making any determination regarding the making of sole-source awards. This is a
change to internal operating procedures of the Government with no impact on
contractors or offerors. Therefore, an
initial regulatory flexibility analysis has
not been performed. However, DoD
invites comments from small business
concerns and other interested parties on
the expected impact of this rule on
small entities.

DoD will also consider comments
from small entities concerning the
existing regulations in subparts affected
by this rule in accordance with 5 U.S.C.
610. Interested parties must submit such
comments separately and should cite 5
U.S.C. 610 (DFARS Case 2009–D036) in
correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act does
not apply because the interim rule does
not contain any information collection
requirements that require the approval of
the Office of Management and Budget
under 44 U.S.C., et seq.

D. Determination To Issue an Interim Rule

A determination has been made under
the authority of the Secretary of Defense
(DoD) that urgent and compelling
circumstances exist to promulgate this
interim rule without prior opportunity
for public comments pursuant to 41
U.S.C. 418b and FAR 1.501–3(b). This
interim rule implements section 814 of
the National Defense Authorization Act
for FY 2010, which prohibits the award
of a sole-source task or delivery order
that is estimated to exceed $100 million
(including all options) unless the head
of the agency determines that one of
four exceptions applies, and notifies
appropriate congressional defense
committees (and intelligence activities,
if the order concerns intelligence-related activities) within 30 days of the
determination. An interim rule is
necessary because the statute became
effective upon enactment on October 28,
2009, and it is imperative that DoD
contracting officers be aware of
additional congressional notification
requirements as soon as possible in
order to enable them to comply with the
law. DoD will consider public
comments received in response to this
interim rule in the formation of the final
rule.

List of Subjects in 48 CFR Part 216

Government procurement.

Ynette R. Shelkin,
Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR part 216 is
amended as follows:

PART 216—TYPES OF CONTRACTS

1. The authority citation for 48 CFR
part 216 continues to read as follows:

Authority: 41 U.S.C. 421 and 48 CFR
chapter 1.

2. Section 216.504 is revised to read
as follows:

216.504 Indefinite-quantity contracts.

(c)(1)(ii)(D) Limitation on single-
award contracts.

* * * * *

(2) The head of the agency must notify
the congressional defense committees
within 30 days after any determination
under this section and provide a copy
of the determination and notification to
the Deputy Director, Defense
Procurement and Acquisition Policy
(Contract Policy and International
Contracting), OUSD (AT&L) DPAP/
CPIC, 3060 Defense Pentagon,
Washington, DC 20301–3060. If the
award concerns intelligence or
intelligence-related activities of DoD,
notification shall also be provided to the
Select Committee on Intelligence of the
Senate and the Permanent Select
Committee on Intelligence of the House
of Representatives. (See sample
notification at PGI
216.504(c)(1)(ii)(D)(2)).

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BILLING CODE 5001–08–P

DEPARTMENT OF DEFENSE
Defense Acquisition Regulations System

48 CFR Part 252

Defense Federal Acquisition
Regulation Supplement; Technical
Amendment

AGENCY: Defense Acquisition
Regulations System. Department of
Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is making a technical
amendment to the Defense Federal
Acquisition Regulation Supplement
(DFARS) to correct the date of DFARS
clause 252.222–7006.

DATES: Effective Date: July 13, 2010.

FOR FURTHER INFORMATION CONTACT:
Ms. Ynette R. Shelkin, Defense Acquisition
Regulations System, OUSD (AT&L) DPAP/DARS,
Room 3B855, 3060 Defense Pentagon, Washington,
DC 20301–3060. Telephone 703–602–8384;
faxsimile 703–602–0350.

SUPPLEMENTAL INFORMATION: This final
rule amends the revision date of DFARS
clause 252.222–7006. DoD published an
interim rule at 75 FR 27946 on May 19,
2010, for DFARS Case 2010–D004,
Restrictions on the Use of Mandatory
Arbitration Agreements, in which it
failed to cite a date for DFARS clause
252.222–7006. The date for the clause
should have been May 19, 2010, the
date the interim rule was published.

List of Subjects in 48 CFR Part 252

Government Procurement.

Ynette R. Shelkin,
Editor, Defense Acquisition Regulations System.

Therefore 48 CFR part 252 is amended
as follows:

PART 252—SOLICITATION
PROVISIONS AND CONTRACT
CLAUSES

1. The authority citation for 48 CFR
part 252 continues to read as follows:

Authority: 41 U.S.C. 421 and 48 CFR
chapter 1.

2. Section 252.222–7006 is amended
by revising the clause date as follows:

252.222–7006 Restrictions on the Use
of Mandatory Arbitration
Agreements

* * * * *

RESTRICTIONS ON THE USE OF
MANDATORY ARBITRATION
AGreements (MAY 2010)

* * * * *

[FR Doc. 2010–16908 Filed 7–12–10; 8:45 am]
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