



Federal Register

**Monday,
April 24, 2000**

Part XLVI

**Department of
Defense
General Services
Administration
National Aeronautics
and Space
Administration**

**Federal Acquisition Regulation;
Semiannual Regulatory Agenda**

**DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)**

DEPARTMENT OF DEFENSE

**GENERAL SERVICES
ADMINISTRATION**

**NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION**

48 CFR Ch. 1

Semiannual Regulatory Agenda

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

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda provides summary descriptions of regulations

being developed by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council in compliance with Executive Order 12866 "Regulatory Planning and Review." This agenda is being published to allow interested persons an opportunity to participate in the rulemaking process.

The Federal Acquisition Regulation (FAR) Secretariat has attempted to list all regulations pending at the time of publication, except for minor and routine or repetitive actions; however, unanticipated requirements may result in the issuance of regulations that are not included in this agenda. There is no legal significance to the omission of an item from this listing. Also, the dates shown for the steps of each action are

estimated and are not commitments to act on or by the dates shown.

FOR FURTHER INFORMATION CONTACT: Ms. Laurie Duarte, FAR Secretariat, Room 4035, GS Building, Washington, DC 20405, (202) 501-4755.

SUPPLEMENTARY INFORMATION: DoD, GSA, and NASA, under their several statutory authorities, jointly issue and maintain the FAR through periodic issuance of Federal Acquisition Circulars (FACs).

Dated: February 25, 2000.

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

DOD/GSA/NASA (FAR)—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3922	FAR Case 99-608, Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor	9000-AI51
3923	FAR Case 98-024, Procurement Integrity Rewrite	9000-AI61
3924	FAR Case 99-022, Discussion Requirements	9000-AI68

DOD/GSA/NASA (FAR)—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3925	FAR Case 99-012, Small Business Competitiveness Demonstration Program	9000-AI64
3926	FAR Case 99-607, Electronic and Information Technology Accessibility	9000-AI69

DOD/GSA/NASA (FAR)—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3927	FAR Case 89-093, Implementation of the Anti-Lobbying Statute	9000-AD76
3928	FAR Case 91-078, Small Business Subcontracting Reporting	9000-AG04
3929	FAR Case 94-753, Travel Costs	9000-AG27
3930	FAR Case 96-308, Implementation of Commercially Available Off-the-Shelf Item Acquisition Provisions of the Federal Acquisition Reform Act	9000-AH25
3931	FAR Case 95-013, Government Property	9000-AH60
3932	FAR Case 96-023, Clause Flowdown-Commercial Items	9000-AH69
3933	FAR Case 97-032, Relocation Costs	9000-AH96
3934	FAR Case 97-304, Electronic Commerce in Federal Procurement	9000-AI10
3935	FAR Case 98-605, Service Contract Act, Commercial Item Subcontracts	9000-AI36
3936	FAR Case 98-604, Ocean Transportation by U.S.-Flag Vessels	9000-AI39
3937	FAR Case 99-010, Contractor Responsibility, Labor Relations Costs, and Costs Relating to Legal and Other Proceedings	9000-AI40
3938	FAR Case 98-304, Commercial Items-Nongovernmental Purposes	9000-AI41
3939	FAR Case 99-004, Executive Agent	9000-AI42
3940	FAR Case 98-614, Veterans' Employment	9000-AI46
3941	FAR Case 97-613, Application of the Davis-Bacon Act to Construction Contracts with Options To Extend the Term of the Contract	9000-AI47

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DOD/GSA/NASA (FAR)—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
3942	FAR Case 98-609, Federal Supply Schedules Small Business Opportunities	9000-AI48
3943	FAR Case 98-015, Requirements Supporting Procurement of Recycled Products and Environmentally Preferable Services	9000-AI49
3944	FAR Case 99-301, Utilization of Indian Organizations and Indian-Owned Economic Enterprises	9000-AI52
3945	FAR Case 99-014, Competition Under Multiple-Award Contracts	9000-AI53
3946	FAR Case 99-008, Restrictions on Acquisitions from Yugoslavia and Afghanistan	9000-AI54
3947	FAR Case 97-306, Contract Bundling	9000-AI55
3948	FAR Case 99-302, Construction Industry Payment Protection Act of 1999	9000-AI60
3949	FAR Case 99-013, Deferred Research and Development Costs	9000-AI62
3950	FAR Case 99-003, Liquidated Damages	9000-AI63
3951	FAR Case 99-606, Time-and-Materials or Labor-Hours	9000-AI65
3952	FAR Case 99-610, FAR Drafting Principles	9000-AI66
3953	FAR Case 98-300, Determination of Price Reasonableness and Commerciality	9000-AI67

DOD/GSA/NASA (FAR)—Completed Actions

Sequence Number	Title	Regulation Identification Number
3954	FAR Case 97-024, Foreign Acquisition	9000-AH30
3955	FAR Case 98-400, Progress Payments and Related Financing Policies	9000-AH70
3956	FAR Case 98-611, Evaluation Boards	9000-AI13
3957	FAR Case 97-033, Pollution Control and Clean Air and Water	9000-AI19
3958	FAR Case 98-400, Progress Payments and Related Financing Policies	9000-AI27
3959	FAR Case 98-011, SBA 8(a) Business Development Program	9000-AI33
3960	FAR Case 98-017, Review of Award Fee Determination (Burnside-ott)	9000-AI35
3961	FAR Case 99-600, Nondisplacement of Qualified Workers—Commercial Items	9000-AI38
3962	FAR Case 98-010, A-76 Cost Comparison	9000-AI43
3963	FAR Case 99-401, Patent Indemnity	9000-AI50
3964	FAR Case 99-015, Deobligation Authority	9000-AI56
3965	FAR Case 99-602, Transition of the Financial Management System Software Program	9000-AI57
3966	FAR Case 99-018, Document Availability	9000-AI58
3967	FAR Case 99-304, Special Simplified Procedures for Purchases of Commercial Items in Excess of the Simplified Acquisition Threshold	9000-AI59

DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)

Proposed Rule Stage

**3922. • FAR CASE 99-608,
PROHIBITION OF ACQUISITION OF
PRODUCTS PRODUCED BY FORCED
OR INDENTURED CHILD LABOR****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 22**Legal Deadline:** None**Abstract:** This rule amends the Federal Acquisition Regulation (FAR) to implement Executive Order 13126, Prohibition of Acquisition of Products Produced by Forced or Indentured

Child Labor on June 12, 1999. 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.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Federal**Procurement:** This is a procurement-related action for which there is no

statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRs-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
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Proposed Rule Stage

3923. • FAR CASE 98-024, PROCUREMENT INTEGRITY REWRITE**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 2; 48 CFR 3; 48 CFR 4; 48 CFR 9; 48 CFR 15; 48 CFR 52; ...**Legal Deadline:** None**Abstract:** This rule amends the Federal Acquisition Regulation (FAR) to rewrite in plain language and clarify guidance regarding procurement integrity in A-76 procurements. 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.**Timetable:**

Action	Date	FR Cite
NPRM	03/29/00	65 FR 16758
NPRM Comment Period End	05/30/00	
Final Action	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRs-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
Phone: 202 501-4755
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Email: laurie.duarte@gsa.gov**RIN:** 9000-AI61**3924. • FAR CASE 99-022, DISCUSSION REQUIREMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 15**Legal Deadline:** None**Abstract:** This rule amends the Federal Acquisition Regulation (FAR) to clarify the scope of discussions in competitive negotiated acquisitions. This regulatory action is 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.

Timetable:

Action	Date	FR Cite
NPRM	04/03/00	65 FR 17582
NPRM Comment Period End	06/02/00	
Final Action	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRs-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
Phone: 202 501-4755
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Email: laurie.duarte@gsa.gov**RIN:** 9000-AI68**DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)**

Final Rule Stage

3925. • FAR CASE 99-012, SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473 (c)**CFR Citation:** 48 CFR 19**Legal Deadline:** None**Abstract:** This rule amends the Federal Acquisition Regulation (FAR) to implement the Office of Federal Procurement Policy (OFPP) and Small Business Administration (SBA) final policy directive to provide updated guidance on the Small Business Competitiveness Demonstration Program. This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1999, and is not a major rule under 5 U.S.C. 804.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/27/00	65 FR 16275
Interim Final Rule Effective	03/27/00	
Interim Final Rule Comment Period End	05/26/00	
Final Action	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRs-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
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RIN: 9000-AI64**3926. • FAR CASE 99-607, ELECTRONIC AND INFORMATION TECHNOLOGY ACCESSIBILITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 39**Legal Deadline:** None**Abstract:** This rule amends the Federal Acquisition Regulation (FAR) to implement section 508 of the Rehabilitation Act Amendments of 1998 (29 U.S.C. 794d), which requires that when Federal agencies develop, procure, maintain, or use electronic and information technology, Federal employees with disabilities have access to and use of information and data that is comparable to that by Federal employees who are not individuals

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with disabilities, unless an undue burden would be imposed on the department or agency. 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.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no

statutory requirement. There is no paperwork burden associated with this action.

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**DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)**

Long-Term Actions

**3927. FAR CASE 89-093,
IMPLEMENTATION OF THE ANTI-
LOBBYING STATUTE**

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-121, Sec 319

CFR Citation: 48 CFR 3; 48 CFR 52

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement section 319 of Public Law 101-121, which added a new section 1352 to title 31 U.S.C. entitled "Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions." Section 319 generally prohibits recipients of Federal contracts, grants, and loans from using appropriated funds for lobbying the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan. Section 319 also requires that each person who requests or receives a Federal contract, grant, or cooperative agreement, in excess of \$100,000, or a loan or Federal commitment to insure or guarantee a loan, in excess of \$150,000, must disclose lobbying with other than appropriated funds.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/30/90	55 FR 3190
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal

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

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RIN: 9000-AD76

**3928. FAR CASE 91-078, SMALL
BUSINESS SUBCONTRACTING
REPORTING**

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 53.219

Legal Deadline: None

Abstract: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council are proposing to amend FAR 53.219 to authorize the addition of a column to the Standard Form 295, Summary Subcontract Report, to report the number of subcontracts awarded to small business concerns, small disadvantaged business concerns, and women-owned small business enterprises. 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.

Timetable:

Action	Date	FR Cite
NPRM	09/26/94	59 FR 49037
NPRM Comment Period End	11/25/94	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

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RIN: 9000-AG04

**3929. FAR CASE 94-753, TRAVEL
COSTS**

Priority: Other Significant

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

Legal Authority: PL 103-355

CFR Citation: 48 CFR 31.205-46

Legal Deadline: Final, Statutory, October 1, 1995, The Federal Acquisition Streamlining Act eliminated the statutory requirement to

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Long-Term Actions

the travel cost principle concerning the Federal Travel Regulations. No regulatory implementation was required.

Abstract: This rule is issued pursuant to the Federal Acquisition Streamlining Act of 1994, Public Law 103-355 (the Act). The Federal Acquisition Regulatory Council is considering amending the Federal Acquisition Regulation (FAR) as a result of changes to 41 U.S.C. 22 by section 2191 of the Act. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

Timetable:

Action	Date	FR Cite
NPRM	12/14/94	59 FR 64542
NPRM Comment Period End	02/13/95	
NPRM	05/20/99	64 FR 27654
NPRM Comment Period End	07/19/99	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRS-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
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RIN: 9000-AG27

3930. FAR CASE 96-308, IMPLEMENTATION OF COMMERCIALLY AVAILABLE OFF-THE-SHELF ITEM ACQUISITION PROVISIONS OF THE FEDERAL ACQUISITION REFORM ACT

Priority: Substantive, Nonsignificant

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

Legal Authority: PL 104-106, sec 4203

CFR Citation: 48 CFR 2.101; 48 CFR 3.104-10(c); 48 CFR 3.503; 48 CFR

12.301; 48 CFR 12.7; 48 CFR 15.106-1; 48 CFR 19.508; 48 CFR 25.605; 48 CFR 27.409; 48 CFR 52.212-4; 48 CFR 52.212-00

Legal Deadline: NPRM, Statutory, September 7, 1996, The Federal Acquisition Streamlining Act eliminated the statutory requirement to the travel cost principle concerning the Federal Travel Regulations. No regulatory implementation was required.

Abstract: The Federal Acquisition Regulatory Council solicited comments regarding the implementation of section 4203 of the Federal Acquisition Reform Act (Pub. L. 104-106)(the Act) with respect to Commercially Available Off-the-Shelf Item Acquisitions. The Act requires the FAR to list provisions of law that are inapplicable to contracts for the acquisition of commercially available off-the-shelf items. Certain laws have already been determined to be inapplicable to all commercial items as a result of the implementation of the Federal Acquisition Streamlining Act of 1994 (see FAR 12.503).

Timetable:

Action	Date	FR Cite
ANPRM	05/13/96	61 FR 22010
ANPRM Comment Period End	06/28/96	
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRS-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
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RIN: 9000-AH25

3931. FAR CASE 95-013, GOVERNMENT PROPERTY

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 45; 48 CFR 52

Legal Deadline: None

Abstract: The rule amends the Federal Acquisition Regulation (FAR) to simplify procedures and eliminate requirements related to the management and disposition of Government property in the possession of contractors. 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.

Timetable:

Action	Date	FR Cite
NPRM	06/02/97	62 FR 30186
NPRM Comment Period End	08/15/97	
NPRM	01/10/00	65 FR 1438
NPRM Comment Period End	03/10/00	

Next Action Undetermined

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRS-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
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RIN: 9000-AH60

3932. FAR CASE 96-023, CLAUSE FLOWDOWN-COMMERCIAL ITEMS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 52.244-6

Legal Deadline: None

Abstract: This rule proposes amendments to the clause at FAR 52.244-6, Subcontracts for Commercial Items and Commercial Comments, to clarify that contractors are required to include, in subcontracts at any tier for commercial items or commercial components, the FAR clauses and provisions listed in the clause at FAR 52.244-6 and such other clauses and provisions as may be required by

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addenda, to the extent they are applicable or necessary to establish the reasonableness of prices under FAR part 15. 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.

Timetable:

Action	Date	FR Cite
NPRM	09/23/97	62 FR 49903
NPRM Comment Period End	11/24/97	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRs-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
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RIN: 9000-AH69

3933. FAR CASE 97-032, RELOCATION COSTS

Priority: Substantive, Nonsignificant

Legal Authority: 10 USC 2301 to 2331; 42 USC 2473(c)

CFR Citation: 48 CFR 31

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to remove the ceilings imposed on certain types of relocation costs; to permit reimbursement of relocation costs on an appropriate lump-sum basis; and to make allowable payments for spouse employment assistance and payments for increase employee income and social security taxes incident to allowable reimbursed relocation. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993, and this is not a major rule under 5 U.S.C. 804

Timetable:

Action	Date	FR Cite
NPRM	05/25/99	64 FR 28330

Action	Date	FR Cite
NPRM Comment Period End	07/26/99	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRs-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
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RIN: 9000-AH96

3934. FAR CASE 97-304, ELECTRONIC COMMERCE IN FEDERAL PROCUREMENT

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-85, sec 850

CFR Citation: 48 CFR 2; 48 CFR 4; 48 CFR 5; 48 CFR 13; 48 CFR 14; 48 CFR 32

Legal Deadline: Final, Statutory, May 16, 1998.

Abstract: This rule amends the Federal Acquisition Regulation to implement section 850 of the National Defense Act for FY 1998 (Pub. L. 105-85) to eliminate the preference for electronic commerce within Federal Acquisition Computer Network. 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.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/30/98	63 FR 58590
Interim Final Rule Effective	10/30/98	
Interim Final Rule Comment Period End	12/29/98	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRs-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
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RIN: 9000-AI10

3935. FAR CASE 98-605, SERVICE CONTRACT ACT, COMMERCIAL ITEM SUBCONTRACTS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 12.504(a)(10)

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to delete the Service Contract Act from the list of statutes not applicable to subcontracts at any tier for the acquisition of commercial items or commercial components. 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.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRs-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
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RIN: 9000-AI36

FAR

Long-Term Actions

3936. FAR CASE 98-604, OCEAN TRANSPORTATION BY U.S.-FLAG VESSELS**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 47.504; 48 CFR 52.212-5; 48 CFR 52.213-4; 48 CFR 52.247-64**Legal Deadline:** None**Abstract:** This rule amends the Federal Acquisition Regulation (FAR) to clarify application of the preference for U.S.-flag vessels. 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.**Timetable:**

Action	Date	FR Cite
NPRM	07/12/99	64 FR 37640
NPRM Comment Period End	09/10/99	
Final Action	To Be	Determined

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Federal**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRs-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
Phone: 202 501-4755
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Email: laurie.duarte@gsa.gov**RIN:** 9000-AI39**3937. FAR CASE 99-010, CONTRACTOR RESPONSIBILITY, LABOR RELATIONS COSTS, AND COSTS RELATING TO LEGAL AND OTHER PROCEEDINGS****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 9.104-1; 48 CFR 31.205-21; 48 CFR 31.205-47**Legal Deadline:** None**Abstract:** This rule amends the Federal Acquisition Regulation (FAR) to clarify coverage and give examples of suitable contractor responsibility considerations.

The rule also makes unallowable the costs of attempting to influence employee decisions regarding unionization. In addition, the rule makes unallowable those legal expenses related to defense of judicial or administrative proceedings brought by the Federal Government when a contractor is found to have violated a law or regulation, or the proceeding is settled by consent or compromise, except to the extent specifically provided as part of the settlement agreement. 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.

Timetable:

Action	Date	FR Cite
NPRM	07/09/99	64 FR 37360
NPRM Comment Period End	11/08/99	
Final Action	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRs-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
Phone: 202 501-4755
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov**RIN:** 9000-AI40**3938. FAR CASE 98-304, COMMERCIAL ITEMS-NONGOVERNMENTAL PURPOSES****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-261**CFR Citation:** 48 CFR 2; 48 CFR 52**Legal Deadline:** None**Abstract:** This rule amends the Federal Acquisition Regulation (FAR) to implement section 803(a)(2)(D) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 by revising the definition of "commercial item" to provide specific guidance on the meaning and appropriate application of the term

"purposes other than Government purposes at 41 U.S.C. 403(12)(A). This rule was not subject to Office of Management and Budget review under section 6(b) of Executive Order 12866 "Regulatory Planning and Review," dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	07/27/99	64 FR 40694
NPRM Comment Period End	09/27/99	
Final Action	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Procurement:** This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRs-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
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Email: laurie.duarte@gsa.gov**RIN:** 9000-AI41**3939. FAR CASE 99-004, EXECUTIVE AGENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 17.500**Legal Deadline:** None**Abstract:** This rule amends the Federal Acquisition Regulation (FAR) to add another example of an interagency acquisition that is not subject to the Economy Act. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866 and is not a major rule under 5 U.S.C. 804.**Timetable:**

Action	Date	FR Cite
NPRM	08/12/99	64 FR 44100
NPRM Comment Period End	10/12/99	
Final Action	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No

FAR

Long-Term Actions

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI42

3940. FAR CASE 98-614, VETERANS' EMPLOYMENT

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 12; 48 CFR 13; 48 CFR 22; 48 CFR 52

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement sections 7 and 8 of the Veterans Employment Opportunities Act of 1998 (Pub. L. 105-339). Section 7 expands and improves veterans' employment emphasis under Federal contracts. Section 8 amends the veterans' employment reporting requirements. This rule also implements the Department of Labor's (DOL) Office of Federal Contract Compliance Programs (OFCCP) final rule amending 41 CFR part 60-250, Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Special Disabled Veterans and Veterans of the Vietnam Era, which clarifies DOL implementation of the affirmative action provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended (38 U.S.C. 4212). 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.

Timetable:

Action	Date	FR Cite
NPRM	12/03/99	64 FR 67992
NPRM Comment Period End	02/01/00	
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI46

3941. FAR CASE 97-613, APPLICATION OF THE DAVIS-BACON ACT TO CONSTRUCTION CONTRACTS WITH OPTIONS TO EXTEND THE TERM OF THE CONTRACT

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 1; 48 CFR 22; 48 CFR 52

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement the requirement of Department of Labor (DOL) All Agency Memorandum No. 157 (AAM 157), as clarified in the Federal Register on November 20, 1998. The rule requires incorporation of the current Davis-Bacon Act wage determination at the exercise of each option period in construction contracts. 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.

Timetable:

Action	Date	FR Cite
NPRM	12/03/99	64 FR 67986
NPRM Comment Period End	02/01/00	
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Governmental Jurisdictions, Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a

paperwork burden associated with this action.

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RIN: 9000-AI47

3942. FAR CASE 98-609, FEDERAL SUPPLY SCHEDULES SMALL BUSINESS OPPORTUNITIES

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 8; 48 CFR 38

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to enhance the participation of small business concerns under the Federal Supply Schedules Program. 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.

Timetable:

Action	Date	FR Cite
NPRM	09/14/99	64 FR 49948
NPRM Comment Period End	11/15/99	
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI48

FAR

Long-Term Actions

3943. • FAR CASE 98-015, REQUIREMENTS SUPPORTING PROCUREMENT OF RECYCLED PRODUCTS AND ENVIRONMENTALLY PREFERABLE SERVICES**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 2; 48 CFR 4; 48 CFR 7; 48 CFR 11; 48 CFR 13; ...**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement Executive Order 13101, dated September 14, 1998, Greening the Government through Waste Prevention, Recycling, and Federal Acquisition. 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.

Timetable:

Action	Date	FR Cite
NPRM	09/23/99	64 FR 51656
NPRM Comment Period End	11/22/99	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Laurie Duarte, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (MVRs-FAR Secretariat), 18th and F Streets NW, Washington, DC 20405
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RIN: 9000-AI49**3944. • FAR CASE 99-301, UTILIZATION OF INDIAN ORGANIZATIONS AND INDIAN-OWNED ECONOMIC ENTERPRISES****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 26; 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to delete DoD-unique language pertaining to incentive payments made to prime contractors for the utilization of Indian organizations and Indian-owned economic enterprises. 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.

Timetable:

Action	Date	FR Cite
NPRM	10/27/99	64 FR 57964
NPRM Comment Period End	12/27/99	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI52**3945. • FAR CASE 99-014, COMPETITION UNDER MULTIPLE-AWARD CONTRACTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 2; 48 CFR 16; 48 CFR 37**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to clarify what contracting officers should consider when planning for multiple awards of indefinite-delivery contracts and clarify how orders should be placed against the resultant contracts. 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.

Timetable:

Action	Date	FR Cite
NPRM	12/15/99	64 FR 70158
NPRM Comment Period End	02/14/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI53**3946. • FAR CASE 99-008, RESTRICTIONS ON ACQUISITIONS FROM YUGOSLAVIA AND AFGHANISTAN****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 25; 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation to implement Executive Orders 13121 and 13129. These orders prohibit the importation into the United States of any goods or services from Yugoslavia (Serbia and Montenegro) or the territory of Afghanistan controlled by the Taliban. 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.

Timetable:

Action	Date	FR Cite
NPRM	12/01/99	64 FR 67446
NPRM Comment Period End	01/31/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal

FAR

Long-Term Actions

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI54

3947. • FAR CASE 97-306, CONTRACT BUNDLING

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(a); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 2; 48 CFR 4; 48 CFR 5; 48 CFR 7; 48 CFR 10; 48 CFR 15; 48 CFR 19; ...

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement sections 411-417 of the Small Business Reauthorization Act of 1997. Sections 411-417 amend title 15 of the United States Code to define "contract bundling" and require agencies to avoid unnecessary bundling that precludes small business participation in the performance of Federal contracts. 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.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/27/99	64 FR 72441
Interim Final Rule Effective	12/27/99	
Interim Final Rule Comment Period End	02/25/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI55

3948. • FAR CASE 99-302, CONSTRUCTION INDUSTRY PAYMENT PROTECTION ACT OF 1999

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 28; 48 CFR 52

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement the Construction Industry Payment Protection (CIPP) Act of 1999. The CIPP Act also amends the Miller Act to provide that the amount payable by the terms of the contract, unless the contracting officer determines that a payment bond in that amount is impractical. The rule also provides enhanced payment protection for Government contracts not subject to the Miller Act. This added protection is not required by the CIPP but is considered beneficial to add consistency to the rule and to afford added protection to subcontractors and suppliers on contracts less than \$100,000.00. 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.

Timetable:

Action	Date	FR Cite
NPRM	12/28/99	64 FR 72828
NPRM Comment Period End	02/28/00	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI60

3949. • FAR CASE 99-013, DEFERRED RESEARCH AND DEVELOPMENT COSTS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 31

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to clarify and simplify the "Deferred Research and Development Costs" cost principle. 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.

Timetable:

Action	Date	FR Cite
NPRM	01/26/00	65 FR 4328
NPRM Comment Period End	03/27/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI62

3950. • FAR CASE 99-003, LIQUIDATED DAMAGES

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 11; 48 CFR 22; 48 CFR 36; 48 CFR 49; 48 CFR 52

Legal Deadline: None

FAR

Long-Term Actions

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to rewrite guidance on liquidated damages in plain language. This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1999, and is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	01/13/00	65 FR 2272
NPRM Comment Period End	03/13/00	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI63

3951. • FAR CASE 99-606, TIME-AND-MATERIALS OR LABOR-HOURS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 52

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to clarify the requirements regarding changes to time-and-materials and labor-hours contracts. This regulatory action is not subject to Office of Management and Budget review under Executive Order 12688, dated September 30, 1993, and is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	01/24/00	65 FR 3762
NPRM Comment Period End	03/24/00	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI65

3952. • FAR CASE 99-610, FAR DRAFTING PRINCIPLES

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 1; 48 CFR 52

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to add FAR drafting principles to enhance a common understanding of the regulation among all members of the acquisition team and other users. 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.

Timetable:

Action	Date	FR Cite
NPRM	01/26/00	65 FR 4346
NPRM Comment Period End	03/27/00	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI66

3953. • FAR CASE 98-300, DETERMINATION OF PRICE REASONABLENESS AND COMMERCIALITY

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 15

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement sections 803 and 808 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Pub. L. 105-261). 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.

This rule was erroneously reported as a completed action in the October 1999 Unified Agenda published November 22, 1999 in

64 FR 65338 under RIN AI45. The rule remains in effect.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/24/99	64 FR 51835
Interim Final Rule Effective	09/24/99	
Interim Final Rule Comment Period End	11/23/99	
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Governmental Jurisdictions, Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI67

**DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)**
Completed Actions
3954. FAR CASE 97-024, FOREIGN ACQUISITION

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 15.106-1; 48 CFR 25; 48 CFR 52.225-1 to 52.225-18

Completed:

Reason	Date	FR Cite
Final Action	12/27/99	64 FR 72416
Final Action Effective	02/25/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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RIN: 9000-AH30

3955. FAR CASE 98-400, PROGRESS PAYMENTS AND RELATED FINANCING POLICIES

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 32; 48 CFR 52

Completed:

Reason	Date	FR Cite
Final Action	03/27/00	65 FR 16276
Final Action Effective	03/27/00	

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: Federal

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RIN: 9000-AH70

3956. FAR CASE 98-611, EVALUATION BOARDS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 36.602-2

Completed:

Reason	Date	FR Cite
Case closed	02/11/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte
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RIN: 9000-AI13

3957. FAR CASE 97-033, POLLUTION CONTROL AND CLEAN AIR AND WATER

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 1.106; 48 CFR 12.503; 48 CFR 12.504; 48 CFR 23.1; 48 CFR 52.223-1; 48 CFR 52.223-2

Completed:

Reason	Date	FR Cite
Final Action	12/27/99	64 FR 72415
Final Action Effective	02/25/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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RIN: 9000-AI19

3958. FAR CASE 98-400, PROGRESS PAYMENTS AND RELATED FINANCING POLICIES

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 32; 48 CFR 52

Completed:

Reason	Date	FR Cite
Merged With RIN	02/17/00	
9000-AH70		

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: Federal

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RIN: 9000-AI27

3959. FAR CASE 98-011, SBA 8(A) BUSINESS DEVELOPMENT PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 12; 48 CFR 19; 48 CFR 52

Completed:

Reason	Date	FR Cite
Final Action	12/27/99	64 FR 72447
Final Action Effective	12/27/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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3960. FAR CASE 98-017, REVIEW OF AWARD FEE DETERMINATION (BURNSIDE-OTT)

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 16; 48 CFR 48; 48 CFR 52

Completed:

Reason	Date	FR Cite
Final Action	12/27/99	64 FR 72448
Final Action Effective	02/25/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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3961. FAR CASE 99-600, NONDISPLACEMENT OF QUALIFIED WORKERS—COMMERCIAL ITEMS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 52

Completed:

Reason	Date	FR Cite
Final Action	12/27/99	64 FR 72450
Final Action Effective	02/25/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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3962. FAR CASE 98-010, A-76 COST COMPARISON

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 7.3

Completed:

Reason	Date	FR Cite
Case Closed--Per Agreement Between the DARC and the CAAC.	11/23/99	

Regulatory Flexibility Analysis Required: No

FAR

Completed Actions

Government Levels Affected: Federal**Agency Contact:** Laurie Duarte

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3963. • FAR CASE 99-401, PATENT INDEMNITY**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 27**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to clarify the patent indemnity for commercial items and items that are other than commercial. 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.

This case closed per agreement between the Defense Acquisition Regulation Council (DARC) and the Civilian Agency Acquisition Council (CAAC).

Timetable:

Action	Date	FR Cite
Case Closed--Per Agreement Between the DARC and the CAAC.	11/04/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI50

3964. • FAR CASE 99-015, DEOBLIGATION AUTHORITY**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 468(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 4; 48 CFR 42**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to establish deobligation of excess funds as one of the contract administration functions normally delegated to the contract administration office. 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.

Timetable:

Action	Date	FR Cite
Final Action	12/27/99	64 FR 72444
Final Action Effective	02/25/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI56

3965. • FAR CASE 99-602, TRANSITION OF THE FINANCIAL MANAGEMENT SYSTEM SOFTWARE PROGRAM**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 8; 48 CFR 39**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to delete the language pertaining to the Financial Management Systems Software Mandatory Multiple Award Schedule Contracts Program. 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.

Timetable:

Action	Date	FR Cite
Final Action	12/27/99	64 FR 72445
Final Action Effective	02/25/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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RIN: 9000-AI57

3966. • FAR CASE 99-018, DOCUMENT AVAILABILITY**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 11; 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to update how the public may obtain Department of Defense specifications and standards. 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.

Timetable:

Action	Date	FR Cite
Final Action	12/27/99	64 FR 72446
Final Action Effective	12/27/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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FAR

Completed Actions

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3967. • FAR CASE 99-304, SPECIAL SIMPLIFIED PROCEDURES FOR PURCHASES OF COMMERCIAL ITEMS IN EXCESS OF THE SIMPLIFIED ACQUISITION THRESHOLD

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)

CFR Citation: 48 CFR 13

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement section 806 of the National

Defense Authorization Act for Fiscal Year 2000 (Pub. L. 106-65). Section 806 extends the test of the special simplified procedures for purchases of commercial items greater than the simplified acquisition threshold, but not exceeding \$5,000,000, until January 1, 2002. 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 and 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
Final Action	12/27/99	64 FR 72447
Final Action Effective	12/27/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

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