2 and to delete obsolete references.

Note: The asterisked items are revisions being made only in the looseleaf edition of the DFARS.

This final rule deletes DFARS 237.270, Master Agreements. The authority to award master agreements for advisory and assistance services under 10 U.S.C. 2304 expired on September 30, 1994.

This interim rule amends the DFARS to conform to the FAR changes pertaining to the acquisition of commercial items, published as Item III of FAC 90–32 on September 18, 1995. The rule also implements DoD-unique requirements of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103–355) regarding the acquisition of commercial items. Following is a summary of the DFARS amendments contained in this rule:

- Part 203 is amended to reflect that the statutory prohibitions of 10 U.S.C. 2397b do not apply to contractors that supply only commercial items to DoD.
- Part 207 is amended to reflect the preference for commercial items and the requirement for market research contained in FAR Parts 10 and 11.
- Parts 210, 211, and 212 are revised to reflect the restructuring of FAR Parts 10, 11, and 12. Part 210 is retitled “Market Research” and contains no DFARS text. Part 211 is retitled “Describing Agency Needs” and revised to include guidance that was previously included in Part 210; and Part 212 is retitled “Acquisition of Commercial Items” and revised to include two new subparts. Subpart 212.3 prescribes solicitation provisions and contract clauses for use in DoD acquisitions of commercial items, to include a new solicitation provision at 252.212–7000, Offeror Representations and Certifications—Commercial Items, and a new contract clause at 252.212–7001, Contract Terms and Conditions Required to Implement Statutes Applicable to Defense Acquisition of Commercial Items. Subpart 212.5 contains lists of statutes that do not apply, or have limited application to, contracts or subcontracts for the acquisition of commercial items.
- Part 217 is amended to state that the requirement for contractor identification of sources of supply does not apply to commercial items.
- Part 225 is amended to state that certain foreign source restrictions do not apply to commercial items or components purchased by contractors from subcontractors/suppliers.
- Part 227 is amended to delete definitions which appear in FAR Part 2 and to clarify that clauses prescribed by 227.7102–3 and 227.7103–15 do not flow down to subcontractors providing commercial items or components.
- Part 234 is amended to include the definitions of “systems” and “systems acquisition” which were deleted from 210.001.
- Part 246 is amended to conform to the policy in FAR 12.208 on contract quality assurance.
- Amendments are made to conform terminology to the definition of “commercial items” in FAR Part 2 and to delete obsolete references.

Note: The asterisked items are revisions being made only in the looseleaf edition of the DFARS.

(a) DFARS is amended by revising “Under Secretary of Defense for Acquisition (USD(A))” to read “Under Secretary of Defense for Acquisition & Technology (USD(A&T))” each place it appears.

(b) Section 202.101 is amended by revising in the definition “Contracting activity” under the heading “NAVY” the entry “Space nd Naval Warfare Systems Command” to read “Space and Naval Warfare Systems Command.”

(c) Section 204.7003(a)(1) is amended to update the department/agency identification characters used in procurement instrument identification numbers.

(d) Section 209.403 is amended to update the Air Force entry to read “Air Force—Deputy General Counsel (Contractor Responsibility).”

(e) Section 209.405–1 is amended to redesignate paragraphs (a) and (b) as paragraphs (b) and (c), respectively.

(f) Section 214.406–3(e)(i) is amended to revise “DARPA” to read “ARPA.”

(g) Section 225.302. is amended by revising in paragraph (b)(ii) under the heading “DEFENSE LOGISTICS AGENCY” the entry “Executive Director, Contracting” to read “Executive Director, Procurement”; and to add a new heading and entry between the headings “DEFENSE MAPPING AGENCY” and “ON-SITE INSPECTION AGENCY” to read “DEPARTMENT OF DEFENSE OFFICE OF DEPENDENT SCHOOLS, Director.”

(h) Section 225.770–1 is amended by revising between the word “that” and the word “does” the word “is” to read “it.”

(i) Section 227.7103–6 is amended in paragraph (a) to revise the word “Innovative” to read “Innovation.”

(j) Section 227.7104 is amended in the title by revising the word “Innovative” to read “Innovation” and by revising in paragraph (a) the word “Innovative” to read “Innovation.”

(k) Section 232.704–70(c) is amended to revise the word “funds” to read “funds.”

(l) Section 242.705–2 is amended to redesignate paragraphs (b)(2)(ii) and (b)(2)(v) as paragraphs (b)(2)(ii) and (b)(2)(iv), respectively.

(m) Section 249.7002(b) is amended in the introductory text to revise the phrase “Office of Economic Adjustment (OEA), Assistant Secretary of Defense (Force Management and Personnel)” to read “Assistant Secretary of Defense (Economic Security), Office of Economic Adjustment (OEA).”

(n) Section 249.7002(b) is amended to revise the Telefax number to read “(703) 604-5843.”

(o) Section 252.223–7004(a)(1) is amended to revise “employee” to read “employee.”

(p) Section 252.225–7040 is amended to revise in the introductory text the reference “225.7004–5(c)” to read “225.7004–6(c).”

(q) Section 252.227–7018 is amended in the section title to revise the word “Innovative” to read “Innovation” and in the clause title to revise the word “Innovative” to read “INNOVATION.”

(r) Appendix F, F–401, Table 2, is amended to update the Army address for Foreign Military Sales.

(s) Appendix G is revised to update activity addresses.
Interim Rules Adopted as Final Without Changes

PARTS 206, 207, 215, 219, AND 252—[AMENDED]

The interim rule that was published at 60 FR 40106 on August 7, 1995, is adopted as final without change.

PART 225—[AMENDED]

The interim rule that was published at 60 FR 34470 on July 3, 1995, is adopted as final without change.

PART 231—[AMENDED]

The interim that was published at 60 FR 2330 on January 9, 1995, is adopted as final without change.

PART 235—[AMENDED]

The interim rule that was published at 60 FR 4569 on January 24, 1995, is adopted as final without change.

Interim Rules Adopted as Final With Changes

PARTS 206 AND 237—[AMENDED]

The interim rule that was published at 60 FR 2888 on January 12, 1995, is adopted as final with amendments at section 237.104, addition of section 206.001, and removal of Subpart 206.1.

PART 219—[AMENDED]

The interim rule that was published at 60 FR 13074 on March 10, 1995, is adopted as final with amendments at section 219.703.

PARTS 223 AND 252—[AMENDED]

The interim rule published at 60 FR 13075 on March 10, 1995, is adopted as final with amendments at sections 223.7101, 223.7102, and 252.223–7006.

PARTS 225 AND 252—[AMENDED]

The interim rule published at 60 FR 19531 on April 19, 1995, is adopted as final with amendments at sections 225.7004–4, 225.7007–4, 225.7010–3, and 225.7016–3.

PARTS 225 AND 252—[AMENDED]

The interim rule published at 60 FR 34471 on July 3, 1995, is adopted as final with amendments at sections 225.7023–1, 225.7023–3, and 252.225–7011.

PART 226—[AMENDED]

The interim rule published at 60 FR 5870 on January 31, 1995, is adopted as final with a revision at section 226.7104.

PART 235—[AMENDED]

The interim rule published at 60 FR 13076 on March 10, 1995, is adopted as final with a revision at section 235.017–1.

PART 246—[AMENDED]

The interim rule published at 60 FR 33144 on June 27, 1995, is adopted as final with amendments at section 246.202–3.


Government procurement.

Amendments to 48 CFR Chapter 2 (Defense Federal Acquisition Regulation Supplement)

48 CFR Chapter 2 (the Defense Federal Acquisition Regulation Supplement) is amended as set forth below.

1. The authority for 48 CFR parts 201, 202, 203, 204, 206, 207, 208, 209, 210, 211, 212, 214, 215, 217, 219, 223, 225, 226, 227, 228, 231, 232, 234, 235, 237, 239, 242, 246, 247, 249, 250, 252, 253, and Appendices C, F, and G to Chapter 2 continues to read as follows:


PART 201—FEDERAL ACQUISITION REGULATIONS SYSTEM

201.201–1 [Amended]

2. Section 201.201–1 is amended by revising in paragraph (d)(i) introductory text the phrase "OUSD(A)" to read "USD(A&T);" and by revising in paragraph (d)(v) introductory text the phrase "USD(A)DP" to read "USD(A&T)DP."

201.301 [Amended]

3. Section 201.301(b) is amended by revising the phrase "USD(A)" to read "USD(A&T)."

201.304 [Amended]

4. Section 201.304 is amended by revising in paragraph (1) the phrase the "USD(A)" to read "USD(A&T);" by revising in paragraph (2) the phrase "USD(A)" to read "USD(A&T);" and by revising in paragraph (2) the phrase "USD(A)DP" to read "USD(A&T)DP." by revising in paragraph (3) the phrase the "USD(A)DP" to read "USD(A&T)DP." by revising in paragraph (4) the phrase "USD(A)DP" to read "USD(A&T)DP." by revising in paragraph (5) the phrase "USD(A)" to read "USD(A&T);" and by revising in paragraph (5) the phrase "USD(A)" to read "USD(A&T)."

PART 203—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

203.170–1 Policy.

(a) * * * The prohibitions in 10 U.S.C. 2397b do not apply to contractors that supply only commercial items to DoD.

203.170–4 Contract clause.

Use the clause at 252.203–7000, Statutory Prohibitions on Compensation to Former Department of Defense Employees, in all solicitations and contracts expected to exceed $100,000, except solicitations and contracts for commercial items.
9. Section 203.570–5 is revised to read as follows:

203.570–5 Contract clause.
Use the clause at 252.203–7001, Special Prohibition on Employment, in all solicitations and contracts exceeding the simplified acquisition threshold in FAR part 13, except solicitations and contracts for commercial items.

203.703 [Amended]
10. Section 203.703 is amended by revising “Under Secretary of Defense for Acquisition” to read “Under Secretary of Defense (Acquisition & Technology).”

203.71 [Removed]
11. Subpart 203.71 is removed.

PART 204—ADMINISTRATIVE MATTERS

12. Section 204.602–70 is added to read as follows:

204.602–70 Solicitation provision.
When the Commercial and Government Entity codes for the prospective offerors are not available to the contracting office, use the provision at 252.204–7001, Commercial and Government Entity (CAGE) Code Reporting.

204.603 [Removed]
13. Section 204.603 is removed.

204.603–70 [Removed]
14. Section 204.603–70 is removed.

204.670–1 [Amended]
15. Section 204.670–1 is amended by revising in paragraph (c)(3) the acronym “SAF/AQCP” to read “SAF/AQCI.”
16. Section 204.670–2 is amended by revising paragraph (c) and paragraph (d) to read as follows:

204.670–2 Reportable contracting actions.

(b) A consolidated report is one DD Form 350 report which combines several contracting actions.
(1) Prepare consolidated reports for—
(i) Air Mobility Command awards for international airlift services. The Command reports these at the end of each operating month with one DD Form 350 for each airlift contract.
(ii) Military Sealift Command awards of indefinite delivery contracts for ocean transportation. The Command reports at the beginning of each fiscal year the estimated value of the orders for that fiscal year on one DD Form 350.
(iii) Defense Fuel Supply Center or Defense General Supply Center indefinite delivery contracts for petroleum or petroleum supplies. The Centers, at the time of award, report the estimated value of the orders to be placed against the contract on one DD Form 350.
(iv) Orders placed by the Defense Contracting Agency (DeCA) for resale items in excess of $25,000. DeCA consolidates the orders monthly and reports the cumulative dollar amounts and actions on one DD Form 350 in accordance with departmental regulations. Defense Logistics Agency activities submit single rather than consolidated reports.
(v) Vouchers processed by the U.S. Army Contracting Command, Europe (USACCE), for the purchase of utilities from municipalities (e.g., gas, electricity, water, sewage, steam, snow removal, and garbage collection). USACCE consolidates these transactions monthly and reports the cumulative dollar amount on one DD Form 350 in accordance with departmental regulations.
(2) Consolidated reports may be prepared in accordance with departmental instructions for orders under communications service agreements for local dial tone services.

204.7003 Basic PII number.

(a) * * *

18. Section 204.7003 is amended by revising paragraph (a)(1)(i) to read as follows:

(b) (1) * * *

(i) Department/agency identification:
(A) Department of the Army .. DA
(B) Department of the Navy (except Marine Corps).
(C) Department of the Air Force . F
(D) Defense Information Systems Agency.
(E) Defense Logistics Agency ..... S
(F) Defense Nuclear Agency ....... DNA
(G) Defense Mapping Agency ..... DMA
(H) Miscellaneous Defense Activities.
(I) Marine Corps ..................... M
(j) Ballistic Missile Defense Organization.
(k) On Site Inspection Agency ... OSIA
(L) Defense Commissary Agency DECA
(M) United States Special Operations Command.

PART 206—COMPETITION REQUIREMENTS

19. A new section 206.001 is added to read as follows:

206.001 Applicability.
(b) Contracts awarded using the procedures in 237.104(b)(ii) are expressly authorized by 10 U.S.C. 1091.

206.1 [Removed]
20. Subpart 206.1 is removed.
21. Section 206.303–1 is amended by adding a new paragraph (c) to read as follows:

206.303–1 Requirements.

(c) When conditions warrant, a class justification may provide for award of multiple contracts extending across more than one program phase.

PART 207—ACQUISITION PLANNING

22. Section 207.102 is added to read as follows:

207.102 Policy.
When a class justification for other than full and open competition has been approved, planning for competition shall be accomplished consistent with the terms of that approval.
23. Section 207.105 is amended by revising paragraph (b)(6); paragraph (b)(5); and paragraph (b)(17)(A)(8) to read as follows:
207.105 Contents of written acquisition plans.
(a) * * *
(b) * * *
(6) Product descriptions
For development acquisitions, describe the market research undertaken to identify commercial items, commercial items with modifications, or nondevelopmental items (see FAR part 10) that could satisfy the acquisition objectives.

(15) Environmental considerations.

Discuss actions taken to ensure either elimination of or authorization to use class I ozone-depleting chemicals and substances (see 211.271).

(17) * * *

(8) Expanded use of commercial items, commercial items with modifications, or to the extent commercial items are not available, nondevelopmental items (see FAR part 10).

* * * * *

PART 208—REQUIRED SOURCES OF SUPPLIES AND SERVICES

24. Section 208.7003–1 is revised to read as follows:

208.7003–1 Assignments under integrated material management (IMM).

(a) All items assigned for IMM must be acquired from the IMM manager except—

(1) Items purchased under circumstances of unusual and compelling urgency as defined in FAR 6.302–2. After such a purchase is made, the requiring activity must send one copy of the contract and a statement of the emergency to the IMM manager;

(2) Items for which the IMM manager assigns a supply system code for local purchase or otherwise grants authority to purchase locally; or

(3) When purchase by the requiring activity is in the best interest of the Government in terms of the combination of quality, timeliness, and cost that best meets the requirement. This exception does not apply to items—

(i) Critical to the safe operation of a weapon system;

(ii) With special security characteristics; or

(iii) Which are dangerous (e.g., explosives, munitions).

(b) When an item assigned for IMM is to be acquired by the requiring activity under paragraph (a)(3) of this subsection, the contracting officer must—

(1) Document the contract file with a statement of the specific advantage of local purchase for an acquisition exceeding the micro-purchase threshold in FAR part 13; and

(2) Ensure that a waiver is obtained from the IMM manager before initiating an acquisition exceeding the simplified acquisition threshold in FAR part 13, if the IMM assignment is to the General Services Administration (GSA), the Defense Logistics Agency (DLA), or the Army Materiel Command (AMC).

Submit requests for waiver to—

(i) For GSA:
Commissioner (F), Federal Supply Service, Washington, DC 20406

(ii) For DLA:
Defense Construction Supply Center, ATTN: DISC–OPD, 700 Robbins Avenue, Philadelphia, PA 19111–5096

Defense Electronics Supply Center, ATTN: DESC–ERM, 1507 Wilmington Pike, Dayton, OH 45444–5000

Defense Fuel Supply Center, ATTN: DFSC–OI, Cameron Station, VA 22304–6160

Defense General Supply Center, ATTN: DGSC–X, Richmond, VA 23297–5000

Defense Industrial Supply Center, ATTN: DISC–OPD, 700 Robbins Avenue, Philadelphia, PA 19111–5096

(iii) For AMC:

Defense Personnel Support Center, ATTN: DPSC–CSH, 2800 South 20th Street, P.O. Box 8419, Philadelphia, PA 19101–8419

(iii) For AMC:

25. Section 208.7003–2 is amended by revising paragraph (c) to read as follows:

208.7003–2 Assignments under coordinated acquisition.

* * * * *

(c) Requirements not in excess of the simplified acquisition threshold in FAR part 13, when contracting by the requiring department is in the best interest of the Government;

* * * * *

PART 209—CONTRACTOR QUALIFICATIONS

26. Section 209.103–70 is revised to read as follows:

209.103–70 Contract clause.

Use the clause at 252.209–7000, Acquisition from Subcontractors Subject to On-Site Inspection Under the Intermediate-Range Nuclear Forces (INF) Treaty, in all solicitations and contracts exceeding the simplified acquisition threshold in FAR part 13, except solicitations and contracts for commercial items.

27. Section 209.106–1 is revised to read as follows:

209.106–1 Conditions for preaward surveys.

(a) If a preaward survey is requested, include the rationale in block 23 of the SF 1403, Preaward Survey of Prospective Contractor (General).

28. Section 209.202 is revised to read as follows:

209.202 Policy.

(a)(1) The inclusion of qualification requirements in specifications for products which are to be included on a Qualified Products List, or manufactured by business firms included on a Qualified Manufacturers List, requires approval by the departmental standardization office in accordance with DoD Manual 4120.3–M, Defense Standardization Program Policies and Procedures. The inclusion of other qualification requirements in an acquisition or group of acquisitions requires approval by the chief of the contracting office.

209.403 [Amended]

29. Section 209.403 is amended under the definition “Debarring official” to revise the “Air Force” entry to read “Air Force—Deputy General Counsel (Contractor Responsibility).”

209.405–1 [Amended]

30. Section 209.405–1 is amended by redesignating paragraphs (a) and (b) as paragraphs (b) and (c).

209.470–1 [Amended]

31. Section 209.470–1 is amended by removing in paragraph (a) introductory text the comma after the parenthetical phrase “(Pub. L. 103–337)” and by revising in paragraph (b) the last sentence “(See FAR 9.404).” to read “(See FAR 9.404)”.

209.470–3 [Amended]

32. Section 209.470–3 is amended to revise “252.209–7007” to read “252.209–7005.”

PART 210—SPECIFICATIONS, STANDARDS, AND OTHER PURCHASE DESCRIPTIONS

Part 210—[Removed]

33. Part 210 is removed.

34. Part 211 is revised to read as follows:
PART 211—DESCRIBING AGENCY NEEDS

Sec. 211.002 Policy. 211.002-70 Contract clause.

Subpart 211.2—Using and Maintaining Requirements Documents

211.201 Identification and availability of specifications.
211.204 Solicitation provisions and contract clauses.
211.270 Brand name or equal purchase descriptions.
211.270-1 Policy.
211.270-2 Solicitation provision.
211.271 Elimination of use of class I ozone-depleting substances.
211.272 Alternate preservation, packaging, and packing.

Subpart 211.5—Liquidated Damages
211.504 Contract clauses.

Subpart 211.6—Priorities andAllocations
211.602 General.

211.002 Policy.

All systems acquisition programs in the DoD are subject to the acquisition streamlining policies and procedures in DoDI 5000.2, Defense Acquisition Management Policies and Procedures.

211.002-70 Contract clause.

Use the clause at 252.211–7000, Acquisition Streamlining, in all solicitations and contracts for systems acquisition programs.

Subpart 211.2—Using and Maintaining Requirements Documents

211.201 Identification and availability of specifications.

(a) The DoD index of data item descriptions is DoD 5010.12–L, Acquisition Management Systems and Data Requirements Control List (AMSDL).

(b) Also, furnish data item descriptions which are not listed in the AMSDL, except when it is not feasible, e.g., documents are bulky or only a limited number of copies are available at the contracting activity.

(d) The AMSDL, all unclassified specifications and standards listed in the DODISS, and data item descriptions listed in the AMSDL may also be purchased from the Standardization Documents Desk, Building 4D, 700 Robbins Avenue, Philadelphia, PA 19111–5094. Include with the letter or DD Form 1425—

(i) The requester's customer number; and

(ii) Complete return mailing address, including any “mark for” instructions.

211.204 Solicitation provisions and contract clauses.

(c) When contract performance requires use of specifications and standards which are not listed in the DODISS and data item descriptions which are not listed in the AMSDL, use provisions, as appropriate, substantially the same as those at 252.211–7001, Availability of Specifications and Standards Not Listed in DODISS, Data Item Descriptions Not Listed in DoD 5010.12–L, and Plans, Drawings, and Other Pertinent Documents, and 252.211–7002, Availability for Examination of Specifications, Standards, Plans, Drawings, Data Item Descriptions, and Other Pertinent Documents.

211.270 Brand name or equal purchase descriptions.

211.270–1 Policy.

When a “brand name or equal” purchase description is used—

(a) The purchase description—

(1) Should include a complete common generic identification of the item.

(2) Should reference all known acceptable brand name products, to include—

(i) Name of manufacturer, producer, or distributor of each brand name product referenced (and address if not well known); and

(ii) Model, make, or catalog number for each, and identity of the commercial catalog in which it appears.

(3) May, if necessary, to adequately describe an item, use a commercial catalog description or an extract from the catalog. Ensure that a copy of each catalog referenced (except parts catalogs) is available at the contracting office for review by offerors.

(4) Should give prospective offerors the opportunity to offer products other than those specifically referenced by brand name, as long as they meet the needs of the Government in essentially the same manner as the brand name product.

(b) The solicitation—

(1) Shall be at or below the simplified acquisition threshold in FAR part 13.

(2) May require bid samples for “or equal” offers, but not for “brand name” offers.

(3) Must provide for full consideration and evaluation of “or equal” offers against the salient characteristic specified in the purchase description. Do not reject offers for minor differences in design, construction, or features which do not affect the suitability of the product for its intended uses.

(4) Must include the following immediately after the item description—Offering:

Manufacturer's Name. Brand ______
Model or Part No. ______

(c) The contract shall—

(1) Not exceed the simplified acquisition threshold in FAR part 13.

(2) Identify, or incorporate by reference an identification of the specific products the contractor is to furnish. Include any brand name, make or model number, descriptive material, and any modifications of brand name products specified in the offer.

211.270–2 Solicitation provision.

(a) When a brand name or equal purchase description is included in a solicitation at or below the simplified acquisition threshold in FAR part 13, use the provision at 252.211–7003, Brand Name or Equal.

(b) When component parts of an end item are described by brand name or equal purchase descriptions and application of the provision at 252.211–7003 to some or all of the components is impracticable, either do not use the provision or limit its application to specified components.

211.271 Elimination of use of class I ozone-depleting substances.

(a) Contracts. No DoD contract may include a specification or standard that requires the use of a class I ozone-depleting substance or that can be met only through the use of such a substance unless the inclusion of the specification or standard is specifically authorized at a level no lower than a general or flag officer or member of the Senior Executive Service of the requiring activity in accordance with Section 326, Public Law 102–484 (10 U.S.C. 2301) (repealed note).

(b) Modifications. (1) Contracts awarded before June 1, 1993, with a value in excess of $10 million, that are modified or extended (including option exercise) and, as a result of the modification or extension will expire more than one year after the effective date of the modification or extension, must be evaluated in accordance with agency procedures for the elimination of ozone-depleting substances.

(i) The evaluation must be carried out within 60 days after the first modification or extension.

(ii) No further modification or extension may be made to the contract until the evaluation is complete.

(2) If, as a result of this evaluation, it is determined that an economically
feasible substitute substance or alternative technology is available, the contracting officer shall modify the contract to require the use of the substitute substance or alternative technology.

(3) If a substitute substance or alternative technology is not available, a written determination shall be made to that effect at a level no lower than a general or flag officer or member of the Senior Executive Service of the requiring activity.

211.272 Alternate preservation, packaging, and packing.

Use the provision at 252.221-7004, Alternate Preservation, Packaging, and Packing, in solicitations which include military preservation, packaging, or packing specifications when it is feasible to evaluate and award using commercial or industrial preservation, packaging, or packing.

Subpart 211.5—Liquidated Damages.

211.504 Contract clauses.

(b) Use the clause at FAR 52.211-12, Liquidated Damages—Construction, in all construction contracts exceeding $500,000, except cost-plus-fixed-fee contracts or contracts where the contractor cannot control the pace of the work. Use of the clause in contracts of $500,000 or less is optional.

Subpart 211.6—Priorities and Allocations.

211.602 General.

DoD implementation of the Defense Priorities and Allocations System is in DoDI 4400.1, Priorities and Allocations—Delegation of DO and DX Priorities and Allocations Authorities, Rescheduling of Deliveries and Continuance of Related Manuals.

35. Part 212 is revised to read as follows:

PART 212—ACQUISITION OF COMMERCIAL ITEMS—GENERAL

Sec.

Subpart 212.2—Special Requirements for the Acquisition of Commercial Items

212.211 Technical data.

Subpart 212.3—Solicitation Provisions and Contract Clauses for the Acquisition of Commercial Items

212.301 Solicitation provisions and contract clauses for the acquisition of commercial items.

212.302 Tailoring of provisions and clauses for the acquisition of commercial items.

Subpart 212.5—Applicability of Certain Laws to the Acquisition of Commercial Items

212.503 Applicability of certain laws to Executive Agency contracts for the acquisition of commercial items.

212.504 Applicability of certain laws to subcontracts for the acquisition of commercial items.

Subpart 212.2—Special Requirements for the Acquisition of Commercial Items

212.211 Technical data.

The DoD policy for acquiring technical data for commercial items is at 227.7102.

Subpart 212.3—Solicitation Provisions and Contract Clauses for the Acquisition of Commercial Items

212.301 Solicitation provisions and contract clauses for the acquisition of commercial items.

(f)(i) Use the provision at 252.225-7013, Domestic Wool Preference, as prescribed in 225.7002-4(b).

(ii) Use one of the following provisions as prescribed in part 225:


(B) 252.225-7006, Buy American Act—Trade Agreement—Balance of Payments Program Certificate.


(iii) Use the provision at 252.212-7000, Offeror Representations and Certifications—Commercial Items, in all solicitations for commercial items exceeding the simplified acquisition threshold in FAR part 13. If an exception to 10 U.S.C. 2410I applies to a solicitation exceeding the simplified acquisition threshold (see 225.770-3), indicate on an addendum that “The certification in paragraph (b) of the provision at 252.225-7000 does not apply to this solicitation.”

(iv) Use the clause at 252.212-7001, Contract Terms and Conditions Required to Implement Statutes Applicable to Defense Acquisitions of Commercial Items, in all solicitations and contracts for commercial items, completing paragraph (b), as appropriate.

212.302 Tailoring of provisions and clauses for the acquisition of commercial items.

(c) Tailoring inconsistent with customary commercial practice.

The head of the activity is the approval authority within the DoD for waivers under FAR 12.302(c).

Subpart 212.5—Applicability of Certain Laws to the Acquisition of Commercial Items

212.503 Applicability of certain laws to Executive Agency contracts for the acquisition of commercial items.

(a) The following laws are not applicable to contracts for the acquisition of commercial items:

(i) Section 806, Public Law 102-190 (10 U.S.C. 2301 (repealed) note), Payment Protections for Subcontractors and Suppliers.

(ii) 10 U.S.C. 2306(b), Prohibition on Contingent Fees.


(iv) 10 U.S.C. 2384(b), Requirement to Identify Suppliers.

(v) 10 U.S.C. 2397(a)(1), Reports by Employees or Former Employees of Defense Contractors.

(vi) 10 U.S.C. 2397(b)(f), Limits on Employment for Former DoD Officials.

(vii) 10 U.S.C. 2397c, Defense Contractor Requirements Concerning Former DoD Officials.


(ix) 10 U.S.C. 2410b, Contractor Inventory Accounting System Standards (see 252.242-7004).

(x) 107 Stat 1720 (Section 843(a), Public Law 103–160), Reporting Requirement Regarding Dealings with Terrorist Countries.

(xi) Domestic Content Restrictions in the National Defense Appropriations Acts for Fiscal Years 1996 and Subsequent Years.

(c) The applicability of the following laws has been modified in regard to contracts for the acquisition of commercial items:

(i) 10 U.S.C. 2402, Prohibition on Limiting Subcontractor Direct Sales to the United States (see FAR 3.503 and 52.203–6).

(ii) 10 U.S.C. 2306a, Truth in Negotiations Act (see FAR 15.804).

212.504 Applicability of certain laws to subcontracts for the acquisition of commercial items.

(a) The following laws are not applicable to subcontracts at any tier for the acquisition of commercial items or commercial components:


(ii) Section 806, Public Law 102–190 (10 U.S.C. 2301 (repealed) note), Payment Protections for Subcontractors and Suppliers.

(iii) 10 U.S.C. 2306(b) Prohibition on Contingent Fees.
Limiting Subcontractor Direct Sales to (see FAR 52.209-6).
Doing Business with Certain Offerors Reports Under Prohibition Against commercial components:
subcontracts at any tier for the following laws have been eliminated for Acts for Fiscal Years 1996 and Terrorist Countries.
Requirement Regarding Dealings with Public Law 103-160), Reporting Agreements Act.
Acquisition of Air Circuit Breakers.
Machine Tools.
United States and Canadian Valves and Goods Other Than United States Goods.
Limitations on the Procurement of Termination.
Notification of Proposed Program Standards.
Inventory Accounting System Felonies.
Former DoD Officials.
Contractor Requirements Concerning Employment for Former DoD Officials.
Defense Contractors.
Employees or Former Employees of Offerors or Contractors.
Against Doing Business with Certain Offerors or Contractors.
Subcontracts at any tier for the following laws have been eliminated for Acts for Fiscal Years 1996 and Terrorist Countries.
Requirement Regarding Dealings with Public Law 103-160), Reporting Agreements Act.
Acquisition of Air Circuit Breakers.
Machine Tools.
United States and Canadian Valves and Goods Other Than United States Goods.
Limitations on the Procurement of Termination.
Notification of Proposed Program Standards.
Inventory Accounting System Felonies.
Former DoD Officials.
Contractor Requirements Concerning Employment for Former DoD Officials.
Defense Contractors.
Employees or Former Employees of Offerors or Contractors.
Against Doing Business with Certain Offerors or Contractors.
(xx) 10 U.S.C. 2534(d), Restriction on Acquisition of Carboloy Iron Powder.
(xxi) 10 U.S.C. 2534(e), Restriction on Acquisition of Air Circuit Breakers. (xxii) Effective May 1, 1996: 10 U.S.C. 2631, Transportation of Supplies by Sea. (xxiii) 19 U.S.C. 2512, Trade Agreements Act. (xxiv) 41 U.S.C. 10, Buy American Act. (xxv) 10 U.S.C. 2327 (Section 843(a), Public Law 103-160), Reporting Requirement Regarding Dealings with Terrorist Countries. (xxvi) Domestic Content Restrictions in the National Defense Appropriations Acts for Fiscal Years 1996 and Subsequent Years. (b) Certain requirements of the following laws have been eliminated for subcontracts at any tier for the acquisition of commercial items or commercial components: (i) 10 U.S.C. 2393(d), Subcontractor Reports Under Prohibition Against Doing Business with Certain Offerors (see FAR 52.209-6). (ii) 10 U.S.C. 2402, Prohibition on Limiting Subcontractor Direct Sales to the United States (see FAR 3.503 and 52.203-6).

PART 214—SEALED BIDDING

214.406—3 [Amended]
36. Section 214.406-3 is amended by revising in paragraph (e)(ii) the phrase “DARPA” to read “ARPA.”

PART 215—CONTRACTING BY NEGOTIATION

37. Section 215.804-8 is revised to read as follows:


If the solicitation or contract includes one of the clauses at FAR 52.215–23, FAR 52.215–24, or FAR 52.215–25, also use the clause at 252.215–7000, Pricing Adjustments.

215.805–5 [Amended]
38. Section 215.805–5 is amended by revising in paragraph (a)(1)(A)(3) the amount “$1 million” to read “$10 million.”

215.971–4 [Amended]
39. Section 215.971–4(d)(3)(A) is amended by revising the word “product” to read “item.”

PART 217—SPECIAL CONTRACTING METHODS

217.103–1 [Amended]
40. Section 217.103–1 is amended by revising in paragraph (b)(v) the phrase “(Acquisition)” to read “(Acquisition & Technology)” and the phrase “(USD(A)DP)” to read “(USD(A&T)DP);” by revising in paragraph (b)(v) the phrase “Deputy Assistant” to read “Under” and by revising in paragraph “(OA(SD)(P/B))” to read “((USD(CP/B))”; by revising in paragraph (b)(vi)(A)(2) the phrase “(Acquisition)” to read “(Acquisition & Technology);” and by revising in paragraph (b)(viii)(C) the phrase “(Acquisition)” to read “(Acquisition & Technology).”

41. Section 217.7302 is amended by revising paragraph (b) to read as follows:

217.7302 Procedures.
   * * * * *
   (b) The requirement in paragraph (a) of this section does not apply to commercial items.

PART 219—SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS CONCERNS

219.703 [Amended]
43. Section 219.703(a) is amended by revising the reference “Pub. L. 103-277” to read Public Law 103-337.”
44. Section 219.704 is revised to read as follows:

219.704 Subcontracting plan requirements.
   (a)(1) The goal for use of small disadvantaged business concerns shall include subcontracts with historically black colleges and universities and minority institutions (see subpart 226.70), in addition to subcontracts with small disadvantaged business concerns. Subcontracts with historically black colleges and universities and minority institutions do not have to be included in the small disadvantaged business goal in commercial items subcontracting plans.

219.1006 [Amended]
45. Section 219.1006(b)(2) is amended by revising the phrase “(Acquisition)” to read “(Acquisition & Technology).”

PART 223—ENVIRONMENT, CONSERVATION, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE

46. Section 223.104 is revised to read as follows:

223.104 Exemptions.
   (c) The authority to act for the agency head under this subpart is limited to a level no lower than an official who is appointed by and with the advice of the Senate. For the defense agencies, this is the Under Secretary of Defense (Acquisition and Technology).
47. A new subpart 223.4 is added to read as follows:

Subpart 223.4—Use of Recovered Materials

223.404 Procedures.
   (b)(3) A contract for an EPA designated item which does not meet the EPA or agency minimum recovered material standards shall not be awarded before approval of the written determination required by FAR 23.404(b)(3). The approving official shall be—
   (A) A general or flag officer, or a member of the Senior Executive Service, of the requiring activity; or
   (B) For requiring activities without a general or flag officer or member of the Senior Executive Service, the commander of the activity.
(4) Annual contractor certifications shall be submitted for consolidation and reporting in accordance with department/agency procedures.

48. Section 223.570-4 is amended by revising paragraph (b)(1) to read as follows:

223.570-4 Contract clause.

* * * * *

(b) Do not use the clause in solicitations and contracts for—

(1) Commercial items; or

* * * * *

49. Section 223.7101 is revised to read as follows:

223.7101 Procedures.

(a) If the contracting officer is uncertain as to whether particular activities are prohibited or fall under one of the exceptions in 223.7102, the contracting officer should seek advice from the cognizant office of counsel.

(b) When storage, treatment, or disposal of non-DoD-owned toxic or hazardous materials is authorized in accordance with this subpart, the contract or authorization should specify the types, conditions, and quantities of toxic or hazardous materials that may be temporarily stored, treated, or disposed of in connection with the contract or as a result of the authorized commercial use of a DoD industrial-type facility.

223.7102 [Amended]

50. Section 223.7102 is amended by removing at the end of paragraph (a)(7) the word “or”; by removing at the end of paragraph (a)(8) the period and adding a semicolon and the word “or”; and by adding paragraph (a)(9) the word “into” after the word “Enters.”

PART 225—FOREIGN ACQUISITION

225.302 [Amended]

51. Section 225.302 is amended by revising in paragraph (b)(ii) under the heading “DEFENSE LOGISTICS AGENCY” the entry “Executive Director, Contracting” to read “Executive Director, Procurement”; and to add a new heading and entry between the headings “DEFENSE MAPPING AGENCY” and “ON-SITE INSPECTION AGENCY” to read “DEPARTMENT OF DEFENSE OFFICE OF DEPENDENTS SCHOOLS, Director.”

225.403 [Amended]

52. Section 225.403 is amended by revising in paragraph (d)(1)(A) the phrase “(USDA)(A)DP” to read “USD(A&T)DP.”

Paragraph (d)(1)(B) the phrase “(USDA)(A)DP” to read “USD(A&T)DP.”

225.770-4 [Amended]

53–54. Section 225.770–4 is amended by revising the phrase “OUSD(A)DP” to read “USD(A&T)DP.”

225.871–7 [Amended]

55. Section 225.871–7 is amended in paragraph (a)(1) revising the phrase “(OUSD&P&L)” to read “USD(A&T)DP.”

225.872–1 [Amended]

56. Section 225.872.1 is amended in paragraph (a) by adding to the listing in alphabetical order the country “Australia”; and is amended in paragraph (b) by removing from the listing the country “Australia.”

225.872–2 [Amended]

57. Section 225.872–2 is amended by revising in paragraph (a)(2)(ii) the phrase “OASD(P&L), Office of Industrial Base Assessment” to read “the Deputy Assistant Secretary of Defense (Industrial Affairs).”

225.872–3 [Amended]

58. Section 225.872–3 is amended by revising in paragraph (f)(4) the phrase “(Acquisition)” to read “(Acquisition & Technology).”

59. Section 225.7002–2 is amended by adding a new paragraph (i) to read as follows:

225.7002–2 Exceptions.

* * * * *

(i) Commercial items or components purchased by contractors from subcontractors/suppliers.

60. Section 225.7004–4 is amended by revising paragraph (b) to read as follows:

225.7004–4 Waiver.

* * * * *

(b) The restriction is waived when it would cause unreasonable costs. The cost of the item of U.S. or Canadian origin is unreasonable if it exceeds 150 percent of the offered price, inclusive of duty, of items which are not of U.S. or Canadian origin.

61. Section 225.7004–4 is revised to read as follows:

225.7007–4 Waiver.

The waiver criteria at 225.7004–4 also apply to this restriction.

62. Section 225.7010–3 is revised to read as follows:

225.7010–3 Waiver.

The waiver criteria at 225.7004–4 also apply to this restriction.

63. Section 225.7016–3 is revised to read as follows:

225.7016–3 Waiver.

The waiver criteria at 225.7004–4 also apply to this restriction.

72. A new subpart 226.1 is added to read as follows:

Subpart 226.1—Indian Incentive Program.

226.103 Procedures.

Contracting officers shall contact the Office of Small and Disadvantaged Business Utilization, Office of the Under Secretary of Defense for Acquisition and Technology, OUSD(A&T) SADBU, Room 2A 340, The Pentagon, Washington, DC 20301–3061, (703) 697–1688, to obtain funding for an approved Indian incentive payment request. Upon receipt of funding from OUSD(A&T)
SADBU, the contracting officer shall issue a unilateral contract modification to add the incentive payment.

73. Section 226.7104 is revised to read as follows:

226.7104 Other considerations.

When planning for contracts for services related to base closure activities at a military installation affected by a closure or realignment under a base closure law, contracting officers shall consider including, as a factor in source selection, the extent to which offerors specifically identify and commit, in their proposals, to a plan to hire residents of the vicinity of the military installation that is being closed or realigned.

PART 227—PATENTS, DATA, AND COPYRIGHTS

227.7101 [Amended]

74. Section 227.7101 is amended by removing paragraph (b) and redesignating paragraph (c) as paragraph (b).

75. Section 227.7102–3 is amended by adding a last sentence to paragraph (a); by adding a last sentence to paragraph (b); and by adding a last sentence to paragraph (c) to read as follows:

227.7102–3 Contract clause.

(a) * * * Do not require the contractor to include this clause in its subcontract.

(b) * * * Do not require the contractor to include this clause in its subcontract for commercial items or commercial components.

(c) * * * Do not require the contractor to include this clause in its subcontract for commercial items or commercial components.

227.7103–6 [Amended]

76. Section 227.7103–6 is amended in paragraph (a), second sentence, by revising the word “Innovative” to read “Innovation.”

77. Section 227.7103–15 is amended by revising paragraph (c) introductory text to read as follows:

227.7103–15 Subcontractor rights in technical data.

(c) Require prime contractors whose contracts include the following clauses to include those clauses, without modification except for appropriate identification of the parties, in contracts with subcontractors or suppliers, at all tiers, who will be furnishing technical data for non-commercial items in response to a Government requirement:

* * * * *

227.7104 [Amended]

78. Section 227.7104 is amended in the title by revising the word “Innovative” to read “Innovation”; and by revising in paragraph (a) the word “Innovative” to read “Innovation.”

227.7202–2 [Removed and Reserved]

79. Section 227.7202–2 is removed and reserved.

PART 228—BONDS AND INSURANCE

228.171–1 [Amended]

80. Section 228.171–1(e) is amended by revising “28.204” to read “FAR 28.204.”

PART 231—CONTRACT COST PRINCIPLES AND PROCEDURES

231.205–6 [Amended]

81. Section 231.205–6 is amended by removing paragraph (g)(2)(i).

82. Section 231.603 is revised to read as follows:

231.603 Requirements.

The limitation on allowable individual compensation at 231.205–6(a)(2) also applies to this subpart.

83. Section 231.703 is revised to read as follows:

231.703 Requirements.

The limitation on allowable individual compensation at 231.205–6(a)(2) also applies to this subpart.

Subpart 231.70—[Removed]

84. Subpart 231.70 is removed.

PART 232—CONTRACT FINANCING

232.170 [Amended]

85. Section 232.170 is amended by revising paragraph (a) the phrase “Office of the Under Secretary of Defense (Acquisition), USD(A)DP” to read “Office of the Under Secretary of Defense (Acquisition & Technology), USD(A&T)DP.”; and by revising in paragraph (b) the phrase “USD(A)DP” to read “USD(A&T)DP.”

232.171 [Amended]

86. Section 232.171 is amended by revising paragraphs (a)(1), (b)(1), and (b)(3) the phrase “USD(A)DP” to read “USD(A&T)DP.”

232.173–1 [Amended]

87. Section 232.173–1(b) is amended by revising the phrase “(Acquisition)” to read “(Acquisition & Technology).”

232.173–5 [Amended]

88. Section 232.173–5 is amended by revising in the introductory text the phrase “(Acquisition)” to read “(Acquisition & Technology).”

232.501–2 [Amended]

89. Section 232.501–2(a) is amended to revise the two occurrences of “USD(A)DP” to read “USD(A&T)DP.”

232.617 [Amended]

90. Section 232.617 is amended by revising the phrase “USD(A)DP” to read “USD(A&T)DP.”

PART 234—MAJOR SYSTEM ACQUISITION

91. Section 234.001 is added to read as follows:

234.001 Definitions.

Systems means a combination of elements that will function together to produce the capabilities required to fulfill a mission need.

Systems acquisition means the design, development, and production of new systems. It also includes modifications to existing systems that involve redesign of the systems or subsystems.

PART 235—RESEARCH AND DEVELOPMENT CONTRACTING

235.015–71 [Amended]

92. Section 235.015–71 is amended by removing in paragraph (i)(2) the entry “FAR 52.215–1 Examination of Records by Comptroller General” and by revising in paragraph (i)(2) the title of the entry “FAR 52.215–2” to read “Audit and Records—Negotiation.”

93. Section 235.017–1 is revised to read as follows:

235.017–1 Sponsoring agreements.

(c)(4) DoD-sponsoring FFRDCs that function primarily as research laboratories (C3I Laboratory operated by the Institute for Defense Analysis, Lincoln Laboratory operated by Massachusetts Institute of Technology, and Software Engineering Institute) may respond to solicitations and announcements for programs which promote research, development, demonstration, or transfer of technology (Section 217, Public Law 103–337).

235.7002 [Amended]

94. Section 235.7002 is amended by removing at the end of paragraph (a)(1) the period and adding a semicolon and the words “Army Soldier Systems Command contracting office.”; and by removing at the end of paragraph (a)(2) the period and adding a semicolon and the words “Naval Command, Control and Ocean Surveillance Center contracting office.”

95. Section 235.7003 is amended by revising paragraph (b)(1) to read as follows:

235.7003 [Amended]
PART 237—SERVICE CONTRACTING

96. Section 237.102–70 is added to read as follows:

237.102–70 Prohibition on contracting for firefighting or security-guard functions.

(a) Under 10 U.S.C. 2465, the DoD is prohibited for entering into contracts for the performance of firefighting or security-guard functions at any military installation or facility unless—

(1) The contract is to be carried out at a location outside the United States (to include any U.S. commonwealth, territory, or possession) at which members of the armed forces would have to be used for the performance of firefighting or security-guard functions at the expense of unit readiness;

(2) The contract will be carried out on a Government-owned but privately operated installation; or

(3) The contract (or renewal of a contract) is for the performance of a function under contract on September 24, 1983.

(b) Under Section 2907 of Public Law 103–160, this prohibition does not apply to services at installations being closed (see subpart 237.74).

PART 239—ACQUISITION OF INFORMATION RESOURCES

103. Section 239.7303 is amended by revising paragraph (b) to read as follows:

239.7303 Review and approval of leasing costs. * * * * *

(b) The contracting officer shall conduct reviews of leasing costs as warranted, meeting the criteria of FAR 31.205–2(d), to determine the continued need for leasing. In performing the review, the contracting officer shall request the contractor to update its supporting documentation. * * * * *

PART 242—CONTRACT ADMINISTRATION

242.705–1 [Amended]

104. Section 242.705–1 is amended by removing paragraphs (b)(3) and (b)(4).

242.705–2 [Amended]

Section 242.705–2 is amended by revising paragraph designations “(b)(2)(iii)” and “(b)(2)(v)” to read “(b)(2)(iii)” and “(b)(2)(iv)” respectively.

242.770 [Removed and Reserved]

105. Section 242.770 is removed and reserved.

PART 246—QUALITY ASSURANCE

246.704 [Amended]

112. Section 246.704 is amended by removing in paragraph (2) the words “supplies or services” and inserting the word “items”; and by revising in paragraph (4) the parenthetical phrase “(see 246.202–3)” to read “(see 246.202–4).”

113. Section 246.770–1 is amended by revising paragraph (f)(2)(ii) to read as follows:

246.770–1 Definitions. * * * * *

(f) * * *

(2) * * *

(i) Commercial items; * * * * *

PART 247—TRANSPORTATION

114. Section 247.572–1 is amended by revising paragraph (a) to read as follows:

247.572–1 Ocean transportation incidental to a contract for supplies, services, or construction.

(a) This subsection applies when ocean transportation is not the purpose of the contract. However, effective May 1, 1996, this subsection does not apply to subcontracts for the acquisition of
commercial items or commercial components (see 212.504(a)(xxiii)).

247.572–2 [Amended]

115. Section 247.572–2 is amended by removing at the end of paragraph (a)(4) the word “and”%; by removing the period at the end of paragraph (a)(5) and inserting a semicolon and the word “and”% in its place; and by adding a new paragraph (a)(6) to read as follows:

247.572–2. Direct purchase of ocean transportation services.

(a) * * *

(6) Subcontracts under Government contracts or agreements for ocean transportation services.

PART 249—TERMINATION OF CONTRACTS

249.7002 [Amended]

116. Section 249.7002 is amended in paragraph (b) introductory text by revising the phrase “Office of Economic Adjustment (OEA), Assistant Secretary of Defense (Force Management and Personnel)” to read “Assistant Secretary of Defense (Economic Security), Office of Economic Adjustment (OEA);” and in paragraph (b)(2) by revising the Telephone number to read “(703) 604–5834.”

PART 250—EXTRAORDINARY CONTRACTUAL ACTIONS

117. Section 250.201–70 is amended by revising in paragraph (b)(1) the phrase “Under Secretary of Defense (Acquisition & Technology) (USD(A&T))” to read “Under Secretary of Defense (Acquisition & Technology) (USD(A&T));” and by revising in paragraph (b)(2) the phrase “USD(A)” to read “USD(A&T).”

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

118. Section 252.203–7000 is amended by revising the clause date to read “(NOV 1995)” and by revising paragraph (a)(3) to read as follows:

252.203–7000. Statutory prohibitions on compensation to former Department of Defense employees.

(a) * * *

(3) Defense contractor means any entity (including affiliates and subsidiaries which clearly engage in the performance of Department of Defense (DOD) contracts) that contracts directly with the DoD to supply goods or services. “Defense contractor” does not include a State or local government or any person who contracts to supply the Department of Defense only commercial items.

119. Section 252.203–7001 is amended by revising the clause date to read “(NOV 1995)” and by revising paragraph (g) to read as follows:

252.203–7001. Special prohibition on employment.

(g) The Contractor agrees to include the substance of this clause, appropriately modified to reflect the identity and relationship of the parties, in all first-tier subcontracts exceeding the simplified acquisition threshold in part 13 of the Federal Acquisition Regulation, except those for commercial items or components.

PART 251—OFFEROR REPRESENTATIONS AND CERTIFICATIONS—COMMERCIAL ITEMS

120. Section 251.203–7003 is removed.

252.204–7001 [Amended]

121. Section 252.204–7001 is amended by revising in the introductory text the reference “204.603–70 to 70 ‘’204.602–70.”

122. Section 252.209–7000 is amended by revising the clause date to read “(NOV 1995)” and by revising paragraph (b) to read as follows:

252.209–7000. Acquisition from subcontractors subject to on-site inspection under the Intermediate-Range Nuclear Forces (INF) Treaty.

(b) The Contractor shall incorporate this clause, including this paragraph (b), in all solicitations and contracts exceeding the simplified acquisition threshold in part 13 of the Federal Acquisition Regulation, except those for commercial items.

252.209–7007 [Amended]

123. Section 252.209–7007 is redesignated as 252.209–7005; the clause date is revised to read “(NOV 1995)” and the title of paragraph (a) is revised to read “Definition”; and paragraph (b) is revised to read as follows:


(b) General.

An institution of higher education that has been determined, using procedures established by the Secretary of Defense to implement section 538 of Pub. L. 103–337, (1) to have a policy of denying, or (2) to prevent effectively the Secretary of Defense from obtaining for military recruiting purposes, entry to their campuses, access to students on campuses, or access to directory information pertaining to students, is ineligible for contract award and payments under existing contracts. In addition, the Government shall terminate this contract for the Contractor’s material failure to comply with the terms and conditions of award.

252.210–7000 [Amended]

124. Sections 252.211–7000 through 252.210–7001 are removed and Section 252.211–7000 is redesignated as 252.211–7003 and the introductory text is revised to read “As prescribed in 211.270–2, use the following provision.”.

252.210–7001 [Amended]

125. Section 252.210–7001 is redesignated as 252.211–7001 and the introductory text is revised to read “As prescribed in 211.204(c), use the following provision.”.

252.210–7002 [Amended]

126. Section 252.210–7002 is redesignated as 252.211–7002 and the introductory text is revised to read “As prescribed in 211.204(c), use the following provision.”.

252.210–7003 [Amended]

127. Section 252.210–7003 is redesignated as 252.211–7000 and the introductory text is revised to read “As prescribed in 211.002–70, use the following clause.”.

252.210–7004 [Amended]

128. Section 252.210–7004 is redesignated as 252.211–7004 and the introductory text is revised to read “As prescribed in 211.272, use the following provision.”.

252.212–7000. Offeror representations and certifications—Commercial items.

As prescribed in 212.301(f)(iii), use the following provision:

OFFEROR REPRESENTATIONS AND CERTIFICATIONS—COMMERCIAL ITEMS (NOV 1995)

(a) Definitions:

As used in this clause—

(1) Foreign person means any person other than a United States person as defined in Section 16(2) of the Export Administration Act of 1979 (50 U.S.C. App. Sec. 2415).

(2) United States person is defined in Section 16(2) of the Export Administration Act of 1979 and means any United States resident or national (other than an individual resident outside the United States and employed by other than a United States person), any domestic concern (including any permanent domestic establishment of any foreign concern), and any foreign subsidiary or affiliate (including any permanent foreign establishment) of any domestic concern which is controlled in fact by such domestic concern, as determined under regulations of the President.
(b) Certification.
By submitting this offer, the Offeror, if a foreign person, company or entity, certifies that it—
(1) Does not comply with the Secondary Arab Boycott of Israel; and
(2) Is not taking or knowingly agreeing to take any action, with respect to the Secondary Boycott of Israel by Arab countries, which 50 U.S.C. App. Sec. 2407(a) prohibits a United States person from taking.
(c) Representation of Extent of Transportation by Sea. (This representation does not apply to solicitations for the direct purchase of ocean transportation services).
(1) The Offeror shall indicate by checking the appropriate blank in paragraph (c)(2) of this provision whether transportation of supplies by sea is anticipated under the resultant contract. The term “supplies” is defined in the Transportation of Supplies by Sea clause of this solicitation.
(2) Representation.
The Offeror represents that it—
Does anticipate that supplies will be transported by sea in the performance of any contract or subcontract resulting from this solicitation.
Does not anticipate that supplies will be transported by sea in the performance of any contract or subcontract resulting from this solicitation.
(3) Any contract resulting from this solicitation will include the Transportation of Supplies by Sea clause. If the Offeror represents that it will not use ocean transportation, the resulting contract will also include the Defense Federal Acquisition Regulation Supplement clause at 252.247±7023, Defense Federal Acquisition Regulation Supplement clause at 252.247±7005, and the Defense Federal Acquisition Regulation Supplement clause at 252.247±7001.

252.212–7001 Contract terms and conditions required to implement statutes or Executive Orders applicable to Defense acquisitions of commercial items.

As prescribed in 212.301(f)(iv), use the following clause:

**CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS APPLICABLE TO DEFENSE ACQUISITIONS OF COMMERCIAL ITEMS (NOV 1995)**

(a) The Contractor agrees to comply with the Defense Federal Acquisition Regulation Supplement (DFARS) clause 252.247–7023, Transportation of Supplies by Sea, which is included in this contract by reference to implement 10 U.S.C. 2631.

(b) The Contractor agrees to comply with any clause that is checked on the following list of DFARS clauses which, if checked, is included in this contract by reference to implement provisions of law or Executive Orders applicable to acquisitions of commercial items or components.

- 252.225–7012 Preference for Certain Domestic Commodities.
- 252.225–7029 Restriction on Acquisition of Air Circuit Breakers (10 U.S.C. 2534(a)(3)).
- 252.233–7000 Certification of Claims and Requests for Adjustment or Relief (10 U.S.C. 2410).

(End of clause)

252.215–7001 [Removed and Reserved]

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252.217–7026 Identification of sources of supply.

* * * * *

(b) * * *

(3) Use “Y” if the item is a commercial item; otherwise use “N.” If “Y” is listed, the Offeror need not complete the remaining columns in the table.

* * * * *

133. Section 252.219–7003 is amended by revising the title; by revising the clause date to read “(NOV 1995)”; by revising the introductory text of the clause and by revising in paragraph (b) the word “products” to read “items” as follows:

252.219–7003 Small, small disadvantaged and women-owned small business subcontracting plan (DoD contracts).

* * * * *

This clause supplements the Federal Acquisition Regulation 52.219–9, Small, Small Disadvantaged and Women-Owned Small Business Subcontracting Plan, clause of this contract.

* * * * *

252.219–7005 [Amended]

134. Section 252.219–7005 is amended by revising the clause date to read “(NOV 1995)” and by revising in paragraph (d) the word “products” to read “items.”

135. Section 252.223–7006, ALTERNATE I, is amended by revising the date to read “(NOV 1995)” by revising in paragraph (c) the word “material” to read “materials”; and by revising paragraph (d) to read as follows:

252.223–7006 Prohibition on storage and disposal of toxic and hazardous materials.

* * * * *

ALTERNATE I (NOV 1995)

* * * * *

(d) The Contractor shall include this clause, including this paragraph (d), in each subcontract which requires, may require, or permits a subcontractor to treat or dispose of non-DoD-owned toxic or hazardous materials as defined in this clause.

136–137. Section 252.225–7012 is amended by revising the clause date to read “(NOV 1995)”; by removing the word “or” at the end of paragraph (b)(2); by removing the period at the end of paragraph (b)(3); and adding a semicolon and the word “or” in its place; and by adding a new paragraph (b)(4) to read as follows:
252.225–7012 Preference for certain domestic commodities.

(a) ... (4) To commercial items or components purchased from subcontractors or suppliers.

138. Section 252.225–7014 is amended by revising in paragraph (c)(2) the acronym “FAR” to read “Federal Acquisition Regulation”; by removing in paragraph (c)(2) the word “or” at the end of paragraph (c)(2); by removing the period at the end of paragraph (c)(3) and adding a semicolon and the word “or” in its place; and by adding a new paragraph (c)(4) to read as follows:

252.225–7014 Preference for domestic specialty metals.

(c) ... (4) The specialty metal is contained in a commercial item or component purchased from subcontractors or suppliers.

139. Section 252.225–7016 is amended by revising paragraph (a) to read “(NOV 1995)” and by revising paragraph (b) to read as follows:

252.225–7016 Restriction on acquisition of antifriction bearings.

(b) The restriction in paragraph (a) does not apply to the extent that the end items or components containing antifriction bearings are commercial items. The commercial item exception does not include items designed or developed under a Government contract or contracts where the end item is bearings and bearing components.

140. Section 252.225–7026 is amended by revising paragraph (c)(1) to read as follows:


(c) ... (1) The Contractor shall include a clause substantially the same as this one in all first-tier subcontractors exceeding $100,000, except subcontractors for commercial items, construction, ores, natural gases, utilities, petroleum products and crudes, timber (logs), or subsistence.

252.225–7040 [Amended]

(a) For the purpose of verifying the accuracy of the cost or pricing data submitted under the Submission of Cost or Pricing Data—Common Carriers clause of this agreement contract, the Contracting Officer or authorized representative shall have the right to examine the Contractor’s records, the computations and projections used, and other supporting data, as defined in 4.703(a) of the Federal Acquisition Regulation, which will permit adequate evaluation of the cost or pricing data. This right applies to cost and pricing data which were available to the Contractor as of the date of the certification and shall last—

(b) The Contractor shall maintain records and other evidence, and accounting procedures and practices, sufficient to show the direct and indirect costs which were the basis for pricing the communication service authorization.

252.227–7018 [Amended]

(a) Section 252.227–7018 is amended in the title by revising the word “Innovative” to read “Innovation”; and by revising in the clause title the word “Innovative” to read “Innovation.”

(b) Section 252.227–7037 Validation of restrictive markings on technical data.

(l) Flowdown. The Contractor or subcontractor agrees to insert this clause in all subcontractors or suppliers at any tier requiring the delivery of technical data, except contractual instruments for commercial items or commercial components.

252.231–7001 [Removed]

146. Section 252.231–7001 is removed.

252.237–7020 [ Removed and Reserved]

147. Section 252.237–7020 is removed and reserved.

252.237–7021 [Removed and Reserved]

148. Section 252.237–7021 is removed and reserved.

149. Section 252.239–7010 is amended by revising the clause date to read “(NOV 1995)”

252.239–7010 Audit and records—Commercial carriers.

(a) ... (5) Subcontractor means a supplier, materialman, distributor, or vendor at any level below the prime contractor whose contractual obligation to perform results from, or is conditioned upon, award of the prime contract and who is performing any part of the work or other requirement of the prime contract. However, effective May 1, 1996, the term does not include a supplier, materialman, distributor, or vendor of commercial items or commercial components.
(g) The Contractor shall include this clause, including this paragraph (g) in all subcontracts under this contract, which exceed the simplified acquisition threshold in Part 13 of the Federal Acquisition Regulation.

152. Section 252.247–7024 is amended by revising the clause to read ``(NOV 1995)'' and by revising paragraph (b) to read as follows:

252.247–7024 Notification of transportation of supplies by sea.

(b) The Contractor shall include this clause, including this paragraph (b), revised as necessary to reflect the relationship of the contracting parties, in all subcontracts hereunder, except (effective May 1, 1996) subcontracts for the acquisition of commercial items or components.

PART 253—FORMS

153. Section 253.204–70 is revised to read as follows:


Policy on use of a DD Form 350 is in 204.670–2. This subsection 253.204–70 contains instructions for completion of Parts A through F of the DD Form 350. Paragraph (g) of this subsection contains special instructions for completing a DD Form 350 for an action of $25,000 or less under the Small Business Competitiveness Demonstration Program.

(a) Part A of the DD Form 350, Part A identifies the report and the reporting activity. Complete all four blocks.

(1) BLOCK A1, TYPE OF REPORT. Enter one of three codes.

(i) Code 0–Original. Enter code 0 unless 1 or code 2 applies.

(ii) Code 1–Cancelling. A cancelling action cancels an existing DD Form 350 in accordance with departmental data collection point instructions.

(iii) Code 2–Correcting. A correcting action corrects an existing DD Form 350 action in accordance with departmental data collection point instructions.

(2) BLOCK A2, REPORT NO.

Enter the four-digit local control number (see 204.670–3(a)(4)). If Block A1 is coded 1 or 2, use the prior report number rather than a new one.

(3) BLOCK A3, CONTRACTING OFFICE CODE.

Enter the code assigned the contracting office by the departmental data collection point in 204.670–1(c).

(4) BLOCK A4, NAME OF CONTRACTING OFFICE.

Enter sufficient detail to establish the identity of the contracting office.

(b) Part B of the DD Form 350, Part B identifies the transaction.

(i) Enter—

(A) The DoD contract number; or

(B) For orders under contracts awarded by other Federal agencies, the contract number of that Federal agency as it appears in the contractual instrument.

(ii) Do not leave spaces between characters, and do not enter dashes, slants, or any other punctuation marks.

(iii) The DoD contract number is the basic (13 alphanumeric character) procurement instrument identification number (PIIN) that was assigned in accordance with 204.7001 or constructed under an exception permitted by 204.700. Do not enter any supplementary procurement instrument numbers as part of the contract number (these go in Block B2).

(2) BLOCK B2, MOD. ORDER OR OTHER ID NUMBER.

Enter the supplemental procurement identification number (if there is one) that was assigned in accordance with 204.7004 or as permitted by 204.700. It can be up to 19 characters. Usually calls and orders have a four-position number (see 204.7004–4) and modifications (including modifications of calls or orders) have a six-position modification number (see 704.7003 or 204.7004(b)).

(3) BLOCK B3, ACTION DATE.

(i) Enter the year, month, and day of the effective date for fiscal obligation purposes. When contract actions are awarded contingent on the availability of funds, enter the date funds are obligated.

(ii) Enter each segment as a two digit number. Use 01 through 12 for January through December. For example, enter January 2, 1999 as 990102.

(4) BLOCK B4, COMPLETION DATE.

(i) Enter the year, month, and day of the last contract delivery date or the end of the performance period.

(ii) Enter each segment as a two digit number. Use 01 through 12 for January through December. For example, enter January 2, 1999 as 990102.

(5) BLOCK B5, CONTRACTOR IDENTIFICATION INFORMATION.

(i) Use data that relates to the contractor whose name and address appears in the contract document (Block 7 of the SF 26, Award/Contract; Block 8 of the SF 30, Amendment of Solicitation/Modification of Contract; Block 15A of the SF 33, Solicitation, Offer and Award; or Block 9 of the DD Form 1155, Order for Supplies or Services), except—

(A) For contracts placed with the Small Business Administration under Section 8(a) of the Small Business Act, use data that relates to the company that will be performing the work.

(B) For orders placed against a contract awarded by another agency, also use data that relates to the company that will be performing the work.

(C) For Federal supply schedule orders, use data that applies to the contractor whose name appears on the schedule (not the data for the agent to whom orders may be sent).

(D) For contracts with the Canadian Commercial Corporation (CCC), use data for the appropriate CCC office, except as noted in Block B5B.

(ii) Block B5 has seven parts. Some of the parts may not apply to the action being reported.

(A) BLOCK B5A, ESTABLISHMENT CODE.

Enter the contractor’s 9-position contractor establishment code (CEC). If CEC is not available within the contracting activity, use the procedures at 204.7202–2 to obtain one.

(B) BLOCK B5B, CAGE CODE.

Enter the 5-position commercial and Government entity (CAGE) code that identifies the contractor plant or establishment. If the CAGE code is not already available in the contracting office and the apparent awardee does not respond to the provision at 252.204–7001, Commercial and Government Entity (CAGE) Code Reporting, use the procedures as 204.7202–1 to obtain one.

(C) BLOCK B5C, CONTRACTOR NAME AND DIVISION NAME.

Enter the contractor’s name. Include its division name.

(D) BLOCK B5D, CONTRACTOR ADDRESS.

Enter the contractor’s address. Include street address (and/or P.O. Box), city/town, state/country, and ZIP code, if applicable. Do not enter foreign postal codes.

(1) BLOCK B5E, TIN.

Enter the contractor’s taxpayer identification number (see FAR Subpart 4.9).

(2) BLOCK B5F, PARENT TIN.

Enter the contractor’s parent company TIN (see FAR 4.9).

An agency or instrumentality of a foreign government; or

An agency or instrumentality of a Federal, State, or local government; or

An agency or instrumentality of a foreign corporation, or foreign partnership that does not have income effectively connected with the trade or business in the United States; and does not have an office or place of business or a fiscal paying agent in the United States;

(2) An agency or instrumentality of a foreign government; or

(3) An agency or instrumentality of a Federal, State, or local government.

(F) BLOCK B5G, PARENT TIN.

Enter the contractor’s parent company TIN (see FAR 4.9 and 52.204–3). If the contractor does not have a parent company or the parent...
company meets the exemption for Block B5E, leave Block B5F blank.

(G) BLOCK BSG, PARENT NAME. If a parent TIN is entered in Block B5F, enter in Block BSG the name of the parent company (common parent). Leave Block BSG blank if there is no parent company or the parent company is exempted from the requirement to have a TIN.

(6) BLOCK B6, PRINCIPAL PLACE OF PERFORMANCE.

(i) The place, or places, where the contract will be performed may be specified by the Government or listed by the contractor in response to the solicitation provision at FAR 52.214–14, Place of Performance—Sealed Bidding, or FAR 52.215–20, Place of Performance. Use data for the contractor’s principal place of performance, which is generally the—

(A) Final assembly point for supply contracts with manufacturers.

(B) Dealer’s location for supply contracts with regular dealers (FAR 22.601) where shipment is made from stock.

(C) Subcontractor’s location for supply contracts with regular dealers (FAR 22.601) where shipment is made from a subcontractor’s plant.

(D) Actual construction site for construction contracts.

(E) Planned construction site for architect-engineer contracts.

(F) Place of mining for mined supplies.

(G) Place (including military installations) where a service is performed for service contracts.

(ii) When there is more than one location for any of paragraphs (i)(A) through (G) (e.g., more than one construction site), use the location involving the largest dollar amount of the acquisition. Do not show more than one location in Block B6.

(iii) If places of performance are too varied or not known, or if commercial procedures were used, enter the contractor’s home office location.

(iv) Follow the instructions for each part of Block 6 which applies to the action being reported.

(A) BLOCK B6A, CITY OR PLACE CODE.

(1) For places in the United States and outlying areas, enter the numeric place code, which can be found in the Federal Information Processing Standards (FIPS) Publication (PU) 55–2, (“Guideline: Codes for named Populated Places, Primary Country Divisions, and Other Locational Entities of the United States and Outlying Areas”). Leave Block B6A blank for places outside the United States or outlying areas.

(2) If the city or locality is not listed, look in FIPS PUB 55–2 for the county code of the principal place of performance. Enter that in Block B6A. Use 50000 for Washington, DC, with a State code of 11.

(3) Paragraph 5.2, Entry Selection With the Aid of the Class Code, of FIPS PUB 55–2 will help in selecting the correct code. Sometimes, a class code should be used in addition to a place code to accurately identify the place of performance. Do not use place codes where the first position of the class code is X or Z.

(B) BLOCK B6B, STATE OR COUNTRY CODE.

(1) For places in the United States and outlying areas, enter the numeric State code, which can be found in FIPS PUB 55–2 or FIPS PUB 5–2, Codes for the Identification of the States, the District of Columbia and the Outlying Areas of the United States and Associated Areas.

(2) For places outside the United States and outlying areas, enter the alpha country code from FIPS PUB 10–3, Countries, Dependencies, Areas of Special Sovereignty, and Their Principal Administrative Divisions.

(C) BLOCK B6C, CITY OR PLACE AND STATE OR COUNTRY NAME. Enter the name of the principal place of performance. Do not place Block B6C blank.

(7) BLOCK B7, TYPE OBLIGATION.

Enter one of two codes.

(i) Code 1—Obligation. Enter code 1 if the contracting action obligates funds.

(ii) Code 2—Deobligation. Enter code 2 if the contracting action deobligates funds.

(8) BLOCK B8, TOTAL DOLLARS.

Enter the net amount of funds (whole dollars only) obligated or deobligated by the contracting action. Do not leave Block B8 blank.

(9) BLOCK B9, FOREIGN MILITARY SALE.

Enter one of the two codes. If only part of the contracting action is foreign military sale, separately report the parts (see 204.670–6(c)).

(i) Code Y—Yes. Enter code Y when the contracting action is under a foreign military sales arrangement, or under any other arrangement where a foreign country or international organization is bearing the cost of the acquisition.

(ii) Code N—No. Enter code N when code Y does not apply.

(10) BLOCK B10, MULTIYEAR CONTRACT.

Enter one of the two codes.

(i) Code Y—Yes. Enter code Y when the contracting action is a multiyear contract under FAR Subpart 17.1.

(ii) Code N—No. Enter code N when code Y does not apply.

(11) BLOCK B11, TOTAL MULTIYEAR VALUE.

(i) Complete Block B11 if the contracting action is—

(A) A multiyear contract (B10 is coded Y); and

(B) Either a new letter contract or a new definitive contract (Block B13 is coded 1 or 3). Otherwise, leave Block B11 blank.

(ii) Enter the estimated multiyear contract value (whole dollars only).

(12) BLOCK B12, PRINCIPAL PRODUCT OR SERVICE.

B12 contains five parts. Do not leave any blocks blank.

(i) BLOCK B12A, FSC or SVC CODE. Enter the 4-character federal stock class or service code that describes the contract effort. To find the code, look in Section 1 of the Department of Defense (DoD) Procurement Coding Manual (MN02). There are three categories of codes to choose from. In some cases, use a 4-character code from a list of 4-character codes; in other cases, construct a code using the instructions in the Manual. If more than one category or code applies to the contract action, enter the one that best identifies the product or service representing the largest dollar value.

(A) Supplies. If the contracting action is for the purchase (not lease or rental) of supplies, enter a federal supply classification (FSC) code in Block B12A.

(B) Services. If the contracting action is for services (except research, development, test, and evaluation), construction, or lease or rental of equipment or facilities, enter a service code in Block B12A.

(C) Research, Development, Test and Evaluation (RDT&E). If the contracting action is for RDT&E (as defined in FAR 35.001 and 235.001), enter an RDT&E code in Block B12A. Look in Section 1, Part A of the DoD Procurement Coding Manual (MN02). The Department of Defense Federal Supply Classification Cataloging Handbooks H2–1, H2–2, and H2–3 may also help with the correct 4-character code.

(1) Purchase, lease, or rental of equipment, supplies, or services separately purchased in support of RDT&E work, even if RDT&E funds are cited. Instead, use an FSC or Service code under the instructions in paragraphs (i)(A) or (B).

(2) Orders under Federal supply schedule contracts. Instead use an FSC or Service code under the instructions in paragraphs (i)(A) or (B).
(ii) BLOCK B12B, DOD CLAIMANT PROGRAM CODE.

Enter a code that identifies the commodity described in Block B12E. These codes are in Section III of the DoD Procurement Coding Manual (MN02). If more than one code applies to the contracting action, enter the one that best identifies the product or service representing the largest dollar value. If the description in Block B12E is for—

(A) Research and development (R&D), enter the code that best represents the objective of the R&D. For example, if the objective of the research and development is a guided missile, enter code A20. If the R&D cannot be identified to any particular objective, enter code S10.

(B) Ship repair, inspect and repair as necessary (IRAN), modification of aircraft, overhaul of engines, or similar maintenance, repair or modification services, enter the code that best identifies the program.

(C) Equipment rental (including rental of automated data processing equipment), enter code S10.

(D) Utility services, enter code S10.

(E) Services that cannot be identified to any listed program, enter code S10.

(F) Supplies or equipment that cannot be identified to any listed program, enter code C9E.

(iii) BLOCK B12C, PROGRAM, SYSTEM, OR EQUIPMENT CODE.

(A) Enter a code that describes the program, weapons system, or equipment. These codes are in Section II of the DoD Procurement Coding Manual (MN02). If there is no code that applies to the contracting action, enter three zeros. If more than one code applies to the action, enter the one that best identifies the product or service representing the largest dollar value.

(B) If the contracting action is funded by the Ballistic Missile Defense Organization, enter code CAA.

(C) If the contracting action supports environmental cleanup programs, enter one of the codes listed in Section I of the DoD Procurement Coding Manual (MN02) under the heading “Description and Use of Program Codes—Environmental Cleanup Programs.”

(D) Defense Logistics Agency activities must use the code assigned by the sponsoring Service.

(iv) BLOCK B12D, SIC CODE.

Enter the standard industrial classification (SIC) code for the acquisition (as opposed to the SIC of the manufacturer or dealer). Use the SIC code in effect at the time of award. These codes are in the OMB Standard Industrial Classification Manual. If more than one code applies to the contracting action, enter the one that best identifies the product or service representing the largest dollar value.

(v) BLOCK B12E, NAME DESCRIPTION.

Enter the name or brief description of the commodity or service. If the description is classified, enter only the word “Classified.” Do not, however, use “Classified” when a code name (e.g., Minuteman, Polaris, Trident, Pershing, etc.) or an identifying program number (e.g., WS-107A) can be used.

(13) BLOCK B13, KIND OF CONTRACTING ACTION.

Enter one of the 16 codes.

(i) Code 1—Initial Letter Contract. Enter code 1 when the contracting action is a new letter contract. Do not use code 1 for a letter modification to an existing contract—use code A instead.

(ii) Code 2—Definitive Contract Superseding Letter Contract. Enter code 2 when the contracting action is the definitization of a letter contract. Do not use code 2 for an action which is a definitization of a letter modification—use code A instead.

(iii) Code 3—Definitive Contract. Enter code 3 when the contracting action is the first binding document containing all the terms and conditions. Code 3 also includes—

(A) Definitive contract awards under the Small Business Administration 8(a) program;

(B) Orders from the Procurement List with qualified nonprofit agencies employing people who are blind or severely disabled;

(C) Notices of award;

(D) Funding actions which are initial obligations (but see Code C—Funding Action); and

(E) Lease or loan agreements.

(iv) Code 4—Order Under a BOA. Enter code 4 when the contracting action is an order or definitization of an order (not a modification of an order). Examples include orders under a basic ordering agreement, priced exhibit, or production list entered into by a DoD component (see code 3 for actions which are not orders or modifications of orders). Enter code 9 if the action is an order under a blanket purchase agreement.

(v) Code 5—Order Under DoD Contract. Enter code 5 when the contracting action is—

(A) An order (not a modification or definitization of an order) against an indefinite delivery type contract;

(B) A job order, task order, or the like where firm obligations are created by issuance of the order against a contract awarded by a DoD component (not a modification or definitization of an order); or

(C) An order (not a modification of an order) placed against DoD contracts with the Small Business Administration under the 8(a) program.

(vi) Code 6—Order/Modification Under Federal Schedule. Do not use for GSA area contracts for utility services, use code 7 instead. Enter code 6 if the contracting action is an order, or a modification of an order, under—

(A) Federal supply schedule, e.g., GSA, VA, or OPM, contract (FAR 8.401);

(B) GSA ADP schedule contract.

(vii) Code 7—Order Under Another Agency’s Contract. Enter code 7 if the contracting action is an order, or a modification of an order other than those in code 6, under a contract awarded by another Federal agency or Government corporation. Include GSA area contracts for utility services (FAR 8.301). Do not use code 7 if the Federal agency or Government corporation is the contractor (i.e., is doing the work)—use code 8 instead.

(viii) Code 8—Action With Another Federal Agency. Enter code 8 if the contracting action is an order, or a modification of an action, placed directly with another Federal agency or Government corporation (e.g., Government Printing Office, Federal Prison Industries (UNICOR), Tennessee Valley Authority, or the Department of Treasury, Agriculture or Energy) where the Federal agency or Government corporation is acting as the contractor (i.e., doing the work).

(ix) Code 9—Purchase/Modification Using Simplified Acquisition Procedures. Enter code 9 if the contracting action, including actions in a designated industry group under the Small Business Competitiveness Demonstration Program (FAR subpart 19.10), is an award or a modification of an award pursuant to FAR part 13.

(x) Code A—Additional Work (new agreement). Enter code A when the contracting action is a bilateral supplemental agreement which—

(A) Adds work to an existing contract (including a letter contract); and

(B) Requires a justification and approval (J&A), except see FAR 6.302-4(c) and 6.302-5(c)(2)(ii).

(xi) Code B—Additional Work (other). Enter code B when the contracting action is a modification of an existing contract (including a letter contract) which is not covered by code A or by codes C through F. Code B includes actions which—

(A) Exercise an option;

(B) Initiate an incremental yearly buy under a multiyear contract; and
(C) Amend a letter or other contract to add work that does not require a J&A.

(xi) Code C—Funding Action. Enter code C when the contracting action is a modification (to a letter or other contract) for the sole purpose of obligating or deobligating funds.

(A) This includes—
(1) Incremental funding (other than incremental yearly buys under multiyear contracts which are code B);
(2) Increases to the estimated cost on cost-reimbursement contracts;
(3) Repricing actions covering incentive price revisions; and
(4) Economic price adjustments.

(B) This does not include modifications that have the initial obligation for the acquisition, subsequent fiscal year. Code these—
(1) A or B—additional work, if they are the initial obligation for the acquisition, or
(2) A or B—additional work, if they are the initial obligation for the modification.

(xii) Code D—Change Order. Enter code D when the contracting action is a change order issued under the “Changes,” “Differing Site Conditions,” or other similar clauses in existing contracts.

(xiv) Code E—Termination for Default. Enter code E if the contracting action is a modification which terminates all or part of the contract for default.

(xv) Code F—Termination for Convenience. Enter code F if the contracting action is a modification which terminates all or part of the contract for convenience.

(xvi) Code G—Cancellation. Enter code G if the contracting action is a modification which cancels the contract. Do not use code G to cancel a prior DD Form 350—see Block A1.

(c) Part C of the DD Form 350.

(1) Part C gathers data concerning contracting procedures, use of competition, financing, and statutory requirements other than socioeconomic (which are in Part D).

(2) Do not complete Part C if the contracting action is—
(i) A foreign military sale, i.e., Block B9 (Foreign Military Sale) is coded Y (Yes); or
(ii) An action with another Federal agency, i.e., Block B13 (Kind of Contracting Action) is coded 8 (Action With Another Federal Agency).

(3) In completing Part C, the codes to be used describe either the contracting action being reported or the original contract, depending on the codes reported for “Kind of Contracting Action” in Block B13. The following chart provides overall instructions. There are some exceptions for various Part C blocks. These are listed at the beginning of the instructions for the block.

<table>
<thead>
<tr>
<th>Code</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Initial Letter Contract.</td>
</tr>
<tr>
<td>2</td>
<td>Definitive Contract.</td>
</tr>
<tr>
<td>3</td>
<td>Order Under DoD Agreement.</td>
</tr>
<tr>
<td>4</td>
<td>Order Under DoD Contract.</td>
</tr>
<tr>
<td>5</td>
<td>Order/Modification Under Federal Supply Schedule.</td>
</tr>
<tr>
<td>6</td>
<td>Order Under Another Agency’s Contract.</td>
</tr>
<tr>
<td>7</td>
<td>Order Under Another Agency’s Contract.</td>
</tr>
<tr>
<td>8</td>
<td>Action With Another Federal Agency.</td>
</tr>
<tr>
<td>9</td>
<td>Additional Work (new agreement).</td>
</tr>
</tbody>
</table>

(4) Complete Part C blocks as follows—
(i) BLOCK C1, SYNOPSIS. Enter one of the two codes.

(A) Code Y—Yes. Enter code Y if a synopsis of the proposed action was prepared and transmitted to the Commerce Business Daily in accordance with FAR Subpart 5.2.

(B) Code N—No. Enter code N if a synopsis was not prepared.

(ii) BLOCK C2, REASON NOT SYNOPSISED. Enter one of the two codes if Block C1 is “N.” Otherwise, leave Block C2 blank.

(A) Code A—Urgency. Enter code A if the action was not synopsized due to urgency (see FAR 6.302-2).

(B) Code B—Other than Urgency. Enter code B if the action was not synopsized due to some other reason.

(iii) BLOCK C3, EXTENT COMPETED. Enter one of the four codes. As an exception to the chart in paragraph (c)(3) of this subsection, when Block B13 is coded 6, enter code A in Block C3.

(A) Code A—Competed Action. Enter code A when—
(1) The contracting action is an action under a Federal supply schedule contract (Block B13 is coded 6).

(B) Competitive procedures were used to fulfill the requirement for full and open competition (FAR subpart 6.1).

(3) Full and open competition procedures after exclusion of sources were used in order to establish/maintain alternative sources, to set aside an acquisition for small business, or to compete Section 8(a) awards (FAR subpart 6.2).

(4) Statutory authorities for other than full and open competition were used.
(FAR subpart 6.3) and more than one offer was received (if only one offer was received, use code D).

(5) Contracting action resulted from a contract awarded prior to the Competition in Contracting Act that used two-step sealed bidding or other sealed bidding, or that was negotiated competitively.

(6) Simplified acquisition procedures were used and competition was obtained.

(B) Code B—Not Available for Competition. Enter code B for—

(1) Awards for utilities or utility systems, excluding long distance telecommunications services, when only one supplier can furnish the service (FAR 6.302–1(b)(3)).

(2) Brand name commercial products for authorized resale.

(3) Acquisitions authorized or required by statute to be awarded to a specific source pursuant to FAR 6.302–5(b) (2) or (4), e.g., qualified nonprofit agencies employing people who are blind or severely disabled (FAR subpart 8.7) or 8(a) program (FAR subpart 19.8).

(4) International agreements.

(5) Other contract actions where the Director of Defense Procurement has determined that there is no opportunity for competition.

(Note: Even though Part C is not completed for foreign military sales or actions with another Federal agency, the database will automatically include these actions in the category of not available for competition.)

(C) Code C—Follow-on to Competed Action. Enter code C when the action pertains to an acquisition placed with a particular contractor to continue or augment a specific competed program where such placement was necessitated by prior acquisition decisions.

(D) Code D—Not Competed. Enter code D when codes A, B, or C do not apply.

(iv) BLOCK C4, SEA TRANSPORTATION.

Enter one of the three codes. As an exception to the chart in paragraph (c)(3) of this subsection, when Block B13 is coded 7, leave Block C4 blank.

(A) Code Y—Yes—Positive Response to 252.247–7022. Enter code Y when the contractor’s response to the provision at 252.247–7022 or 252.212–7000(c)(2) indicates that the contractor anticipates that none of the supplies being provided will be transported by sea.

(B) Code N—No—Negative Response to 252.247–7022 or 252.212–7000(c)(2). Enter code N when the contractor’s response to the provision at 252.247–7022 or 252.212–7000(c)(2) indicates that the contractor anticipates that some of the supplies being provided will be transported by sea.

If not an exception, enter—

(A) Code 1—One. Enter code 1 if only one offer was solicited.

(B) Code 2—More than one. Enter code 2 if more than one offer was solicited.

(vi) BLOCK C8, SOLICITATION PROCEDURES.

(A) Leave Block C8 blank if—

(1) The original contract resulted from a solicitation issued before April 1, 1985 (i.e., before the effective date of the Competition in Contracting Act); or

(2) The action is pursuant to simplified acquisition procedures (Block B13 is coded 9).

(B) If the action is an order/ modification under a Federal Supply Schedule (Block B13 is coded 6), use code B for single award schedules and code F for multiple award schedules.

(C) Otherwise, enter one of the following codes—

(1) Code A—Full and Open Competition—Sealed Bid. Enter code A if the action resulted from an award pursuant to FAR 6.102(a).

(2) Code B—Full and Open Competition—Competition. Enter code C if the action resulted from an award pursuant to FAR 6.102(b).

(3) Code C—Full and Open Competition—Combination. Enter code C if the action resulted from an award using a combination of competitive procedures (e.g., two-step sealed bidding) pursuant to FAR 6.102(c).

(4) Code D—Architect-Engineer. Enter code D if the action resulted from selection of sources for architect-engineer contracts pursuant to FAR 6.102(d). (1)

(5) Code E—Basic Research. Enter code E if the action resulted from competitive selection of basic research proposals pursuant to FAR 6.102(d)(2).

(6) Code F—Multiple Award Schedule. Enter code F if the action is an award of a multiple award schedule pursuant to FAR 6.102(d)(3) or an order against such a schedule.

(7) Code G—Alternative Sources. Enter code G if the action resulted from use of competitive procedures but excluded a particular source pursuant to FAR 6.202(a).

(8) Code K—Set Aside. Enter code K if the action resulted from any—

(i) Set-aside for small business concerns (see FAR 6.203) including

<table>
<thead>
<tr>
<th>Block B13 is coded</th>
<th>Then</th>
</tr>
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<tbody>
<tr>
<td>6</td>
<td>Enter code 2 in Block C7.</td>
</tr>
<tr>
<td></td>
<td>7</td>
</tr>
</tbody>
</table>
small business innovation research (SBIR) actions and awards to qualified nonprofit agencies employing people who are blind or severely disabled which were participating in a set-aside for small business concerns (see FAR 19.501(h)).

(ii) Set-aside for small disadvantaged business concerns (see 206.203).

(iii) Total or partial set-asides (including portions of broad agency announcements (BAA’s)) for historically black colleges and universities or minority institutions (see 206.203 and 235.016).

(iv) Competition among section 8(a) firms under FAR 19.805 (report noncompetitive 8(a) awards as code N).

(9) Code M—Otherwise Authorized by Statute. Enter code M if using contracting procedures that are expressly authorized by statute and not addressed in FAR 6.302–5 (see FAR 6.001(b)). Do not use code M for statutes addressed in FAR 6.302–5; instead use code N and enter code SA in Block C9.

(10) Code N—Other Than Full and Open Competition. Enter code N if the action resulted from use of other than full and open competition pursuant to FAR 6.302–6. This includes awards to qualified nonprofit agencies employing people who are blind or severely disabled (see FAR subpart 8.7) or noncompetitive awards to the Small Business Administration under Section 8(a) of the Small Business Act (see FAR 6.302–5(b)).

(ix) BLOCK C9, AUTHORITY FOR OTHER THAN FULL AND OPEN COMPETITION

(A) Leave Block C9 blank if the original contract resulted from a solicitation issued before April 1, 1985 (i.e., before the effective date of the Contracting in Competing Act).

(B) Enter one of the following codes if Block C8 is coded “N.”

(1) Code 1A—Unique Source. Enter code 1A if the action was justified pursuant to FAR 6.302–1(b)(1).

(2) Code 1B—Follow-on Contract. Enter code 1B if the action was justified pursuant to FAR 6.302–1(a)(2)(ii) or (iii).

(3) Code 1C—Unsolicited Research Prop. Enter code 1C if the action was justified pursuant to FAR 6.302–1(a)(2)(i).

(4) Code 1D—Patent/Data Rights. Enter code 1D if the action was justified pursuant to FAR 6.302–1(b)(2).

(5) Code 1E—Utilities. Enter code 1E if the action was justified pursuant to FAR 6.302–1(b)(3).

(6) Code 1F—Standardization. Enter code 1F if the action was justified pursuant to FAR 6.302–1(b)(4).

(7) Code 1G—Only One Source—Other. Enter code 1G if the action was justified pursuant to FAR 6.302–1 in a situation other than the examples cited in code 1A through 1F.

(8) Code 2A—Urgency. Enter code 2A if action was justified pursuant to FAR 6.302–2.

(9) Code 3A—Particular Sources. Enter code 3A if action was justified pursuant to FAR 6.302–3(a)(2)(ii).

(10) Code 4A—International Agreement. Enter code 4A if action was justified pursuant to FAR 6.302–4.

(11) Code 5A—Authorized by Statute. Enter code 5A if action was justified pursuant to FAR 6.302–5(a)(2)(i).

(12) Code 5B—Authorized Resale. Enter code 5B if action was justified pursuant to FAR 6.302–5(a)(2)(ii).

(13) Code 6A—National Security. Enter code 6A if action was justified pursuant to FAR 6.302–6.

(14) Code 7A—Public Interest. Enter code 7A if action was taken pursuant to FAR 6.302–7.

(x) BLOCK C10, SUBJECT TO LABOR STANDARDS STATUTES.

Enter one of the following codes. As an exception to the chart in paragraph (c)(3) of this subsection, when Block B13 is coded 6, leave Block C10 blank.

(A) Code A—Walsh-Healey Act. Enter code A when the contracting action is subject to the provisions of FAR subpart 22.6.

(B) Code C—Service Contract Act. Enter code C when the contracting action is subject to the provisions of the Service Contract Act (see FAR part 37).

(C) Code D—Davis-Bacon Act. Enter code D when the contracting action is subject to the Davis-Bacon Act (see FAR 22.403–1).

(D) Code Z—Not Subject to Above. Enter code Z when the contracting action is not subject to any of the statutory requirements in paragraphs (A) through (C).

(xi) BLOCK C11, CERTIFIED COST OF PRICING DATA.

Enter one of the three codes. As an exception to the chart in paragraph (c)(3) of this subsection, when Block B13 is coded 6 or 7, leave Block C11 blank.

(A) Code Y—Yes—Obtained. Enter code Y when certified cost or pricing data were obtained for the contracting action (see FAR 15.804–2).

(B) Code N—No—Not Obtained. Enter code N when certified cost or pricing data were not obtained for the contracting action (see FAR 15.804–2).

(C) Code W—Not Obtained—Waived. Enter code W when certified cost or pricing data were not obtained because the requirement was waived (see FAR 15.804–3(i) and DFARS 215.804–3(i)).

(xii) BLOCK C12, CONTRACT FINANCING.

Enter one of the five codes identifying whether or not progress payments (PP) or advance payments (AP) were used. As an exception to the chart in paragraph (c)(3) of this subsection, when Block B13 is coded 7, enter the code for the action being reported.

(A) Code A—FAR Clause 52.232–16. Enter code A if the contracting action contains the clause at FAR 52.232–16, Progress Payments.


(C) Code C—Percentage of Completion PP. Enter code C if the contracting action provides for progress payments based on percentage or stage of completion, which is only permitted on contracts for construction, for shipbuilding, or for ship conversion, alteration, or repair (see 232.102(e)(2)).

(D) Code D—Unusual PP or AP. Enter code D if the action provides unusual progress payments or advance payments (see FAR Subpart 32.4 and 32.501–2).

(E) Code Z—None of the Above. Enter code Z if codes A through D do not apply.

(xiii) BLOCK C13, FOREIGN TRADE DATA.

(A) The term “United States” (U.S.), as used in Block C13 excludes the Trust Territory of Palau (see 204.670–1 for definition of United States and outlying areas).

(B) As an exception to the chart in paragraph (c)(3) of this subsection

<table>
<thead>
<tr>
<th>If block B13 is coded</th>
<th>Then</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 ..........................</td>
<td>Enter the code for the action being reported but leave Block C13C blank.</td>
</tr>
<tr>
<td>7 ..........................</td>
<td>Enter the code for the original contract, but leave Block C13C blank.</td>
</tr>
</tbody>
</table>

(C) BLOCK C13A, NUMBER OF OFFERORS.

Enter the number of offers of foreign end products as defined in FAR Part 25 or services performed by foreign concerns. If zero, enter 0; if 9 or greater than 9, enter 9.

(D) BLOCK C13B, BUY AMERICAN ACT PERCENT DIFFERENCE.

(1) If the contracting action is with a firm offering a domestic end product, and award to the firm resulted from use of the evaluation factor under the Buy American Act (225.105–70), enter the percent difference between the award
price and the lowest price for a foreign end product. Compute the percent as follows:

The award price (AP) minus the lowest price for a foreign end product (LPFEP) divided by the lowest price for a foreign end product (LPFEP) times 100 equals the Buy American Act percent difference (BAAPD); or expressed mathematically:

\[(\text{AP} - \text{LPFEP}) \times 100 = \text{BAAPD}\]

(2) Enter the percentage as a two position whole number (e.g., for 5%, enter 05; for 11%, enter 11).

(3) Enter two zeroes (00) if the evaluation factor was not used.

(E) BLOCK C13C, PLACE OF MANUFACTURE.

Complete Block C13C only if the contracting action is for a foreign end product or a service provided by a foreign concern. Otherwise, leave Block C13C blank.

(1) Code A—U.S. Enter code A if the contracting action is for—

(i) A foreign end product that is manufactured in the United States but still determined to be foreign because 50 percent or more of the cost of its components is not mined, produced, or manufactured inside the United States or inside qualifying countries; or

(ii) Services performed in the United States by a foreign concern.

(2) Code B—Foreign. Enter code B if the contracting action is for—

(i) Any other foreign end product; or

(ii) Services performed outside the United States by a foreign concern.

(F) BLOCK C13D, COUNTRY OF ORIGIN CODE.

(1) Complete Block C13D only if Block C13C is coded A or B. Otherwise, leave Block C13D blank.

(2) Enter the code for FIPS PUB 10-3 (Countries, Dependencies, Areas of Special Sovereignty, and Their Principal Administrative Divisions) that identifies the country where the foreign product is coming from or the foreign company providing the services is located. If more than one foreign country is involved, enter the code of the foreign country with the largest dollar value.

(d) Part D of the DD Form 350.

(1) Part D gathers data on the various socioeconomic programs that apply to defense acquisitions.

(2) Do NOT complete Part D if the contracting action is a—

(i) Foreign military sale, i.e., Block B9 (Foreign Military Sale) is coded Y (Yes);

(ii) Order/modification under a Federal supply schedule, i.e., Item B13 (Kind of Contracting Action) is coded 6 (Order/Modification Under Federal Supply Schedule); or

(iii) Action with another Federal agency, i.e., Item B13 (Kind of Contracting Action) is coded 8 (Action With Another Federal Agency).

(3) Determine the status of the concern (e.g., size and ownership), by referring to FAR part 19/DFARS part 219.

(4) In completing Part D, the codes to be used describe either the contracting action being reported or the original contract depending on the codes reported in B13 (Kind of Contracting Action). The following chart provides overall instructions. There are some exceptions for various Part D Blocks. The exceptions are listed at the beginning of the instructions for the individual blocks.

<table>
<thead>
<tr>
<th>Code</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Initial Letter Contract.</td>
</tr>
<tr>
<td>2</td>
<td>Action being reported.</td>
</tr>
<tr>
<td>3</td>
<td>Order Under DoD Agreement.</td>
</tr>
<tr>
<td>4</td>
<td>Order/Modification Under Federal Supply Schedule.</td>
</tr>
<tr>
<td>5</td>
<td>Order/Modification Under Foreign Government Supply Schedule.</td>
</tr>
<tr>
<td>6</td>
<td>Original contract.</td>
</tr>
<tr>
<td>7</td>
<td>Leave all of Part D blank.</td>
</tr>
<tr>
<td>8</td>
<td>Action being reported.</td>
</tr>
<tr>
<td>9</td>
<td>Leave all of Part D blank.</td>
</tr>
<tr>
<td>10</td>
<td>Action being reported.</td>
</tr>
</tbody>
</table>

(5) Complete Part D blocks as follows—

(i) BLOCK D1, TYPE OF BUSINESS.

(A) Code A—Small Disadvantaged Business Performing in U.S. Enter code A if the contractor is an SDB concern as defined in 219.001 and the place of performance is within the United States and outlying areas.

(B) Code B—Other Small Business Performing in U.S. Enter code B if the contractor is a small business concern as defined in FAR 19.001, other than a small disadvantaged business concern, and the place of performance is within the United States and outlying areas.

(C) Code C—Large Business Performing in U.S. Enter code C if the contractor is a domestic large business concern, and the place of performance is within the United States and outlying areas.

(D) Code D—Nonprofit Agency Employing People Who Are Blind or Severely Disabled. Enter code D if the contractor is a qualified nonprofit agency employing people who are blind or severely disabled (FAR 8.701), and the place of performance is within the United States and outlying areas.

(E) Code E—Hospital. Enter code E if the contractor is a hospital, and the place of performance is within the United States and outlying areas.

(F) Code L—Foreign Concern/Entity. Enter code L if the contractor is a foreign concern, the Canadian Commercial Corporation, or a non-U.S. chartered nonprofit institution.

(G) Code M—Domestic Firm Performing Outside U.S. Enter code M if the contractor is a domestic concern or

\[1\) If there are no codes for the original contract because a DD Form 350 was not required at the time, the original action is no longer available, the definition of the original code has changed, or a data element has been added to the system after the original contract report, then use codes that best describe the original contracting action. The exceptions are listed at the beginning of the instructions for the individual blocks.
a domestic nonprofit institution and the place of performance is outside the United States and outlying areas.

(H) Code N—Historically Black Colleges and Universities or Minority Institutions (HBCU/MI). Enter code N if the contractor is an HBCU/MI as defined at 252.226–7000 and the place of performance is within the United States and outlying areas.

(i) Code P—Other Educational. Enter code P if the contractor is an educational institution which does not qualify as an HBCU/MI, and the place of performance is within the United States and outlying areas.

(j) Code Z—Other Nonprofit. Enter code Z if the contractor is a nonprofit institution (defined in FAR 31.701) which does not meet any of the criteria in codes A through I and the place of performance is in the United States and outlying areas.

(ii) BLOCK D2, REASON NOT AWARDED TO SMALL DISADVANTAGED BUSINESS (SDB). Enter one of the five codes when Block D1 is coded B or C. Otherwise leave D2 blank. As an exception to the chart in paragraph (d)(4) of this subsection, when Block B13 is coded 7, enter code Z in Block D2.

(A) Code A—No Known SDB Source. Enter code A when applicable.

(B) Code B—SDB Not Solicited. Enter code B when there was a known SDB source but it was not solicited.

(C) Code C—SDB Solicited No Offer. Enter code C when an SDB was solicited but it did not submit an offer or its offer was not sufficient to cover the total quantity requirement so it received a separate award for the quantity offered.

(D) Code D—SDB Solicited Offer Not Low. Enter code D when an SDB offer was not the low or most advantageous offer or a small business concern was not willing to accept award of a set-aside portion of an action at the price offered by the Government.

(E) Code Z—Other Reason. Enter code Z when a small business did not receive the award for any other reason.

(iv) BLOCK D4, PREFERENCE PROGRAM.

As an exception to the chart in paragraph (d)(4) of this subsection, when Block B13 is coded 7, enter the code describing the action being reported for Block D4C and leave Block D4E blank.

(A) BLOCK D4A, TYPE OF SB SET-ASIDE.

Enter one of the six available codes.

(1) Code A—None. Enter code A if there was no small business set-aside (FAR 19.502). Note that set-asides for historically black colleges and universities and minority institutions (HBCUS/MIs) are not small business set-asides. Use code A for HBCU/MI set-asides and complete Block D4C.

(2) Code B—Total SB Set-Aside. Enter code B if the action was a total set-aside for small business (FAR 19.502–2), including actions reserved exclusively for small business concerns pursuant to FAR 13.105, or if the action resulted from the Small Business Innovation Research Program.

(3) Code C—Partial SB Set-Aside. Enter code C if the action was a partial set-aside for small business (219.502–3).

(4) Code D—Reserved.

(5) Code E—Total SB Set-Aside. Enter code E if the action was a total set-aside for small disadvantaged businesses (219.502–2–70). (204.670–9).

(6) Code Y—Emerging Small Business Set-Aside. Enter code Y if the action is an emerging small business set-aside within a designated industry group under the Small Business Competitiveness Demonstration Program (see FAR subparts 19.10 and 204.670–9).

(7) Code Z—Small Business Set-Aside Using Simplified Acquisition Procedures. Enter code Z if the action is reserved exclusively for small business concerns pursuant to FAR 13.105 and is in a designated industry group under the Small Business Competitiveness Demonstration Program (204.670–9).

(B) BLOCK D4B, TYPE OF SDB SET-ASIDE/SDB PREFERENCE.

Enter one of the five codes, even if Block D4A is coded E.

(1) Code A—None. Enter code A if no SDB preference was given or award was not to an SDB.

(2) Code B—Section 8(a). Enter code B if the contract was awarded to the Small Business Administration (SBA) under Section 8(a) of the Small Business Act (FAR 19.8).

(3) Code C—Total SDB Set-Aside. Enter code C if the action was an SDB set-aside (219.502–2–70) and award was to an SDB.

(4) Code D—SDB Evaluation Preference—Unrestricted. Enter code D if the action was unrestricted but an SDB received an award as a result of an evaluation preference (219.70).

(5) Code E—SDB Preferential Consideration—Partial SB Set-Aside. Enter code E if the action was a partial set-aside for small business and preferential consideration resulted in an award to an SDB (219.502–3).

(C) BLOCK D4C, HBCU/MI SET-ASIDE.

Enter one of the three codes.

(1) Code A—None. Enter code A if the action was not set-aside for HBCUs or MIs.

(2) Code B—HBCU or MI—Total Set-Aside. Enter code B if the action was a total set-aside for HBCUs and MIs (226.7003).

(3) Code C—HBCU or MI—Partial Set-Aside. Enter code C if the action was a partial set-aside for HBCUs or MIs under a broad agency announcement (235.016).

(D) BLOCK D4D, OTHER PREFERENCE PROGRAM.

Enter either code A or B.

(1) Code A—None. Enter code A if no other preference program applied.

(2) Code B—Directed to NIB/NISH. Enter code B for an action with a qualified nonprofit agency employing people who are blind or severely disabled for an item on the Procurement List which was awarded under FAR part 8.7.

(E) BLOCK D4E, PREMIUM PERCENT.

(1) Complete Block D4E if Block D4B is coded C, D, or E, or Block D4C is coded B or C.

(2) Calculate the premium percentage per 219.202–5 and enter it as a three-digit number rounded to the nearest tenth, e.g., enter 7.55% as 076. If no premium was paid, enter three zeros (000).

(3) Otherwise leave blank.

(v) BLOCK D5, ETHNIC GROUP.

(A) Complete Block D5 if the action is with an SDB. Otherwise leave it blank.

(B) Enter the code from the following list which corresponds to the ethnic
includes a subcontracting plan and also includes additional incentives (FAR 19.708(c), 219.708(c)).

(ix) BLOCK D9, DEMONSTRATION TEST PROGRAM.

Enter one of the two codes. As exceptions to the chart in paragraph (d)(4) of this subsection, when Block B13 is coded 5, B, C, D, E, F, or G and the original award was after the program began, enter code N in Block D9. When Block B13 is coded 7, enter code N in Block D9.

(A) Code Y—Yes. Enter code Y if this is an action with a U.S. business concern, in either the four designated industry groups or the ten targeted industry categories under the Small Business Competitiveness Demonstration Program (FAR 19.10 and 219.10), where the principal place of performance is in the United States or outlying areas.

(B) Code N—No. Enter code N if code Y does not apply.

(x) BLOCK D10, SIZE OF SMALL BUSINESS.

(A) Complete Block D10 only when Block D9 is coded “Y” and the contractor has a small business (Block D1 is coded A or B). Otherwise, leave Block D10 blank.

(B) Enter one of fourteen codes of the size of the business as represented by the contractor in the solicitation provision at FAR 52.219-19, Small Business Concern Representation for the Small Business Competitiveness Demonstration Program.

(xi) BLOCK D11, EMERGING SMALL BUSINESS.

(A) Complete this block only if Block D9 is coded “Y” and the contracting action is in one of the four designated industry groups, not one of the targeted industry categories. Otherwise, leave Block D11 blank.

(B) Enter one of the fourteen codes of the size of the business as represented by the contractor in the solicitation provision at FAR 52.219-19, Small Business Concern Representation for the Small Business Competitiveness Demonstration Program, that is an emerging small business concern.

(2) BLOCK E2, SET-ASIDE VALUE.

(i) Complete Block E2 only if the contracting action is with a qualified nonprofit agency employing people who are blind or severely disabled and was awarded as a result of the agency's participation in a total of partial small business set-aside (FAR 19.501(h)). Otherwise, leave Block E2 blank.

(ii) Enter the dollar amount (i.e., contract face value) of the set-aside portion of the award. Use whole dollars. (3) BLOCK E3, NON-Low Offer.

(i) Complete Block E3 only if Block E2 is completed. Otherwise, leave Block E3 blank.

(ii) Enter the offered price from the small business firm that would have been the low offeror if qualified nonprofit agencies employing people who are blind or severely disabled had not participated in the acquisition. Enter the amount in whole dollars.

(4) BLOCK E4, SPECIFIC NUMBER OF OFFERS RECEIVED.

Enter the specific number of offers received (maximum 999) if Block C7 is coded 2. Otherwise, leave Block E4 blank.

(5) BLOCK E5, TASK/DELIVERY ORDER.

(i) Enter one of the two codes.

(A) Code T—Task Order. Enter code T if the contracting action is a task order as defined in FAR 16.501-1.

(B) Code D—Delivery Order. Enter code D if the contracting action is a delivery order as defined in FAR 16.501-1.

(C) Code N—Not Applicable. Enter code N if the contracting action is neither a task nor a delivery order.

(6) BLOCK E6, TYPE OF INDEFINITE DELIVERY CONTRACT AWARD.

When Block E5 is coded T or D, enter one of the following codes.

(i) Code M—Multiple Award. Enter code M if the contracting action is a task or delivery order under a multiple award indefinite delivery contract.

(ii) Code S—Single Award. Enter code S if the contracting action is a task or delivery order under a single award indefinite delivery contract.

(7) BLOCK E7, COMMERCIAL ITEMS.

Enter one of the following codes.

(i) Code Y—Yes. Enter code Y if the contract contains the clause at FAR 52.212-4, Commercial Items Agreement, that defines “commercial items” for purposes of FAR 12.

(ii) Code N—No. Enter code N if code Y does not apply.

(f) Part F of the DD Form 350.

Part F identifies the reporting official.

(1) BLOCK F1, NAME OF CONTRACTING OFFICER OR REPRESENTATIVE.

Enter the name (Last, First, Initial) of the contracting officer or representative.
(2) BLOCK F2, SIGNATURE. The person identified in Block F1 must sign.
(3) BLOCK F3, TELEPHONE NUMBER. Enter the telephone number (with area code) for the individual in Block F1. Installations with Defense Switched Network (DSN) must enter the DSN number.

4. BLOCK F4, DATE. Enter date (YYMMDD) that the DD Form 350 Report is submitted. Use two digits for each segment; use 01 through 12 for January through December. For example, enter January 2, 1999 as 990102.

(g) Special Instructions for DD Forms 350 on Actions of $25,000 or Less Under the Small Business Competitiveness Demonstration Program.

(1) Policy on use of a DD Form 1057 is in 204.670±9.

(2) In general, complete these DD Forms 350 using the “regular” instructions in paragraphs (a) through (f) of this subsection. However, there are special instructions for certain blocks. The following matrix tells which apply.

<table>
<thead>
<tr>
<th>DD350 block</th>
<th>Regular instructions</th>
<th>Leave blank</th>
<th>Special instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>C5</td>
<td>X</td>
<td></td>
<td>Leave blank if simplified acquisition procedures were used.</td>
</tr>
<tr>
<td>C6</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C7</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C8</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C9</td>
<td>X</td>
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<tr>
<td>C10</td>
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<td></td>
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<tr>
<td>C11</td>
<td>X</td>
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<td></td>
</tr>
<tr>
<td>C12</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C13A</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C13B</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C13C</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C13D</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D1</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D2</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D3</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D4A</td>
<td>X</td>
<td></td>
<td>If simplified acquisition procedures were used, use only codes Y or Z.</td>
</tr>
</tbody>
</table>

(3) Include actions over $25,000 but not in excess of $200,000 in support of a contingency on the DD Form 1057, as follows—

(i) Section A, complete fully.

(ii) Section B, complete only lines 5, 5a, 7, and 7a.

(iii) Section C, complete only lines 1 and 1c, 2 and 2c, or 3 and 3c, as applicable.

(iv) Sections D, E, and F, leave blank.

(v) Section G, complete fully.

(b) Definitions.

For purposes of this subsection—

Delivery Orders—GSA Federal Supply Schedules means only orders, and modifications of such orders, under Federal supply schedules awarded by GSA.

Delivery Orders—Other Federal Supply Schedules means only orders, and modifications of such orders, under Federal supply schedules awarded by an agency other than GSA, e.g., awarded by VA or OPM.

Delivery Orders—All Others means orders, and modifications of such orders, under basic ordering agreements (BOAs) or indefinite delivery contracts.

Other Contracting Actions means all actions that do not meet the definitions in this paragraph (b) of a delivery order. Simplified Acquisition Procedures is defined in FAR part 13. It includes purchase orders and orders under blanket purchase agreements (BPA) and modifications to awards made using simplified acquisition procedures.

154. Section 253.204–71 is revised to read as follows:

253.204–71 DD Form 1057, Monthly Contracting Summary of Actions $25,000 or Less.

(a) Scope of subsection.

Policy on use of a DD Form 1057 is in 204.670. This subsection 253.204–71 contains instructions on completion of the DD Form 1057.

(1) Report actions in the month they are awarded, issued, executed, or placed, except—

(i) When the price of an order or call cannot be determined when it is placed, count the action and its dollars when it is paid.

(ii) Count the following actions when the voucher is paid (count each voucher as one action)—

(A) Meals and lodging.

(B) Automatic deliveries, e.g., bread, milk, and ice cream.

(iii) The Navy Facilities Engineering Command shall use departmental procedures to report vouchers it processes on Naval shore establishment contracts for electricity and gas.

(2) Enter all dollar amounts in whole dollars only. Do not enter cents. If the net amount is a decrease, enter a minus sign (−) immediately preceding the amount to indicate a credit entry. Do not enter parentheses.

(3) Include actions over $25,000 but not in excess of $200,000 in support of a contingency on the DD Form 1057, as follows—

(i) Section A, complete fully.

(ii) Section B, complete only lines 5, 5a, 7, and 7a.

(iii) Section C, complete only lines 1 and 1c, 2 and 2c, or 3 and 3c, as applicable.

(iv) Sections D, E, and F, leave blank.

(v) Section G, complete fully.

(b) Definitions.

For purposes of this subsection—

Delivery Orders—GSA Federal Supply Schedules means only orders, and modifications of such orders, under Federal supply schedules awarded by GSA.

Delivery Orders—Other Federal Supply Schedules means only orders, and modifications of such orders, under Federal supply schedules awarded by an agency other than GSA, e.g., awarded by VA or OPM.

Delivery Orders—All Others means orders, and modifications of such orders, under basic ordering agreements (BOAs) or indefinite delivery contracts.

Other Contracting Actions means all actions that do not meet the definitions in this paragraph (b) of a delivery order. Simplified Acquisition Procedures is defined in FAR part 13. It includes purchase orders and orders under blanket purchase agreements (BPA) and modifications to awards made using simplified acquisition procedures.

(c) Section A, General Information.

(1) BLOCK A1, REPORT FOR MONTH ENDING.

Enter the last day of the month in which the report is submitted. Enter it as year, month, and day, using a two-digit number for each segment and 01 through 12 for January through December. For example, for the month ending April 30, 1999, enter 990430.

(2) BLOCK A2, CONTRACTING OFFICE.

Enter sufficient detail to establish the identity of the contracting office submitting the report in Blocks 2a and b.

(3) BLOCK A3, REPORTING OFFICE CODE.
Enter the code assigned to the contracting office by the departmental data collection point in 204.670-8.

(d) SECTION B, Contracting Actions.

(1) BLOCK B1, TARIFF OR REGULATED ACQUISITIONS.

Enter the number and dollar value of contracting actions (including modifications that will also be reported in Block B8) with tariff or regulated industries (industries with sole source and service rates which are fixed or adjusted by a Federal, State, or other public regulatory body).

(2) BLOCK B2, FOREIGN/INTERAGENCY.

(i) Enter the total number and dollar value of contracting actions (including modifications that will also be reported in Block B8)—

(A) For foreign military sales (FMS) or other arrangement where the foreign government or international organization is paying all or part of the cost of the action.

(B) Placed directly with foreign governments under the terms of an international agreement, e.g., base maintenance performed with the foreign government acting as the contractor (any other actions directly with foreign governments go in Block B5).

(C) With another Federal agency or Government corporation, e.g., Federal Prison Industries.

(ii) Enter the subtotals for the number and dollar value of contracting actions, including modifications which will also be reported in Block B8 for—

(A) Block B2a, FMS/International Agreements. Enter subtotals for paragraphs (d)(2)(i)(A) and (B) of this subsection.

(B) Block B2b, Action with Another Federal Agency. Enter subtotal for paragraphs (d)(2)(i)(A) and (C) of this subsection.

(3) BLOCK B3, SMALL BUSINESS.

(i) Enter the total number and total dollar value of contracting actions (including modifications which will also be reported in Block B8) where the—

(A) Contractor is a small business concern; and

(B) Place of performance is in the United States and outlying areas (see 204.670-1).

(ii) Enter the subtotals for the number and dollar value of contracting actions (including modifications that will also be reported in Block B8) for—

(A) Block B3a, Simplified Acquisition Procedures.

(B) Block B3b, Delivery Orders—GSA FSS.

(C) Block B3c, Delivery Orders—Other FSS.

(D) Block B3d, Delivery Orders—Other.

(E) Block B3e, Other Contracting Actions.

(4) BLOCK B4, LARGE BUSINESS.

(i) Enter the total number and dollar value of contracting actions (including modifications which will also be reported in Block B8) where the—

(A) Contractor is a large business concern; and

(B) Place of performance is in the United States and outlying areas.

(ii) Enter the subtotals for the number and dollar value of contracting actions (including modifications that will also be reported in Block B8) for—

(A) Block B4a, Simplified Acquisition Procedures.

(B) Block B4b, Delivery Orders—GSA FSS.

(C) Block B4c, Delivery Orders—Other FSS.

(D) Block B4d, Delivery Orders—Other.

(E) Block B4e, Other Contracting Actions.

(5) BLOCK B5, DOMESTIC OR FOREIGN ENTITIES PERFORMING OUTSIDE THE UNITED STATES.

(i) Enter the total number and dollar value of contracting actions (including modifications which will also be reported in Block B8) where the place of performance is outside the United States and outlying areas (see 204.670-1(c)). This includes actions placed directly with a foreign government that are not under international agreements (see paragraph (d)(2)(i)(B) of this subsection). It does not matter whether the contractor is domestic or foreign.

(ii) Enter the subtotals for the number and dollar value of contracting actions (including modifications that will also be reported in Block B8) for—

(A) Block B5a, Simplified Acquisition Procedures.

(B) Block B5b, Delivery Orders—GSA FSS.

(C) Block B5c, Delivery Orders—Other FSS.

(D) Block B5d, Delivery Orders—Other.

(E) Block B5e, Other Contracting Actions.

(6) BLOCK B6, EDUCATIONAL, NONPROFIT & OTHER.

(i) Enter the total number and dollar value of contracting actions (including modifications that will also be reported in Block B8) with—

(A) Educational institutions;

(B) Not-for-profit and nonprofit institutions (defined in FAR 31.107);

(C) Qualified nonprofit agencies employing people who are blind or severely disabled; and

(D) Any other entities not listed in Blocks B1 through B5.

(ii) Enter the subtotals for the number and dollar value of contracting actions (including modifications that will also be reported in B) for—

(A) Block B6a, Simplified Acquisition Procedures.

(B) Block B6b, Delivery Orders—GSA FSS.

(C) Block B6c, Delivery Orders—Other FSS.

(D) Block B6d, Delivery Orders—Other.

(E) Block B6e, Other Contracting Actions.

Use this B6e to report actions with qualified nonprofit agencies employing people who are blind or severely disabled.

(7) BLOCK B7, TOTAL CONTRACTING ACTIONS.

(i) Add Blocks B1 through B6 and enter the totals in Block B7.

(ii) If directed by data collection point procedures, also enter the subtotals for the number and dollar value of contracting actions for—

(A) Block B7a, Simplified Acquisition Procedures, sum of sub-blocks 3a+4a+5a+6a.

(B) Block B7b, Delivery Orders—GSA FSS, sum of sub-blocks 3b+4b+5b+6b.

(C) Block B7c, Delivery Orders—Other FSS, sum of sub-blocks 3c+4c+5c+6c.

(D) Block B7d, Delivery Orders—Other, sum of sub-blocks 3d+4d+5d+6d.

(E) Block B7e, Other Contracting Actions, sum of sub-blocks 3e+4e+5e+6e.

(8) BLOCK B8, TOTAL MODIFICATIONS EXCLUDING SIMPLIFIED ACQUISITION PROCEDURES.

Enter the total number of actions and dollar value of contracting actions which are modification actions. This includes modifications to delivery orders or other contracting actions which may also be counted in other blocks in section B.

(e) SECTION C, Extent Competed.

(1) BLOCK C1, COMPETED.

(i) Enter the total number and dollar value of contracting actions which were competed.

(A) Include in Block C1—

(1) Actions not subject to Competition in Contract Act (CICA) (see FAR 6.001) where at least two quotations or offers were received;

(2) Actions where competitive procedures were used to fulfill the requirement for full and open competition (FAR subpart 6.1); and

(3) Actions where full and open competition was provided for after exclusion of sources, in order to establish/maintain alternative sources or to set aside an acquisition exceeding the micro-purchase threshold for small businesses (FAR subpart 6.2).

(4) Actions where statutory authorities for other than full and open
competition (FAR subpart 6.3) were used and more than one offer was received, except as provided in paragraphs (B)(2) and (3).

(5) Actions resulting from a contract awarded competitively before CICA (including two-step formal advertising);

(6) Delivery orders/modifications under a Federal supply schedule; and

(7) Section 8(a) awards competed under FAR 6.204.

(B) Do not include—

(1) Actions that meet the criteria for Section C, Block C2;

(2) Actions awarded under the authority of FAR 6.302-5(b)(2) or (4), authorized or required by statute (report these in Section C, Block C2);

(3) Actions reported in Section B, Blocks B1 and B2, including actions with the Federal Prison Industries. These actions are treated as not available for competition in published competition reports. (ii) Enter the subtotals for the number and dollar value of contracting actions for—

(A) Block C1a, Small Business Concerns.

(B) Block C1b, Large Business Concerns.

(C) Block C1c, Domestic or Foreign Entities Performing Outside the United States and Outlying Areas.

(D) Block C1d, Educational, Nonprofit & Other.

(2) BLOCK C2, NOT AVAILABLE FOR COMPETITION.

(i) Enter the total number and dollar value of contracting actions which were not available for competition. (A) Include in Block C2—

(1) Actions for brand name commercial products for authorized resale;

(2) Actions authorized or required by statute to be awarded to a specific source or through another agency in accordance with FAR 6.302-5(b)(2) or (4); e.g., actions with qualified nonprofit agencies employing people who are blind or severely disabled and noncompetitive 8(a) actions;

(3) Actions (including modifications) at or below the micro-purchase threshold at FAR 13.101;

(4) Other contract actions where the Director of Defense Procurement has determined that there is no opportunity for competition.

(B) Do not include any actions reported in Section B, Blocks B1 or B2 (e.g., actions with regulated monopolies, actions under foreign military sales or international agreements, and actions with another Federal agency or Government corporation). These actions are treated as not available for competition in published competition reports.

(ii) Enter the subtotals for the number and dollar value of contracting actions for—

(A) Block C2a, Small Business Concerns.

(B) Block C2b, Large Business Concerns.

(C) Block C2c, Domestic or Foreign Entities Performing Outside the United States.

(D) Block C2d, Educational, Nonprofit & Other.

(3) BLOCK C3, NOT COMPLETED.

(i) Enter the total number and dollar value of contracting actions which were not competed, i.e., any actions not reported in Blocks B1 or B2. Do not include actions reported in Section B, Blocks B1 and B2. These actions are treated as not available for competition in published competition reports.

(ii) Enter the subtotals for the number and dollar value of actions for—

(A) Block C3a, Small Business Concerns.

(B) Block C3b, Large Business Concerns.

(C) Block C3c, Domestic or Foreign Entities Performing Outside the United States and Outlying Areas.

(D) Block C3d, Educational, Nonprofit & Other.

Do not include actions for supplies or services in support of RDT&E which do not require the contractor to perform RDT&E.

(f) BLOCK D1, SMALL BUSINESS.

Enter the total number and dollar value of RDT&E actions with small business concerns;

(2) BLOCK D2, LARGE BUSINESS.

Enter the total number and dollar value of RDT&E actions with large business concerns;

(3) BLOCK D3, DOMESTIC OR FOREIGN ENTITIES PERFORMING OUTSIDE THE UNITED STATES AND OUTLYING AREAS.

Enter the total number and dollar value of RDT&E actions where the principal place of performance is outside the United States or outlying areas (see 204.670–1).

(4) BLOCK D4, HISTORICALLY BLACK COLLEGES & UNIVERSITIES OR MINORITY INSTITUTIONS (HBCU/MI).

Enter the total number and dollar value of RDT&E actions with HBCUs or MIs.

(5) BLOCK D5, OTHER ENTITIES.

Enter the total number and dollar value of RDT&E actions that were not reported in Blocks D1 through D4.

(g) Section E, Selected Socioeconomic Statistics.

(1) BLOCK E1, SMALL BUSINESS (SB) SET-ASIDE.

(i) Enter the total number and dollar value of contracting actions which were small business set-aside actions pursuant to FAR 19.502, including awards to SBs reported in Block E2.

(ii) If the action is an emerging small business set-aside (FAR 19.1002), use Block E1b.

(iii) Leave Block E1a blank. Enter in Block E1b the number and total dollar value of actions for small business set-asides pursuant to FAR 19.502, including awards to SBs reported in Block E2d.

(2) BLOCK E2, SMALL DISADVANTAGED BUSINESS (SDB) ACTIONS.

(i) Enter the total number and dollar value of actions which were small disadvantaged business actions.

(ii) Enter the subtotals for the number and dollar value for—

(A) Block E2a, Through SBA—Section 8(a).

Enter actions with the Small Business Administration pursuant to Section 8(a) of the Small Business Act (FAR 19.8).

(B) Block E2b, SDB Set-Aside/SDB Preference.

Enter actions resulting from—

1. A set-aside for small disadvantaged business (SDB) (219.502–70);

2. Application of an SDB evaluation preference (219.70); or


(C) Block E2c. Leave blank.

(D) Block E2d, SB Set-Aside.

Enter actions under FAR 19.502 where award is to an SDB, but a preference was not applied nor was preferential consideration given.

(E) Block E2e, Other.

Enter awards to SB concerns where award is to an SDB not reported in Blocks E2a through E2d.

(3) BLOCK E3, WOMEN-OWNED SMALL BUSINESS.

Enter total number and dollar value of contracting actions with women-owned small businesses.

(4) BLOCK E4, HBCU/M1.

Enter the total number and dollar value of contracting actions with HBCUs or MIs pursuant to Subpart 226.70.

(5) BLOCK E5, NIB/NISH.

Enter the total number and dollar value of contracting actions with qualified nonprofit agencies employing people who are blind or severely disabled for supplies or services from the Procurement List pursuant to FAR subpart 8.7.

(h) Section F, Simplified Acquisition Procedures—Dollar Value Ranges.

Enter in each of the dollar ranges the total number and dollar value of contracting actions which used
simplified acquisition procedures (FAR part 13). The total of Section F is normally the sum of Blocks B3a, B4a, B5a, and B6a.

(i) Section G, Remarks and Authentication.
(1) Block G1, Remarks. Enter any remarks applicable to this report.
(2) Block G2, Contracting Officer. Enter the name (last, first, middle initial) of the contracting officer or representative.
(ii) Block G2a, Typed Name. Enter the name identified in Block G2a must sign.
(iii) Block G2b, Signature. Enter the signature of the person identified in Block G2a.
(iv) Block G2c, Telephone Number. Enter the telephone number of the person identified in Block G2a.

155. In Appendix C to Chapter 2, Part 2, Section C–204.3, Special clauses (II3), paragraphs (f)(1) and (f)(2) are revised to read as follows:

Appendix C to Chapter 2 [Amended]

156. In Appendix C to Chapter 2, Part 2, Section C–204.3, Special clauses (II3), paragraphs (f)(1) and (f)(2) are revised to read as follows:

Appendix F to Chapter 2 [Amended]

157. Appendix F to Chapter 2 is amended by revising Part 4, entitled “Army Activity Address Numbers” to read as follows:

PART 2—ARMY ACTIVITY ADDRESS NUMBERS

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<th>Army:</th>
<th>Address</th>
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<tr>
<td>Foreign</td>
<td>Officer, US</td>
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<td>Military</td>
<td>Arm, Security</td>
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<td>Sales:</td>
<td>Asst Center, ATTN: AMSAC–OL–LS–CS, 3rd &amp; “M”</td>
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<td>Street</td>
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<tr>
<td>Depot, New Cumber land, PA</td>
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<td>*</td>
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Appendix G to Chapter 2 [Amended]

158. Appendix G to Chapter 2 is amended by revising Part 4, entitled “Army Activity Address Numbers” to read as follows:

PART 4—DISTRIBUTION OF DD FORM 250 AND DD FORM 250C

<table>
<thead>
<tr>
<th>Address</th>
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<tbody>
<tr>
<td>B7</td>
<td>Rock Island Arsenal, ATTN: SMCR–CT, Rock Island, IL 62299–5000</td>
</tr>
<tr>
<td>BA</td>
<td>U.S. Army Armament, Munitions, and Chemical Command, ATTN: AMSMC–PAM, Rock Island, IL 62299–6000</td>
</tr>
<tr>
<td>B2</td>
<td>Watervliet Arsenal, ATTN: SMCCW–PPA, Watervliet, NY 12189–4050</td>
</tr>
<tr>
<td>B7</td>
<td>McAlester Army Ammunition Plant, ATTN: SMCMC–PC, McAlester, OK 74501–5000</td>
</tr>
<tr>
<td>B23</td>
<td>Crane Army Ammunition Activity, ATTN: SMCCN–CT, 300 Highway 361, Crane, IN 47522–5099</td>
</tr>
<tr>
<td>B27</td>
<td>USA Communications—Electronics Command, C31 Acquisition Center, ATTN: AMSAC–ACSP–BM, Fort Monroe, NJ 07703–5008</td>
</tr>
<tr>
<td>B28</td>
<td>USA Communications—Electronics Command, C31 Acquisition Center, ATTN: AMSAC–ACSP–C, Facility ADP Branch, Fort Monroe, NJ 07703–5008</td>
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TABLE 2.—SPECIAL DISTRIBUTION

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</table>

Appendix D to Chapter 2

159. Appendix D to Chapter 2 is amended by revising Part 4, entitled “Army Activity Address Numbers” to read as follows:

PART D—DISTRIBUTION OF DD FORM 250 AND DD FORM 250C

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<tr>
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<th>No. of copies</th>
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<tbody>
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<td>B7</td>
<td>Rock Island Arsenal, ATTN: SMCR–CT, Rock Island, IL 62299–5000</td>
</tr>
<tr>
<td>BA</td>
<td>U.S. Army Armament, Munitions, and Chemical Command, ATTN: AMSMC–PAM, Rock Island, IL 62299–6000</td>
</tr>
<tr>
<td>B2</td>
<td>Watervliet Arsenal, ATTN: SMCCW–PPA, Watervliet, NY 12189–4050</td>
</tr>
<tr>
<td>B7</td>
<td>McAlester Army Ammunition Plant, ATTN: SMCMC–PC, McAlester, OK 74501–5000</td>
</tr>
<tr>
<td>B23</td>
<td>Crane Army Ammunition Activity, ATTN: SMCCN–CT, 300 Highway 361, Crane, IN 47522–5099</td>
</tr>
<tr>
<td>B27</td>
<td>USA Communications—Electronics Command, C31 Acquisition Center, ATTN: AMSAC–ACSP–BM, Fort Monroe, NJ 07703–5008</td>
</tr>
<tr>
<td>B28</td>
<td>USA Communications—Electronics Command, C31 Acquisition Center, ATTN: AMSAC–ACSP–C, Facility ADP Branch, Fort Monroe, NJ 07703–5008</td>
</tr>
</tbody>
</table>
USA Engineer District Japan, ATTN: CEPOJ–CT, Unit 45010, APO AP 96343–0061
DACA81
DAWC81
USA Engineer District, Far East, APO AP 96205–0610
DACA83
DAWC83
ZH
USA Engineer Division—Pacific Ocean, ATTN: CEPDO–CT, Building 230, Fort Shafter, HI 96858–5540
DACA85
DAWC85
ZJ
USA Engineer District, Alaska, P.O. Box 898, Anchorage, AK 99506–0898
DACA87
DAWC87
ZW
USA Engineer Division, Huntsville, ATTN: CEHND–CT, P.O. Box 1600, Huntsville, AL 35807–4301
DACA88
DAWC88
OS
USA Construction Engineering Research Laboratory, ATTN: CECER–CT, P.O. Box 4006, Champaign, IL 61820–1305
DACA89
DAWC89
IZ
USA Cold Regions Research and Engineering Laboratory, ATTN: CECRL–LM–CT, 72 Lyme Road, Hanover, NH 03755–1290
DACA90
DAWC90
USA Engineer District, Europe, ATTN: CETAE–CT, Unit 25727, APO AE 09242–5301
DACA03
DAWC03
BW
Fitzsimons Army Medical Center, Directorate of Contracting, ATTN: HSH–DC, Building 205, 10th Street & McCloskey Avenue, Aurora, CO 80045–5001
DADA08
BT
Dwight D Eisenhower Medical Center, Contracting Office, ATTN: HSAA–D, Building 39706, 40 A Street, Fort Gordon, GA 30905–5650
DADA09
YY
William Beaumont Army Medical Center, ATTN: HSAA–W, Building 7777, Piedras Street, Room 4118, El Paso, TX 79920–5001
DADA10
ZQ
U.S. Army Health Services Command, Central Contracting Office, ATTN: HSAA–C, Building 2015, Beebe Loop, Fort Sam Houston, TX 78234–6000
DADA13
QW
Madigan Army Medical Center, Contracting Office, ATTN: HSAA–M, Building 9933–A, Johnson Street, Tacoma, WA 98431–5100
DADA15
OX
Walter Reed Army Medical Center, Directorate of Contracting, ATTN: HSHL–ZC, Building T–20, 1st Floor, Washington, DC 20307–5001
DADA16
0Y
Tripler Army Medical Center, Contracting Office, ATTN: HSAA–T, Building 160, Krukowski Street, Tripler AMC, HI 96859–5000
DADA18
1R
Directorate of Contracting, ATTN: AFZG–DOC, Building 4201, Fort Sam Houston, TX 78234–5000
DAEA08
E4
U.S. Army Information Systems Command, Office of Acquisition, ATTN: ASPC–RA, 134 Malbrook Street, Fort Ritchie, MD 21719–4020
DAEA16
E7
Headquarters, 5th Signal Command, DCSLOG, Contract Management Division, ATTN: ASQE–LG–C, CMR 421, APO AE 09056–3104
DAEA20
E8
Commander, 1st Signal Brigade (USAISC), Office of Acquisition Management, ATTN: ASQK–AM, Unit #15271, APO AE 93065–0044
DAEA32
Y6
DAHA01
9B
USPFO for Alabama, P.O. Box 3715, Montgomery, AL 36193–4801
DAHA02
O6
USPFO for Arizona, 5644 East Moreland Street, Phoenix, AZ 85008–3442
DAHA03
9D
USPFO for Arkansas, Camp Robinson, North Little Rock, AR 72118–2200
DAHA04
9N
USPFO for California, P.O. Box 8104, San Luis Obispo, CA 93403–8104
DAHA05
Z0
USPFO for Colorado, Camp George West, Golden, CO 80401–3997
DAHA06
15
USPFO for Connecticut, State Armory, ATTN: Contracting Officer, 360 Broad Street, Hartford, CT 06105–3795
DAHA07
9A
USPFO for Delaware, Grier Building, 1161 River Road, New Castle, DE 19720–5599
DAHA08
2Y
USPFO for Florida, P.O. Box 1008, St. Augustine, FL 32085–1008
DAHA09
C0
USPFO for Georgia, P.O. Box 17882, Atlanta, GA 30316–0882
DAHA10
CU
USPFO for Idaho, P.O. Box 45, Boise, ID 83707–4501
DAHA11
9E
USPFO for Illinois, 1301 North McAruthur Boulevard, Springfield, IL 62702–2399
DAHA12
4E
USPFO for Indiana, P.O. Box 41346, Indianapolis, IN 46241–0346
DAHA13
9L
USPFO for Iowa, Camp Dodge, 7700 NW Beaver Drive, Johnston, IA 50131–1902
DAHA14
4Z
USPFO for Kansas, 2737 South Kansas Avenue, Topeka, KS 66611–1170
DAHA15
6P
USPFO for Kentucky, Boone National Guard Center, Frankfort, KY 40601–6192
DAHA16
0A
USPFO for Louisiana, Jackson Barracks, New Orleans, LA 70146–0330
DAHA17
0B
USPFO for Maine, Camp Keys, Augusta, ME 04333–0032
DAHA18
0C
USPFO for Maryland, State Mil Reservation, 301 Old Bay Lane, Havre de Grace, MD 21078–4094
DAHA19
0D
USPFO for Massachusetts, ATTN: Contracting Officer, 143 Speen Street, Natick, MA 01760–2599
DAHA20
9F
USPFO for Michigan, 3111 West St. Joseph Street, Lansing, MI 48913–5102
DAHA21
9K
USPFO for Minnesota, Camp Ripley, P.O. Box 288, Little Falls, MN 56345–0288
DAHA22
CW
USPFO for Mississippi, 144 Military Drive, Jackson, MS 39208–8880
DAHA23
9H
USPFO for Missouri, 1715 Industrial Avenue, Jefferson City, MO 65101–1468
DAHA24
9B
USPFO for Montana, P.O. Box 1157, Helena, MT 59624–1157
DAHA25
12
USPFO for Nebraska, 1234 Military Road, Lincoln, NE 68508–1092
DAHA26
10
USPFO for Nevada, 2601 South Carson Street, Carson City, NV 89701–5596
DAHA27
2K
USPFO for New Hampshire, P.O. Box 2003, Concord, NH 03301–2003
DAHA28
ZK
USPFO for New Jersey, 131 Eggert Crossing Road, Lawrenceville, NJ 08648–2805
DAHA29
USPFO for New Mexico, ATTN: Contracting Officer, P.O. Box 4277, Santa Fe, NM 87502-4277
DAHA30
D2
USPFO for New York, 330 Old Niskayuna Road, Latham, NY 12110-2224
DAHA31
D3
USPFO for North Carolina, 4201 Reedy Creek Road, Raleigh, NC 27607-6412
DAHA32
D6
USPFO for North Dakota, P.O. Box 5511, Bismarck, ND 58502-5511
DAHA33
9M
USPFO for Ohio, 2811 West Granville Road, Columbus, OH 43227-2712
DAHA34
9J
USPFO for Oklahoma, 3501 Military Circle, N.E., Oklahoma City, OK 73111-4398
DAHA35
1X
USPFO for Oregon, ATTN: USPFO-O, P.O. Box 14840, Salem, OR 97309-5008
DAHA36
DL
USPFO for Pennsylvania, Department of Military Affairs, ATTN: Contracting Officer, Annville, PA 17003-5003
DAHA37
USPFO for Rhode Island, 330 Camp Street, Providence, RI 02906-1954
DAHA38
DU
USPFO for South Carolina, 9 National Guard Road, Columbia, SC 29201-4766
DAHA39
VQ
USPFO for South Dakota, Camp Rapid, Rapid City, SD 57702-8186
DAHA40
YX
USPFO for Tennessee, Powell Avenue, P.O. Box 40748, Nashville, TN 37204-0748
DAHA41
9C
USPFO for Texas, ATTN: Contracting Officer, P.O. Box 5218, Austin, TX 78756-5218
DAHA42
DAHA43
USPFO for Utah, P.O. Box 2000, Draper, UT 84020-2000
USPFO for Vermont, Camp Johnson, Building #3, P.O. Box 2000, Colchester, VT 05446-3004
DAHA44
ZR
USPFO for Virginia, 501 East Franklin Street, Richmond, VA 23219-2317
DAHA45
ZX
USPFO for Washington, Camp Murray, Tacoma, WA 98430-5000
DAHA46
USPFO for West Virginia, 50 Armory Road, Buckhannon, WV 26201-2396
DAHA47
9G
USPFO for Wisconsin, Camp Douglas, WI 54618-9002
DAHA48
USPFO for Wyoming, P.O. Box 1709, Cheyenne, WY 82003-1709
DAHA49
USPFO for the District of Columbia, Anacostia Naval Air Station, Building 350, Washington, DC 20315-0001
DAHA50
USPFO for Hawaii, 3949 Diamond Head Road, Honolulu, HI 96816-4495
DAHA51
ZJ
USPFO for Alaska, ATTN: P&PC Division, Camp Denali, P.O. Box B, Fort Richardson, AK 99505-5000
DAHA70
USPFO for Puerto Rico, P.O. Box 3786, San Juan, PR 00904-3786
DAHA72
USPFO for Virgin Islands, #9 Estate Diamond, Frederiksted, St. Croix, VI 00840
DAHA74
USPFO for Guam, PSC456 Box 56, FPO AP 96539-1256
DAHA90
National Guard Bureau, Contracting Support, 5109 Leesburg Pike, Suite 401-B, Falls Church, VA 22041-3201
DAHC21
G3
MTMC Eastern Area, Acquisition Division, ATTN: MTMA-LOA, Building 427, Military Ocean Terminal, Bayonne, NJ 07002-5302
DAHC22
DP
HQ MTMC, Acquisition Division, ATTN: MTQA-AT, Room B24-L, 5611 Columbia Pike, Falls Church, VA 22041-5050
DAHC23
G4
MTMC, Western Area, Oakland Army Base, ATTN: MTWA-LOA, Building 1, Alaska Street, Room 2336, Oakland, CA 94026-5000
DAHC24
HQ MTMC, Acquisition Division, ATTN: MTQA-AS, Room 725, 5611 Columbia Pike, Falls Church, VA 22041-5050
DAHC25
HW
HQ MTMC, Directorate of Personal Property, ATTN: MTPP, 5611 Columbia Pike, Falls Church, VA 22041-5050
DAHC26
0E
HQ MTMC, Program Support Division, ATTN: MTQA-AP, Stop 898, Fort Belvoir, VA 22060-5896
DAHC30
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DAHC32
0M
National Defense University, Contracting Office, ATTN: NDU-LG-P, Building 62, Fort Leslies J. McNair, Washington, DC 20319
DAHC35
2M
USA Garrison Fort Belvoir, Directorate of Contracting, ATTN: ANFB-OC, 9410 Jackson Loop, Suite 101, Fort Belvoir, VA 22060-5134
DAHC36
1J
Fort Meade Directorate of Contracting, ATTN: ANME-OC, Building 2234, Fort George G. Meade, MD 20755-5081
DAHC38
2S
Fort Ritchie Directorate of Contracting, Fort Ritchie, MD 21719
DAHC75
0U
U.S. Army, Pacific, Office of the ACSAM, ATTN: APAM, Building T115, Palm Circle Drive, Fort Shafter, HI 96858-5100
DAHC76
8J
U.S. Army Garrison, Alaska, Directorate of Contracting, ATTN: APV-GK, Building 520, Pierce Street, Fort Shafter, HI 96858-5025
DAHC90
YJ
U.S. Army Intelligence and Security Command, ATTN: IAPARC, Building 2444 (Stop 370), Fort Belvoir, VA 22060-5368
DAHC92
4V
U.S. Army Garrison, Panama, Directorate of Contracting, ATTN: SOCOCO, Unit 7116, APO AE 34002-5000
DAHC94
BD
U.S. Army Info Sys Sel & Acq Activity, ATTN: ISSA-PP, 2461 Eisenhower Avenue, Alexandria, VA 22331-0700
DAHA01
9Q
RCO Vicenza, ATTN: AEUCC-I, Unit 31401, Box 33, APO AE 09630
DAHA02
1W
RCO Seckenheim, ATTN: AEUCC-S, Unit 29331, APO AE 09266
DAHA04
9R
RCO Fuerteventura, ATTN: AEUCC-FU, Unit 28130, APO AE 09222
DAJA16
1X
RCO Grafenwoehr, ATTN: AEUCC-G, Unit 28130, APO AE 09114
DAJA22
G6
Wiesbaden Regional Contracting Center, ATTN: AEUCC-C, CMR 410, Box 741, APO AE, 09096
DAJA61
9Z
RCO Benelux, ATTN: AEUCC-B, PSC 79, Box 003, APO AE 09724
DAJA89
F0
RCO Wuerzburg, Suboffice of Fuerth, ATTN: AEUCC-W, River Building, 3rd Floor, APO AE 09244
DAJ9A0
1T
RCO Bad Kreuznach, ATTN: AEUCC-BK, Unit 24307, APO AE 09252
DAJ9B0
1F
HQ, EUSA, Asst Cofs Acquisition Mgt, ATTN: EAQQ (PARC), Unit 15236, APO AP 96205-0009
DAKF48
1G
Directorate of Contracting, ATTN: AFZJ-DC, P.O. Box 10039, Fort Irwin, CA 92310-5000
DAKF49
1C
Directorate of Contracting, ATTN: AFZC-DO, Building 6222, Fort Carson, CO 80913-5022
DAKF10
1D
Directorate of Contracting, ATTN: AFZP-DC, Building 622, 2nd Floor, Fort Stewart, GA 31314-5189
DAKF11
1E
Directorate of Contracting, ATTN: AFZK-DO, Building 184, Fort McPherson, GA 30330-5000
DAKF12
1BC
FORSCOM Central Contracting Office, ATTN: FCQ-4-PRC, Building 130, Fort McPherson, GA 30330-6000
DAKF19
1G
Directorate of Contracting, ATTN: AFZM-DO, P.O. Box 2248, Fort Riley, KS 66442-0248
DAKF23
1IH
Directorate of Contracting, ATTN: AFZB-DO, Building 2174, Street 13A, Fort Campbell, KY 42223-1100
DAKF24
1GL
Directorate of Contracting, ATTN: AFZQ-DO, P.O. Drawer 3918, Fort Polk, LA 71459-5000
DAKF29
1G
Directorate of Contracting, ATTN: AFZI-DO, Building 5418, South Scott Plaza, Fort Dix, NJ 08640-6150
DAKF31
1K
Directorate of Contracting, ATTN: AFZD-DO, Building 227, Fort Devens, MA 01433-5340
DAKF36
1M
Directorate of Contracting, ATTN: AFZC-DO, West Street, Building T-45, Fort Drum, NY 13602-5220
DAKF40
1N
Directorate of Contracting, ATTN: AFZL-DC, Drawer 70120, Fort Bragg, NC 28307-0120
DAKF48
1Q
Headquarters, III Corps and Fort Hood, Directorate of Contracting, ATTN: AFZF-DO, Building 1001 (Room W103), Fort Hood, TX 76544-5059
DAKF57
1T
Directorate of Contracting, ATTN: AFZH-DO, Rainer Drive, Building 9504, Fort Lewis, WA 98433-5000
DAKF61
1U
Directorate of Contracting, ATTN: AFZR-DO, Building 2103, Fort McCoy, WI 54656-5000
DAMD17
B3
U.S. Army Medical Research Acquisition Activity, ATTN: SGRD-RMA, Building 820, Chandler Street, Frederick, MD 21702-5014
DA SA01
G0
Commander, ARCENT HQ SWA, ATTN: DOC, APO AE 09808
DA SA02
Commander, ARTAS-K, ATTN: AFRD-KU-KO, APO AE 09889
DA SA03
Commander, ARCENT Contracting Division, ATTN: AFXR-PARC-Building 363, Fort McPherson, GA 30330-6000
DSAG60
CB
USA Strategic Defense Command, Deputy Commander, ATTN: CSSD-CM-AC, P.O. Box 1500, Huntsville, AL 35807-3801
DSAG62
CH
U.S. Army Space Command, ATTN: MOSC-SC, 1670 North Newport Road, Suite 211, Colorado Springs, CO 80916-2749
DA SW01
F7
DATM01
OR
U.S. Army OPTEC Contracting Activity, ATTN: CSTE-ZOC, P.O. Box Y, Fort Hood, TX 76544-5065
158. Appendix G to Chapter 2 is amended by revising Part 5, entitled "Air Force Activity Address Numbers" to read as follows:

PART 5—AIR FORCE ACTIVITY ADDRESS NUMBERS

F01600
5A
42 CONS/CC, 50 Lemay Plaza S, Bldg 804, Maxwell AFB, AL 36112-6334
F01620
6K
SSC/PK, 375 Libby Street, MAFB-Gunter Annex, AL 36114-6343
F02601
5C
355 CONS/CC, 3180 S. Craycroft Road, Davis-Monthan AFB, AZ 85707-3522
F02604
5D
56 CONS/CC, 14100 West Eagle St, Luke AFB, AZ 85309-1217
F03602
5F
314 CONS/CC, 642 Thomas Avenue, Little Rock AFB, AR 72099-5019
F04604
5G
93 CONS/CC, 6 St Bldg 708, Castle AFB, CA 95340-5320
F04605
5H
722 CONS, 1485 Graeber St, Ste 21, March AFB, CA 92151-1729
F04606
SM
SM—ALC/PK, Bldg 200, 3237 Peacekeeper Way, Ste 17, McClellan AFB, CA 95652-1060
F04611
QQ
AFFTC/PK, Bldg 2800, 5 S Wolfe Ave, Edwards AFB, CA 93524-1185
F04626
5M
60 CONS/LGC, 350 Hangar Avenue, Bldg 549, Travis AFB, CA 94535-2632
F04666
5N
9 CONS/CC, 6500 B St, Ste 101, Beale AFB, CA 95903-1712
F04684
QQ
30 CONS/LGC, 806 13th St, Ste D, Bldg 7015 Sect 2c, Vandenberg AFB, CA 93437-5226
F04689
RN
750 LSS/LGC, 1080 Lockheed Way, Box 039, Onizuka AFB, CA 94089-1234
F04690
RF
Det 2, SMC/PK, 1080 Lockheed Way Box 043, Onizuka AFB, CA 94089-1235
F04693
MG
SMC/PKD, 400 N Douglas Blvd Ste 212E, Los Angeles, CA 90245-4640
F04699
Q5
SM—ALC/PK, Bldg 200 3227 Peacekeeper Way Ste 17, McClellan AFB, CA 95652-1060
F04700
Q2
AFFTC/PKA, 5 S Wolfe Ave, Building 2800, Edwards AFB, CA 93524-1185
F04701
TB
SMC/PK, 155 Discovery Blvd Ste 1516, Los Angeles, CA 90245-4692
F04704
R9
Det 10 SMC/PK, Bldg 951, 1111 E. Mill St, Ste 104, San Bernardino, CA 92408-1621
F05603
HQ AFSFC/LGC, 150 Vandenberg Street Ste 1105, Peterson AFB, CO 80914-4350
F05604
SX
21 CONS/LGC, 700 Suffolk Street, Peterson AFB, CO 80914-1200
F05611
5Q
Defense General Supply Center, Business Operations, 8000 Jefferson Davis Highway, Richmond, VA 23297-5770
SP0410

Defense General Supply Center, Base Supt Div, Dir Of Spec Proc, 8000 Jefferson Davis Highway, Richmond, VA 23297-5312
SP0411

Defense General Supply Center, Proc Br (ESOC), Customer Asst Ctr, 8000 Jefferson Davis Highway, Richmond, VA 23297-5871
SP0413

Defense General Supply Center, Spec Purchase Br, Prod Ctr Spt Div, 8000 Jefferson Davis Highway, Richmond, VA 23297-5864
SP0414

Defense General Supply Center, SASPS Phase I Br, Prod Ctr Spt Div, 8000 Jefferson Davis Highway, Richmond, VA 23297-5863
SP0420

Defense General Supply Center, DODDS Div., Dir Of Spec Proc, 8000 Jefferson Davis Highway, Richmond, VA 23297-5313
SP0430

Defense General Supply Center, Proc Br, Product Center 5, 8000 Jefferson Davis Highway, Richmond, VA 23297-5813
SP0440

Defense General Supply Center, Proc Br, Product Center 7, 8000 Jefferson Davis Highway, Richmond, VA 23297-5834
SP0441

Defense General Supply Center, Proc Br, Product Center 6, 8000 Jefferson Davis Highway, Richmond, VA 23297-5822
SP0450

Defense General Supply Center, Proc Br, Product Center 4, 8000 Jefferson Davis Highway, Richmond, VA 23297-5800
SP0451

Defense General Supply Center, Proc Br, Product Center 2, 8000 Jefferson Davis Highway, Richmond, VA 23297-5772
SP0460

Defense General Supply Center, Proc Br, Product Center 1, 8000 Jefferson Davis Highway, Richmond, VA 23297-5772
SP0461

Defense General Supply Center, Special Purchase Branch (SPUR), 8000 Jefferson Davis Highway, Richmond, VA 23297-5864
SP0490

Defense General Supply Center, Proc Br, Product Center 1, 8000 Jefferson Davis Highway, Richmond, VA 23297-5846
SP0499

Defense General Supply Center—FCIM, 8000 Jefferson Davis Highway, Richmond, VA 23297-5000
SP0500

Defense Industrial Supply Center, 700 Robbins Avenue, Philadelphia, PA 19111-5096
SP0510

Defense Industrial Supply Center, Base Operating Support System, 700 Robbins Avenue, Philadelphia, PA 19111-5096
SP0520

Defense Industrial Supply Center, Product Verification Testing Acquisition, 700 Robbins Avenue, Philadelphia, PA 19111-5096
SP0599

Defense Industrial Supply Center—FCIM, 700 Robbins Avenue, Philadelphia, PA 19111-5096
SP0600

Defense Fuel Supply Center, 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22304-6160
SP0700

Defense Construction Supply Center, Wood Products Branch, P.O. Box 3990, Columbus, OH 43216-3990
SP0701

Defense Construction Supply Center, Directorate of Contracting and Production, ATTN: DDCO TTC, Bldg 122, Columbus, OH 43216-5000
SP0710

Defense Construction Supply Center, Commercial Activities and Service Branch, P.O. Box 16704, Columbus, OH 43216-5010
SP0720

Defense Construction Supply Center, Wood Products Branch, P.O. Box 16704, Columbus, OH 43216-5010
SP0730

Defense Construction Supply Center, Military Interdepartmental PR MIPR Division, P.O. Box 3990, Columbus, OH 43216-5000
SP0740

Defense Construction Supply Center, High Demand Group (MINI-ICP), P.O. Box 3990, Columbus, OH 43216-5000
SP0750

Defense Construction Supply Center, Contracts Division I, P.O. Box 16704, Columbus, OH 43216-5010
SP0760

Defense Construction Supply Center, Contracts Division II, P.O. Box 16704, Columbus, OH 43216-5010
SP0770

Defense Construction Supply Center, Government Furnished Property Acct, Columbus, OH 43216-5000
SP0780
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<tr>
<th>DCMAO Atlanta, 805 Walker Street, Marietta, GA 30060–2789</th>
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<tr>
<td>S1109A Z4</td>
</tr>
<tr>
<td>DCMAO Clearwater, 1100 Cleveland Street, Suite 200, Clearwater, FL 34615–4822</td>
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<tr>
<td>S1110A Z5</td>
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<tr>
<td>DPRO Grumman, St. Augustine, 5000 US Highway 1, North, P.O. Drawer 3447, St. Augustine, FL 32085–3447</td>
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<tr>
<td>S1111A Z9</td>
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<tr>
<td>DPRO Lockheed Aeronutical Systems Co.—Georgia, 86 South Cobb Drive, Bldg B–2, Marietta, GA 30063–0260</td>
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<tr>
<td>DPRO Residency, Honolulu, Box 64110, Camp HM Smith, Honolulu, HI 96861–4110</td>
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<tr>
<td>DPRO Connecticut Aircraft Program Management Office, 805 Walker Street, Marietta, GA 30060–2789</td>
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<td>S1221A X5</td>
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<tr>
<td>DPRO Grumman, P.O. Box 9650, Melbourne, FL 32902–9650</td>
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<td>S1403A YP</td>
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<td>DCMAO Chicago, O’Hare International Airport, P.O. Box 66911, Chicago, IL 60666–0911</td>
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<td>DPRO Magnusvo, 1616 Directors Row, Fort Wayne, IN 46808–1286</td>
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<td>S1701A YD</td>
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<td>DCMAO Wichita, U.S. Courthouse, Suite B–34, 401 North Market, Wichita, KS 67202–1095</td>
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<td>DPRO Boeing Military Airplanes, P.O. Box 7723, Wichita, KS 67277–7723</td>
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<tr>
<td>DPRO Michoud, 13800 Old Gentilly Hwy, Building 350, P.O. Box 29503, New Orleans, LA 70189–0503</td>
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<tr>
<td>S2102A 7H</td>
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<tr>
<td>Defense Contract Management Residency, 895 Oceanic Drive, P.O. Box 1488, Annapolis, MD 21401–1488</td>
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<td>S2103A S2</td>
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<td>DPRO Westinghouse Electric—Baltimore, P.O. Box 1693, M/S 1265, Baltimore, MD 21203–1693</td>
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<td>S2202A UT</td>
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<td>DCMD Northeast, 495 Summer Street, Boston, MA 02210–2184</td>
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<td>S2203A XX</td>
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<td>DPRO GTE Government Systems Corp, 200 First Avenue, Needham, MA 02194–9123</td>
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<td>S2205A XF</td>
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<td>DPRO Raytheon, Spencer Laboratory, Wayside Avenue, Burlington, MA 01803–0901</td>
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<tr>
<td>S2206A Y3</td>
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<td>DCMAO Boston, 495 Summer Street, Boston, MA 02210–2138</td>
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<td>S2207A 7Q</td>
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<td>DPRO GE Aircraft Engines, Lynn, 100 Western Avenue, Lynn, MA 01910–0445</td>
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<td>S2208A NJ</td>
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<td>DPRO Martin Marietta Defense Systems, 100 Plastics Avenue, Pittsfield, MA 01201–3696</td>
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<td>S2209A SQ</td>
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<tr>
<td>DPRO Textron Defense Systems, 201 Lowell Street, Wilmington, MA 01887–2941</td>
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<td>S2303A LV</td>
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<td>DCMAO Grand Rapids, Riverview Center Building, 678 Front Street, NW, Grand Rapids, MI 49504–5352</td>
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<td>S2305A YS</td>
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<tr>
<td>DCMAO Detroit, McNamara Federal Building, 477 Michigan Avenue, Detroit, MI 48226–2579</td>
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<td>S2401A WQ</td>
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<td>DCMAO Twin Cities, 2305 Ford Parkway, St. Paul, MN 55116–1893</td>
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<tr>
<td>S2402A WD</td>
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<tr>
<td>DPRO Honeywell/Alliant Techsystems, Honeywell Plaza, 2701 4th Avenue, South Minneapolis, MN 54408–1792</td>
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<tr>
<td>S2404A UR</td>
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<tr>
<td>DCMAO Baltimore, 200 Towson Town Boulevard, West, Towson, MD 21204–5299</td>
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<tr>
<td>S2603A XS</td>
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<tr>
<td>DCMAO St Louis, 122 Spruce Street, St. Louis, MO 63103–2811</td>
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<tr>
<td>S2606A YJ</td>
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<tr>
<td>DPRO McDonnell Douglas, St. Louis, P.O. Box 516, St. Louis, MO 63166–0516</td>
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<tr>
<td>S3001A YS</td>
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<tr>
<td>DPRO Lockheed Sanders, Inc., Daniel Webster Highway, South, P.O. Box 868, Nashua, NH 03061–0868</td>
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<tr>
<td>S3101A WT</td>
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<tr>
<td>DCMAO Springfield, 955 South Springfield Avenue, Springfield, NJ 07081–3170</td>
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<tr>
<td>S3102A UU</td>
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<td>DPRO Allied Signal, Route 46, Teterboro, NJ 07608–1173</td>
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<tr>
<td>S3109A WC</td>
</tr>
<tr>
<td>DPRO GEC/Kearfott, 164 Totowa Road, MS 11A 30, Wayne, NJ 07474–0975</td>
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<tr>
<td>S3110A X7</td>
</tr>
<tr>
<td>DPRO GE Aerospace, Marine Highway and Morton Landing Road, Moorestown, NJ 08057–3095</td>
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<tr>
<td>S3304A XQ</td>
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</table>
Defense Information Systems Agency amended by revising Part 7, entitled "Defense Mapping Agency Activity Address Numbers" to read as follows:

**PART 7—DEFENSE INFORMATION SYSTEMS AGENCY ACTIVITY ADDRESS NUMBERS**

DCA 100

VC

Defense Information Systems Agency, Contract Management Division, ATTN: PM, 701 South Courthouse Road, Arlington, VA 22204–2199——(ZD10)

DCA 200

VP


DCA 300

1F


DCA 400

2F


DCA 500

3F


DCA 600

4F


DCA 700

5F


DCA 800

6F


DCA 900

7F


**PART 8—DEFENSE MAPPING AGENCY ACTIVITY ADDRESS NUMBERS**

DMA 100

BQ

Defense Mapping Agency, Acquisition and Technology Procurement, ATTN: PCC/D-88, 4600 Sangamore Road, Bethesda, MD 20816–5003——(ZM100)

DMA 201

Y2

Defense Mapping Agency, Micro Purchasing Operations (East), ATTN: PCC/E-D–6, 4600 Sangamore Road, Bethesda, MD 20816–5003——(ZM101)

DMA 202

Z2

Defense Mapping Agency, Micro Purchasing Operations (West), ATTN: PCC/W/L–13, 3200 South Second Street, St. Louis, MO 63118–3399——(ZM22)

DMA 301

V2

Defense Mapping Agency, Operations Group Procurement (East), ATTN: PCC/E-D–5, 4600 Sangamore Road, Bethesda, MD 20816–5003——(ZM31)

DCA 302

YQ

Defense Mapping Agency, Operations Group Procurement (West), ATTN: PCC/
162. Appendix G to Chapter 2 is amended by revising in Part 9, entitled “Defense Nuclear Agency Activity Address Numbers” the ATTN line and the address in the activity address number “DNA002—ON to read: “ATTN: Acquisition Management Office (FCA), 1680 Texas Street, S.E., Kirtland AFB, NM 87115-5669 (ZD31).”

163. Appendix G to Chapter 2 is amended by revising Part 10, entitled “Miscellaneous Defense Activities Activity Address Numbers” to read as follows:

PART 10—MISCELLANEOUS DEFENSE ACTIVITIES ACTIVITY ADDRESS NUMBERS

MDA112
E0
T-ASA, Sacramento Contracting Office, 3116 Peacekeeper Way, McClellan AFB, CA 95652-1068—(ZP12)

MDA113
VE
T-ASA, March Contracting Office, 1363 Z Street, March AFB, GA 92518-2717—(ZP13)

MDA114
VV

MDA410
DR
DoDDS, ATTN: Procurement Division, 4040 North Fairfax Drive, 8th Floor, Arlington, VA 22203-1635—(ZK10)

MDA412
9Y

DoDDS, European Procurement Office, Unit 29649, Box 4000, APO AE 09096—(ZK12)

MDA414
Y4
DoD Education Activity, Education Supplies Procurement Office, ATTN: DGSC-ED, 8000 Richmond Highway, Richmond, VA 23297-5320—(ZK14)

MDA416
YT
DoD Education Activity, Pacific Procurement Office, PSC 556, Box 796, FPO, AP 96386-0796—(ZK16)

MDA904
Maryland Procurement Office, ATTN: N363, 9800 Savage Road, Fort George G. Meade, MD 20755-6000—(ZD04)

MDA905
B4
Uniformed Services University of the Health Sciences, ATTN: Director of Contracting, 4301 Jones Bridge Road, Bethesda, MD 20814-4799—(ZD05)

MDA906
Office for the Civilian Health & Medical Program of the Uniformed Services (CHAMPUS), ATTN: Contract Management Division, Building 222, East Harlow Avenue, FAMC, Aurora, CO 80045-6900—(ZD06)

MDA907
Purchasing and Contracting Office, Menwith Hill Station, APO AE 09020—(ZD07)

MDA908
2X
Virginia Contracting Activity, ATTN: DAP, P.O. Box 46563, Washington, DC 20050-6563—(ZD05)

MDA928
Armed Forces Radiobiology, Research Institute, ATTN: Acquisition Management Office, 8901 Wisconsin Avenue, Bethesda, MD 20889-5603—(ZD28)

MDA946
WHS Contracting Office, Real Estate Facilities Directorate, ATTN: Director, Procurement & Contracts, 1155 Defense Pentagon, Room 1D198, Washington, DC 20501-1195—(ZD46)

MDA972
WS
ARPA Contract Management Office, 3701 North Fairfax Drive, Arlington, VA 22203—(ZD72)

USZA22
2U
USSOCOM Headquarters, Directorate of Procurement, 7701 Tampa Point Boulevard, MacDill AFB, FL 33621-5323—(ZA22)

USZA24
USSOCOM, 24th STS, ATTN: MS-Z, Pope AFB, NC 28308-5000—(ZA24)

USZA90
USSOCOM, JSOC, P.O. Box 70329, Fort Bragg, NC 28307-5000—(ZA90)

USZA91
USSOCOM, SOTF, ATTN: Contracting, P.O. Box 70660, Fort Bragg, NC 28307-5000—(ZA91)

USZA92
1F
USSOCOM, USASOC, ATTN: AOCO, Fort Bragg, NC 28307-5200—(ZA92)

USZA95
1A
USSOCOM, TAKO, Contracting Division, ATTN: AMSAT-D-TK, 4300 Goodfellow Boulevard, St. Louis, MO 63120—(ZA95)

USZA92
1F
US Special Operations Command—USASOC, ATTN: AOCO, Fort Bragg, NC 28307-5200—(ZA92)

USZA95
1A
US Special Operations Command—TAKO, Contracting Division, ATTN: AMSAT-D-TK, 4300 Goodfellow Boulevard, St. Louis, MO 63120—(ZA95)

[FR Doc. 95-29187 Filed 11-29-95; 8:45 am]
BILLING CODE 5000-04-M