

Dated: August 7, 1997.  
**Eleanor R. Spector,**  
*Director, Defense Procurement.*

Dated: August 7, 1997.  
**Tom Luedtke,**  
*Deputy Associate Administrator for  
Procurement National Aeronautics and Space  
Administration.*

Dated: August 7, 1997.  
**Edward C. Loeb,**  
*Acting Deputy Associate Administrator,  
Office of Acquisition Policy, General Services  
Administration.*  
[FR Doc. 97-22074 Filed 8-15-97; 1:12 pm]  
BILLING CODE 6820-EP-P

**DEPARTMENT OF DEFENSE**

**GENERAL SERVICES  
ADMINISTRATION**

**NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION**

**48 CFR Part 1**

[FAC 97-01; FAR Case 97-006; Item I]

RIN 9000-AH64

**Federal Acquisition Regulation;  
Business Process Innovation**

**AGENCIES:** Department of Defense (DOD),  
General Services Administration (GSA),  
and National Aeronautics and Space  
Administration (NASA).

**ACTION:** Final rule.

**SUMMARY:** The Civilian Agency  
Acquisition Council and the Defense  
Acquisition Regulations Council have  
agreed on a final rule amending the  
Federal Acquisition Regulation (FAR) to  
state that contracting officers, in their  
role as members of the Government  
acquisition team, should take the lead in  
encouraging business process  
innovations and ensuring that business  
decisions are sound. This regulatory  
action was not subject to Office of  
Management and Budget review under  
Executive Order 12866, dated  
September 30, 1993, and is not a major  
rule under 5 U.S.C. 804.

**DATES:** Effective October 21, 1997.

**FOR FURTHER INFORMATION CONTACT:** The  
FAR Secretariat, Room 4035, GS  
Building, Washington, DC 20405 (202)  
501-4755 for information pertaining to  
status or publication schedules. For  
clarification of content, contact Mr.  
Ralph De Stefano, Procurement Analyst,  
at (202) 501-1758. Please cite FAC 97-  
01, FAR case 97-006.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

This final rule amends FAR 1.102-  
4(e) by adding a statement that  
contracting officers, in their role as  
members of the Government acquisition  
team, should take the lead in  
encouraging business process  
innovations and ensuring that business  
decisions are sound.

**B. Regulatory Flexibility Act**

The final rule does not constitute a  
significant FAR revision within the  
meaning of FAR 1.501 and Pub. L. 98-  
577, and publication for public  
comment is not required. However,  
comments from small entities  
concerning the affected FAR subpart  
will be considered in accordance with 5  
U.S.C. 610. Such comments must be  
submitted separately and cite 5 U.S.C.  
601, *et seq.* (FAC 97-01, FAR case 97-  
006), in correspondence.

**C. Paperwork Reduction Act**

The Paperwork Reduction Act does  
not apply because the changes to the  
FAR do not impose recordkeeping or  
information collection requirements, or  
collections of information from offerors,  
contractors, or members of the public  
which require the approval of the Office  
of Management and Budget under 44  
U.S.C. 3501, *et seq.*

**List of Subjects in 48 CFR Part 1**

Government procurement.

Dated: August 7, 1997.

**Edward C. Loeb,**  
*Director, Federal Acquisition Policy Division.*

Therefore, 48 CFR Part 1 is amended  
as set forth below:

**PART 1—FEDERAL ACQUISITION  
REGULATIONS SYSTEM**

1. The authority citation for 48 CFR  
Part 1 continues to read as follows:

**Authority:** 40 U.S.C. 486(c); 10 U.S.C.  
chapter 137; and 42 U.S.C. 2473(c).

2. Section 1.102-4 is amended by  
adding the following sentence at the end  
of paragraph (e):

**1.102-4 Role of the acquisition team.**

\* \* \* \* \*

(e) \* \* \* Contracting officers should  
take the lead in encouraging business  
process innovations and ensuring that  
business decisions are sound.

[FR Doc. 97-21486 Filed 8-21-97; 8:45 am]  
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**DEPARTMENT OF DEFENSE**

**GENERAL SERVICES  
ADMINISTRATION**

**NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION**

**48 CFR Parts 1, 9, 14, 19, 22, 33, and  
52**

[FAC 97-01; FAR Case 96-601; Item II]

RIN 9000-AH31

**Federal Acquisition Regulation; FASA  
and the Walsh-Healey Public Contracts  
Act**

**AGENCIES:** Department of Defense (DoD),  
General Services Administration (GSA),  
and National Aeronautics and Space  
Administration (NASA).

**ACTION:** Interim rule adopted as final.

**SUMMARY:** The Civilian Agency  
Acquisition Council and the Defense  
Acquisition Regulations Council have  
agreed to convert the interim rule  
published as Item I of Federal  
Acquisition Circular 90-43 on  
December 20, 1996, to a final rule  
without change. The rule amends the  
Federal Acquisition Regulation (FAR) to  
eliminate the requirement that covered  
contractors under the Walsh-Healey  
Public Contracts Act must be either the  
manufacturer of or a regular dealer in  
the materials, supplies, articles, or  
equipment to be manufactured or used  
in the performance of the contract. This  
regulatory action was not subject to  
Office of Management and Budget  
review under Executive Order 12866,  
dated September 30, 1993, and is not a  
major rule under 5 U.S.C. 804.

**DATES:** Effective October 21, 1997.

**FOR FURTHER INFORMATION CONTACT:** The  
FAR Secretariat, Room 4035, GS  
Building, Washington, DC 20405 (202)  
501-4755 for information pertaining to  
status or publication schedules. For  
clarification of content, contact Mr. Jack  
O'Neill, Procurement Analyst, at (202)  
501-3856. Please cite FAC 97-01, FAR  
case 96-601.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

On December 20, 1996 (61 FR 67409),  
the DoD, GSA, and NASA published an  
interim FAR rule implementing the  
Federal Acquisition Streamlining Act of  
1994 (Pub. L. 103-355) amendments to  
the Walsh-Healey Public Contracts Act.  
The interim rule deleted the  
"manufacturer" or "regular dealer"  
requirements and all related definitions  
from the FAR, consistent with a  
Department of Labor final rule issued on