



Federal Register

**Monday,
December 22, 2003**

Part XXVII

General Services Administration

Semiannual Regulatory Agenda

GENERAL SERVICES ADMINISTRATION (GSA)

GENERAL SERVICES ADMINISTRATION

41 CFR Chs. 101, 102, 105, 300, 301, 302, 303, and 304

48 CFR Ch. 5

Regulatory Plan and Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: General Services Administration (GSA).

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda announces the proposed regulatory actions that GSA plans for the next 12 months and those that were completed since the spring 2003 edition. This agenda was developed under the guidelines in an Office of Management and Budget memorandum. GSA's purpose in publishing this agenda is to allow interested persons an opportunity to participate in the rulemaking process. GSA also invites interested persons to recommend existing significant regulations for review to determine whether they should be modified or eliminated.

FOR FURTHER INFORMATION CONTACT: Rodney P. Lantier, Regulatory and Federal Assistance Publication Division, (202) 208-7312.

SUPPLEMENTARY INFORMATION: This edition of the Unified Agenda of Federal Regulatory and Deregulatory Actions includes The Regulatory Plan, which appears in part II of this issue of the Federal Register.

Dated: September 22, 2003.

Becky Rhodes,
Acting Associate Administrator,
Office of Governmentwide Policy.

General Services Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3580	Enforcement of Nondiscrimination on the Basis of Handicap in Federally Assisted Programs	3090—AE32
3581	Title IX of the Education Amendments Act	3090—AH49
3582	Telecommunications Management	3090—AG03
3583	Disposition of Seized and Forfeited, Voluntarily Abandoned, and Unclaimed Personal Property	3090—AH11
3584	FPMR Case 2003—101—1, Disposition of Personal Property With Special Handling Requirements	3090—AH21
3585	Federal Management Regulation; Personal Property Management	3090—AH31
3586	FPMR Case 2003—101—2, Federal Management Regulation; Supply and Procurement	3090—AH80
3587	General Services Administration Acquisition Regulation (GSAR) Case 2003—G502; Defense Priorities and Allocations System	3090—AH88

General Services Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3588	GSBCA Rules of Procedure (Standard Proceedings and Expedited Proceedings)	3090—AH69
3589	GSBCA Rules of Procedure for Transportation Rate Cases	3090—AH70
3590	GSBCA Rules of Procedure for Travel and Relocation Expenses Cases; GSBCA Rules of Procedure for Decisions Authorized by 31 U.S.C. 3529	3090—AH71
3591	GSPMR Case 2003—105—1, General Services Administration Property Management Regulations; Collection of Claims Owed the United States	3090—AH84
3592	GSPMR Case 2003—105—2, General Services Administration Property Management Regulations, Administrative Wage Garnishment	3090—AH85
3593	GSPMR Case 2003—105—3, General Services Administration Property Management Regulations; Salary Offset for Indebtedness of Federal Employees to the United States	3090—AH86
3594	General Services Administration Acquisition Regulation (GSAR) Case 2002—G504; Acquisition of Leasehold Interests in Real Property; Historic Preference	3090—AH01
3595	General Services Administration Acquisition Regulation (GSAR) Case 2002—G503, Tax Adjustment	3090—AH03
3596	FMR Amendment 2003—2; FMR Case 2003—102—1; Federal Management Regulation; Mail Management	3090—AH13
3597	General Services Administration Acquisition Regulation (GSAR) Case 2002—G501, FedBizOpps Notice on Charging for E—mail Notification Service	3090—AH67
3598	Federal Management Regulation; Motor Vehicle Management	3090—AH68
3599	General Services Administration Acquisition Regulation Case 2002—G505; GSAR Amendment 2003—01, Federal Supply Schedule Contracts—Acquisition of Information Technology by State and Local Government	3090—AH76
3600	FTR Case 2003—303, Federal Travel Regulation; eTravel Service (eTS)	3090—AH83
3601	FPMR Case 2003—101—3, Federal Property Management Regulations; Pricing Policy for Occupancy in GSA Space	3090—AG33

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General Services Administration—Long—Term Actions

Sequence Number	Title	Regulation Identification Number
3602	Federal Property Management Regulations; Discrimination Prohibited on the Basis of Age	3090—AH46
3603	Federal Property Management Regulations; Nondiscrimination in Programs Receiving Federal Financial Assistance	3090—AH47
3604	General Services Administration; Office of Civil Rights; Nondiscrimination Based on Sex in All Programs and Activities Receiving Federal Surplus Property	3090—AH48
3605	General Services Administration; Office of Civil Rights; Enforcement of Nondiscrimination on the Basis of Handicap in Programs and Activities Conducted by General Services Administration	3090—AH59
3606	General Services Administration; Administrative Personnel; Prohibited Purchases of Property Sold by GSA	3090—AH50
3607	FTR Interim Rule 7—Income Tax Reimbursement Allowance (ITRA)	3090—AG99
3608	General Services Administration Acquisition Regulation; Clarification of HUBZone	3090—AH17
3609	General Services Administration Acquisition Regulation (GSAR), Guidance on Electronic Funds Transfer	3090—AH30

General Services Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
3610	Nondiscrimination on the Basis of Race, Color, National Origin, Handicap, or Age in Programs or Activities Receiving Federal Financial Assistance	3090—AH33
3611	FPMR Amendment H—211 and FMR Amendment B—3, Federal Management Regulation; Sale of Personal Property	3090—AH10
3612	General Services Administration Acquisition Regulation (GSAR) Case 2002—G506; GSAR Change 6, Identification of Products That Have Environmental Attributes	3090—AH25
3613	Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug—Free Workplace (Grants)	3090—AH35
3614	GSAR Case 2002—G507; GSAR Amendment 2003—02, Consolidation of Industrial Funding Fee and Sales Reporting Clauses; Reduction in Amount of Industrial Funding Fee	3090—AH79
3615	FTR Case 2003—304; FTR Amendment 2003—04, Federal Travel Regulation; Using Promotional Materials; Conference Planning	3090—AH81
3616	FTR Case 2003—306; FTR Amendment 2003—05, Federal Travel Regulation; Per Diem (Incidental Expense Increase)	3090—AH87

General Services Administration (GSA)

Proposed Rule Stage

OFFICE OF CIVIL RIGHTS

3580. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN FEDERALLY ASSISTED PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 29 USC 794

CFR Citation: 41 CFR 101—8.3; 41 CFR 102—7

Legal Deadline: None

Abstract: This rulemaking revises FPMR 101—8.3 in plain language and moves it into the Federal Management Regulation at 102—7. The revised regulation updates coverage for enforcement of section 504 of the

Rehabilitation Act of 1973, as amended, in federally assisted programs or activities to include a cross—reference to the Uniform Federal Accessibility Standards.

Timetable:

Action	Date	FR Cite
NPRM	09/00/04	

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: Federal, State

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RIN: 3090—AE32

3581. TITLE IX OF THE EDUCATION AMENDMENTS ACT

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 41 CFR 101—4.100 et seq

Legal Deadline: None

Abstract: This rulemaking revises FPMR 41 CFR 101—4 into plain language and moves it into the Federal Management Regulation. The revised regulation enforces title IX of the Education Amendments of 1972, as amended, in federally assisted education and training programs.

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Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	09/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

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RIN: 3090—AH49

OFFICE OF GOVERNMENTWIDE POLICY**3582. TELECOMMUNICATIONS MANAGEMENT**

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 121(c); 40 USC 1424(b)

CFR Citation: 41 CFR 101—35; 41 CFR 102—172

Legal Deadline: None

Abstract: This rulemaking revises FPMR 101—35 to update GSA's telecommunications management policy and moves it into the Federal Management Regulation at 102—172. The regulation is being rewritten in a plain language, question and answer format to make it easier to use and understand.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/07/96	61 FR 41003
Interim Final Rule Effective	08/08/96	
Interim Final Rule Comment Period End	10/07/96	
NPRM	11/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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RIN: 3090—AG03

3583. DISPOSITION OF SEIZED AND FORFEITED, VOLUNTARILY ABANDONED, AND UNCLAIMED PERSONAL PROPERTY

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 484(m)

CFR Citation: 41 CFR 101—48; 41 CFR 102—41

Legal Deadline: None

Abstract: This rulemaking revises FPMR 101—48 and moves it into the Federal Management Regulation at 102—41. The regulation is being rewritten in a plain language, question and answer format to make the regulation easier to use and understand.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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RIN: 3090—AH11

3584. FPMR CASE 2003—101—1, DISPOSITION OF PERSONAL PROPERTY WITH SPECIAL HANDLING REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 121(c)

CFR Citation: 41 CFR 101—42; 41 CFR 102—40

Legal Deadline: None

Abstract: This rulemaking revises FPMR 101—42 and moves it into the Federal Management Regulation at 102—40. The regulation revises use, handling, and disposal requirements for special categories of personal property. The rule is being rewritten in plain language in a question and answer format.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Federal

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RIN: 3090—AH21

3585. FEDERAL MANAGEMENT REGULATION; PERSONAL PROPERTY MANAGEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 481; 40 USC 483 to 487

CFR Citation: 41 CFR 102—35

Legal Deadline: None

Abstract: This rulemaking provides a general outline of the policies governing the management of Federal personal property and summarizes the processes provided for in FMR parts 102—36 through 102—42.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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RIN: 3090—AH31

3586. FPMR CASE 2003—101—2, FEDERAL MANAGEMENT REGULATION; SUPPLY AND PROCUREMENT

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 121(c)

CFR Citation: 41 CFR 101—25 to 101—30; 41 CFR 102—21 to 102—28

Legal Deadline: None

Abstract: The General Services Administration (GSA) is proposing to amend the Federal Property Management Regulation (FPMR) by revising coverage at 41 CFR parts 101—

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25 to 101—30 regarding Government property management policies and moving it into the Federal Management Regulation (FMR) at 41 CFR parts 102—21 to 102—28. A cross—reference in the FPMR will direct readers to the coverage in the FMR.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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RIN: 3090—AH80

3587. • GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) CASE 2003—G502; DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 40 USC 121(c)

CFR Citation: 48 CFR 511; 48 CFR 552

Legal Deadline: None

Abstract: The General Services Administration (GSA) is proposing to amend the General Services Administration Acquisition Regulation (GSAR) to implement the Defense Priorities and Allocation System (DPAS) within the GSA Federal Supply Service (FSS).

Timetable:

Action	Date	FR Cite
NPRM	10/15/03	68 FR 59510
NPRM Comment Period End	11/14/03	
Final Action	11/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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RIN: 3090—AH88

General Services Administration (GSA)

Final Rule Stage

BOARD OF CONTRACT APPEALS

3588. GSBGA RULES OF PROCEDURE (STANDARD PROCEEDINGS AND EXPEDITED PROCEEDINGS)

Priority: Substantive, Nonsignificant

Legal Authority: 41 USC 601 to 613

CFR Citation: 48 CFR 6101; 48 CFR 6102

Legal Deadline: None

Abstract: This interim rule contains revisions to the rules of procedure of the GSA Board of Contract Appeals (Board). The rules governing the standard proceedings of the Board in contract disputes are contained in 48 CFR part 6101. Rules governing expedited proceedings in contract disputes, including alternative disputes resolution, are contained in 48 CFR part 6102. The revisions to the rules provide procedures for the filing by e—mail of documents in cases before the Board in both standard and expedited proceedings.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

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RIN: 3090—AH69

3589. GSBGA RULES OF PROCEDURE FOR TRANSPORTATION RATE CASES

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 3726(i)(1); 41 USC 601 to 613; PL 104—316, sec 201(o)

CFR Citation: 48 CFR 6103

Legal Deadline: None

Abstract: This interim rule contains revisions to the rules of procedure of the GSA Board of Contract Appeals (Board) applicable to the Board's review of claims made by a carrier or freight forwarder pursuant to 31 U.S.C. 3726(i)(1). The revisions to the rules provide procedures for the filing by e—mail of documents in rate determination cases.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

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RIN: 3090—AH70

3590. GSBGA RULES OF PROCEDURE FOR TRAVEL AND RELOCATION EXPENSES CASES; GSBGA RULES OF PROCEDURE FOR DECISIONS AUTHORIZED BY 31 U.S.C. 3529

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 3702; 31 USC 3529; 41 USC 601 to 613; PL 104—316, sec 202(n), 202(o), 204

CFR Citation: 48 CFR 6104; 48 CFR 6105

Legal Deadline: None

Abstract: This interim rule contains revisions to the rules of procedure of

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the GSA Board of Contract Appeals (Board) applicable to the Board's review of claims made by Federal civilian agencies against the United States for reimbursement of expenses incurred while on temporary duty travel or in connection with relocation to a new duty station. The rules governing proceedings when a claim is filed with the Board by an employee or an employee's agency are contained in 48 CFR part 6104. Rules governing proceedings when a request for an advance decision involving certification or payment of a claim is made by a disbursing or certifying official of an agency, or the head of agency, are governed by 48 CFR part 6105. The revisions to the rules provide procedures for the filing by e-mail of documents in both types of travel and relocation expenses cases.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

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RIN: 3090-AH71

OFFICE OF THE COMPTROLLER

3591. • GSPMR CASE 2003-105-1, GENERAL SERVICES ADMINISTRATION PROPERTY MANAGEMENT REGULATIONS; COLLECTION OF CLAIMS OWED THE UNITED STATES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 552 to 553; 31 USC 321, 3701, 3711, 3716, 3717, 3718, 3719, 3720B, 3720D ; 31 CFR 900 to 904

CFR Citation: 41 CFR 105-55

Legal Deadline: None

Abstract: The General Services Administration (GSA) proposed an amendment and reissuance to its

regulations concerning the procedures used to collect debts owed to GSA by incorporating applicable provisions as required by the Debt Collection Improvement Act of 1996 (DCIA) and the Federal Claims Collection Standards.

Timetable:

Action	Date	FR Cite
NPRM	07/11/03	68 FR 41274
NPRM Comment	09/09/03	
Period End		
Final Action	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3090-AH84

3592. • GSPMR CASE 2003-105-2, GENERAL SERVICES ADMINISTRATION PROPERTY MANAGEMENT REGULATIONS, ADMINISTRATIVE WAGE GARNISHMENT

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 552 to 553; 31 USC 3720D; 31 CFR 285.11

CFR Citation: 41 CFR 105-57

Legal Deadline: None

Abstract: The General Services Administration (GSA) proposed an amendment to its regulations to implement the administrative wage garnishment provisions contained in the Debt Collection Improvement Act of 1996 (DCIA). Wage garnishment is a process whereby an employer withholds amounts from an employee's wages and pays those amounts to the employee's creditor in satisfaction of a withholding order. The DCIA authorizes Federal agencies to administratively garnish the disposable pay of an individual to collect delinquent non-tax debts owed to the United States in accordance with regulations issued by the Secretary of the Treasury.

This part was previously titled Collection of Debts by Tax Refund

Offset. Effective January 1, 1999, the Department of Treasury started to conduct the tax refund offset program as part of the centralized offset program, known as the Treasury Offset Program (TOP), operated by the Financial Management Service (FMS), a bureau of the Department of Treasury. Since GSA has a cross-servicing agreement with FMS, which includes the TOP, the collection of debts by tax refund offset is no longer valid and is rescinded and replaced with the new part regarding administrative wage garnishment.

Timetable:

Action	Date	FR Cite
NPRM	07/11/03	68 FR 41290
NPRM Comment	09/09/03	
Period End		
Final Action	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3090-AH85

3593. • GSPMR CASE 2003-105-3, GENERAL SERVICES ADMINISTRATION PROPERTY MANAGEMENT REGULATIONS; SALARY OFFSET FOR INDEBTEDNESS OF FEDERAL EMPLOYEES TO THE UNITED STATES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 5514; 5 CFR 550, subpart K; 31 CFR 5, subpart B; 31 CFR 900 to 904; 31 CFR 285.7

CFR Citation: 41 CFR 105-56

Legal Deadline: None

Abstract: The General Services Administration (GSA) proposed to change its regulations concerning the salary offset procedures used to collect debts that are owed to the United States by Federal employees. The proposed change would conform GSA regulations to the legislative changes enacted in the Debt Collection Improvement Act of 1996 (DCIA) and the amended procedures presented in the Federal

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Claims Collection Standards (FCCS) jointly issued by the Department of the Treasury (Treasury) and the Department of Justice (DoJ). The proposed change will allow GSA to improve its collection of debts due the United States from Federal employees.

Timetable:

Action	Date	FR Cite
NPRM	07/10/03	68 FR 41093
NPRM Comment Period End	09/08/03	
Final Action	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3090—AH86

OFFICE OF GOVERNMENTWIDE POLICY

3594. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) CASE 2002—G504; ACQUISITION OF LEASEHOLD INTERESTS IN REAL PROPERTY; HISTORIC PREFERENCE

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 121(c)

CFR Citation: 48 CFR 552

Legal Deadline: None

Abstract: This rulemaking updates GSAR clause 552.270—4, Historic Preference, that is used in the acquisition of leasehold interests. E.O. 13006 requires that Federal agencies give first consideration to historic properties within historic districts. If no such property is suitable, then Federal agencies shall consider other developed or undeveloped sites within historic districts. Federal agencies shall then consider historic properties outside of historic districts, if no suitable site within a district exists. As a result of the requirements of the E.O., 552.270—4 will be revised to establish the order of precedence.

Timetable:

Action	Date	FR Cite
NPRM	06/30/99	64 FR 35122

Action	Date	FR Cite
NPRM Comment Period End	08/30/99	
Second NPRM	10/19/01	66 FR 53193
Second NPRM Comment Period End	12/18/01	
Final Action	11/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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RIN: 3090—AH01

3595. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) CASE 2002—G503, TAX ADJUSTMENT

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 121(c)

CFR Citation: 48 CFR 552

Legal Deadline: None

Abstract: This rulemaking establishes a provision at GSAR 552.270—74, Tax Adjustment. The provision outlines the methodology for calculating real estate taxes for use in solicitations for offers for acquisition of leasehold interests in real property.

Timetable:

Action	Date	FR Cite
NPRM	05/25/00	65 FR 33799
NPRM Comment Period End	07/24/00	
Final Action	11/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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RIN: 3090—AH03

3596. FMR AMENDMENT 2003—2; FMR CASE 2003—102—1; FEDERAL MANAGEMENT REGULATION; MAIL MANAGEMENT

Priority: Substantive, Nonsignificant

Legal Authority: sec 2, PL 94—575, as amended ; 44 USC 2904; 40 USC 121(c)

CFR Citation: 41 CFR 102—192

Legal Deadline: None

Abstract: The interim rule published in the Federal Register at 67 FR 38896, June 6, 2002, revised FPMR 101—9 and moved it into the Federal Management Regulation at 102—192. The new rule, rewritten in plain language, established four requirements at the agency level. Specifically, all agencies must (1) have written security plans at the agency and facility level; (2) ensure that mail costs are identified at the program level; (3) ensure that all payments to the United States Postal Service are made using commercial payment processes (i.e., not using the Postal Service's Official Mail Accounting System)—the effective date of this requirement will be October 1, 2003; and (4) have performance measures for mail operations. In addition, the new rule requires all agencies that spend over \$1 million per year on postage to send GSA an annual report that states the total amounts spent on postage, verifies that facility security plans have been reviewed at the agency level, identifies performance measures in use, and describes the agency's plans to improve the efficiency and effectiveness of their mail operations.

This second interim rule amended the Federal Management Regulation (FMR) to extend the deadline for agencies to convert to commercial payment to the United States Postal Service instead of the Official Mail Accounting System (OMAS). This rule amended the interim rule published in the Federal Register at 67 FR 38896, June 6, 2002, to reflect the extension of the deadline from October 1, 2003, to December 31, 2003. The FMR and corresponding documents are available via the Internet at <http://www.gsa.gov>.

Timetable:

Action	Date	FR Cite
NPRM	05/29/01	66 FR 29067
NPRM Comment Period End	07/30/01	

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Action	Date	FR Cite
NPRM Comment Period Extended	07/31/01	66 FR 39473
NPRM Comment Period End	09/28/01	
Interim Final Rule Effective	06/06/02	67 FR 38896
Interim Final Rule Comment Period End	06/06/02	
Interim Final Rule	09/29/03	68 FR 56112
Interim Final Rule Comment Period End	11/28/03	
NPRM	03/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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RIN: 3090—AH13

3597. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) CASE 2002—G501, FEDBIZOPPS NOTICE ON CHARGING FOR E—MAIL NOTIFICATION SERVICE

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 505

Legal Deadline: None

Abstract: The General Services Administration (GSA) is proposing to amend the General Services Acquisition Regulation (GSAR) to charge subscribers to the value-added e-mail notification service of Federal Business Opportunities (FedBizOpps.gov) a modest annual fee beginning October 1, 2003. The charge will be only for the members of the public who elect to register for options 2 or 3 of the FedBizOpps Vendor Notification Service, specifically to (1) receive all notices from selected organizations and product service classifications or (2) register to receive all procurement notices on the site.

Timetable:

Action	Date	FR Cite
NPRM	01/09/03	68 FR 2003
NPRM Comment Period End	02/10/03	
Final Action	11/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State, Local, Tribal

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RIN: 3090—AH67

3598. FEDERAL MANAGEMENT REGULATION; MOTOR VEHICLE MANAGEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 121(c)

CFR Citation: 41 CFR 102—34

Legal Deadline: None

Abstract: An amendment to FMR 102—34 has been drafted to incorporate recent changes in the program. The significant changes proposed are:

1. The Fleet Average Fuel Economy Standards for FY 2000 and beyond is 20.7 miles per gallon for light trucks.
2. Motor vehicle identification requirements have been changed. All required identifiers are now to be included on the license plate: "For Official Use Only," "U.S. Government," and Federal agency or bureau identification. Previously, the identifiers were on decals that were placed on the vehicles. A waiver is currently allowing agencies to deviate from the decal requirement.
3. UNICOR is the mandatory supplier of official U. S. Government license plates. Lorton Prison in Virginia was the supplier for a number of years but has closed. The GSA Federal Vehicle Policy Division (MTV) initiated a Memorandum of Understanding (MOU) with UNICOR to provide license plates to all Federal agencies.
4. Agencies are identified by a letter code on the license plate. For example, the letter G designates GSA Fleet.
5. The exemption from displaying U.S. Government license plates and other motor vehicle identification currently did not allow agencies to request this on administrative vehicles that were not directly connected to investigative, law enforcement, or intelligence duties. Our office issued a wavier to this after the events of September 11, 2001, at

the request of the agencies. This note has been removed to allow agencies to request an exemption on all their vehicles.

6. Addition of a clause that agencies are required to purchase EPA—designated content products such as re-refined engine oils, retread tires, and reclaimed engine coolant.

7. The Federal Motor Vehicle Fleet Report reporting is now accomplished through the Federal Automotive Statistical Tool (FAST). FAST is an Internet—based reporting system used by GSA and the Department of Energy to capture motor vehicle inventory, cost, fuel, and use data from all Federal agencies.

8. A new subpart has been added on Environmental Concerns, which addresses hazardous wastes, Clean Air Act Amendments of 1990, Energy Policy Act of 1992, Executive Order 13149, the Federal Fleet Program, EPA—designated recycled content products, and the Federal Alternative Fuel Vehicle USER Program.

Timetable:

Action	Date	FR Cite
Final Action	11/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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RIN: 3090—AH68

3599. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION CASE 2002—G505; GSAR AMENDMENT 2003—01, FEDERAL SUPPLY SCHEDULE CONTRACTS—ACQUISITION OF INFORMATION TECHNOLOGY BY STATE AND LOCAL GOVERNMENT

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 121(c)

CFR Citation: 48 CFR 511; 48 CFR 516; 48 CFR 532; 48 CFR 538; 48 CFR 546; 48 CFR 552

Legal Deadline: Final, Statutory, April 17, 2003, Final.

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Final Rule Stage

Abstract: The General Services Administration (GSA) is amending the General Services Administration Acquisition Regulation (GSAR) to implement section 211 of the E—Government Act of 2002. Section 211 authorizes the Administrator of GSA to provide for the use by States or local governments of its Federal Supply Schedules for automated data processing equipment (including firmware), software, supplies, support equipment, and services.

Timetable:

Action	Date	FR Cite
NPRM	01/23/03	68 FR 3220
NPRM Comment Period End	03/24/03	
Interim Final Rule	05/07/03	68 FR 24372
Interim Final Rule Comment Period End	07/07/03	
Final Action	11/00/03	

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: Federal, Local, State

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RIN: 3090—AH76

3600. • FTR CASE 2003—303, FEDERAL TRAVEL REGULATION; ETRAVEL SERVICE (ETS)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 5707; 5 USC 5738; 5 USC 5741 to 5742; 20 USC 905(a); 31 USC 1353; 40 USC 121(c); 49 USC 40118; EO 11609, 3 CFR, 1971 to 1975 Comp, p 586

CFR Citation: 41 CFR 300—3; 41 CFR 301—50; 41 CFR 301—52; 41 CFR 301—70; 41 CFR 301—73

Legal Deadline: None

Abstract: The General Services Administration (GSA) proposed to amend the Federal Travel Regulation (FTR) by revising the term Travel Management System (TMS) to Travel Management Service and by revising its

definition. New terms and definitions for the eTravel Program Management Office (PMO) will also be added. This rule proposed amending the FTR requirements dealing with employees' use of their agencies' Travel Management Service (TMS) and the eTravel Service (eTS). The eTravel PMO will provide migration planning tools, coordinate migration planning meetings, and provide migration planning support beginning July 2003. This rule proposed a requirement that agencies begin implementing the eTS no later than December 31, 2004, and complete migration to eTS for full agency—wide use by September 30, 2006. This rule also proposed a requirement that agencies submit migration plans and schedules to the eTravel PMO no later than March 31, 2004. This proposed rule specified that award of a task order to a vendor under the impending eTS Master Contract for implementation services, authorization and travel claim services, and (if applicable) reservation and fulfillment services will constitute the beginning of eTS implementation for an agency. Agency—wide use of the eTS (accommodating FedTrip through September 30, 2004, and agency—contracted Travel Management Center support, if applicable) for all travel management processes and travel claim submissions will constitute complete migration. Under this rule, agencies will be required to allocate the budget and personnel resources necessary to support eTS implementation, training, and use data exchange. This will include programming agency funds to establish interfaces between the eTS standard data output and their applicable business systems. This proposed regulation is in accordance with the President's Management Agenda for fiscal year 2002.

Timetable:

Action	Date	FR Cite
NPRM	06/30/03	68 FR 38661
NPRM Comment Period End	07/30/03	
Final Action	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3090—AH83

PUBLIC BUILDINGS SERVICE

3601. FPMR CASE 2003—101—3, FEDERAL PROPERTY MANAGEMENT REGULATIONS; PRICING POLICY FOR OCCUPANCY IN GSA SPACE

Priority: Other Significant

Legal Authority: 40 USC 121(c); 116 Stat. 1068 (formerly 40 USC 486(c))

CFR Citation: 41 CFR 101—20; 41 CFR 101—21; 41 CFR 102—85

Legal Deadline: None

Abstract: The General Services Administration (GSA) is amending the Federal Property Management Regulations (FPMR) by moving coverage of GSA's Rent Program into the Federal Management Regulation (FMR). A cross—reference is added to the FPMR to direct readers to the coverage in the FMR. The FMR is written in plain language to provide agencies with updated regulatory material that is easy to read and understand. This final rule establishes the pricing policy between GSA and customer agencies for space and services furnished by GSA. It also governs intra—governmental pricing of space and services provided by agencies other than GSA.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/08/01	66 FR 23169
Interim Final Rule Effective	05/08/01	
Interim Final Rule Comment Period End	07/09/01	
Final Action	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3090—AG33

General Services Administration (GSA)

Long-Term Actions

OFFICE OF CIVIL RIGHTS

3602. FEDERAL PROPERTY MANAGEMENT REGULATIONS; DISCRIMINATION PROHIBITED ON THE BASIS OF AGE**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 6101 et seq**CFR Citation:** 41 CFR 101—8.7**Legal Deadline:** None**Abstract:** This rulemaking revises FPMR 101—8.7 in plain language and moves it into the Federal Management Regulation. The rule enforces the Age Discrimination Act of 1975, which prohibits discrimination based on age in programs or activities receiving Federal financial assistance.**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Local, Tribal**Agency Contact:** Regina Budd, Deputy Associate Administrator, Office of Civil Rights, General Services Administration, Washington, DC 20405
Phone: 202 501—4571
Email: regina.budd@gsa.gov**RIN:** 3090—AH46**3603. FEDERAL PROPERTY MANAGEMENT REGULATIONS; NONDISCRIMINATION IN PROGRAMS RECEIVING FEDERAL FINANCIAL ASSISTANCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 476; 42 USC 2000d—1; 20 USC 1681**CFR Citation:** 41 CFR 101—6; 41 CFR 102—4**Legal Deadline:** None**Abstract:** This rulemaking revises FPMR 101—6.2 in plain language and moves it into the Federal Management Regulation at 102—4. The rule enforces title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination based on race, color, or national origin in programs or activities receiving Federal financial assistance.**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local, Tribal**Agency Contact:** Regina Budd, Deputy Associate Administrator, Office of Civil Rights, General Services Administration, Washington, DC 20405
Phone: 202 501—4571
Email: regina.budd@gsa.gov**RIN:** 3090—AH47**3604. GENERAL SERVICES ADMINISTRATION; OFFICE OF CIVIL RIGHTS; NONDISCRIMINATION BASED ON SEX IN ALL PROGRAMS AND ACTIVITIES RECEIVING FEDERAL SURPLUS PROPERTY****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 476**CFR Citation:** 41 CFR 101—6.2**Legal Deadline:** None**Abstract:** The Office of Civil Rights has no implementing regulation for this provision at this time. However, the statute states that this provision shall be enforced through agency provisions and rules similar to those under title VI.**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Local, Tribal**Agency Contact:** Regina Budd, Deputy Associate Administrator, Office of Civil Rights, General Services Administration, Washington, DC 20405
Phone: 202 501—4571
Email: regina.budd@gsa.gov**RIN:** 3090—AH48**3605. GENERAL SERVICES ADMINISTRATION; OFFICE OF CIVIL RIGHTS; ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS AND ACTIVITIES CONDUCTED BY GENERAL SERVICES ADMINISTRATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 29 USC 794**CFR Citation:** 41 CFR 105—8**Legal Deadline:** None**Abstract:** This regulation enforces nondiscrimination on the basis of handicap in programs and activities conducted by GSA. This rulemaking will be revised and rewritten in plain language.**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Local, Tribal**Agency Contact:** Regina Budd, Deputy Associate Administrator, Office of Civil Rights, General Services Administration, Washington, DC 20405
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Email: regina.budd@gsa.gov**RIN:** 3090—AH59

OFFICE OF GENERAL COUNSEL

3606. GENERAL SERVICES ADMINISTRATION; ADMINISTRATIVE PERSONNEL; PROHIBITED PURCHASES OF PROPERTY SOLD BY GSA**Priority:** Info./Admin./Other**Legal Authority:** 5 USC 7301; 5 CFR 2635.105; 5 CFR 2635.702; 5 CFR 2635.703**CFR Citation:** 5 CFR 6701.103**Legal Deadline:** None**Abstract:** Under the current regulation at 5 CFR 6701.103, GSA employees (and their spouses and minor children) are prohibited from purchasing for themselves or others any personal or real property being sold by GSA. This regulation supplemented the prohibition on the use of public office for private gain at 5 CFR 2635.702 and

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the prohibition on the use of nonpublic information at 5 CFR 2635.703. GSA believes that the current prohibition at section 6701.103 for all GSA employees, their spouses, and minor children is unnecessarily broad and that the prohibition should be extended only to those employees where the possibility of using public office or nonpublic information for private gain exists or where the possibility of the appearance of a conflict of interest occurs. For that reason, GSA is retaining but liberalizing this provision, so as to allow the purchase by GSA employees of property sold by GSA, except for those GSA employees who personally and substantially participate in, or have official responsibility for, the sale of real and personal property.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3090—AH50

OFFICE OF GOVERNMENTWIDE POLICY**3607. FTR INTERIM RULE 7—INCOME TAX REIMBURSEMENT ALLOWANCE (ITRA)**

Priority: Other Significant

Legal Authority: 5 USC 5707

CFR Citation: 41 CFR 301—11

Legal Deadline: None

Abstract: This rulemaking amends the FTR to add authority to implement sections of the Travel and Transportation Reform Act of 1998, which authorize Federal agencies to reimburse Federal, State, and local income taxes incurred as a result of long-term official travel. It also allows

for the reimbursement of penalty and interest payments due to incorrect withholdings by the employee's agency for tax years 1993 and 1994.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	01/01/93	
Interim Final Rule	06/18/99	64 FR 32812
Interim Final Rule Comment Period End	08/17/99	
Final Action	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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RIN: 3090—AG99

3608. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION; CLARIFICATION OF HUBZONE

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 121(c)

CFR Citation: 48 CFR 519; 48 CFR 552

Legal Deadline: None

Abstract: This rulemaking will clarify how the HUBZone program applies to acquiring leasehold interests in real property.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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RIN: 3090—AH17

3609. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR), GUIDANCE ON ELECTRONIC FUNDS TRANSFER

Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 121(c)

CFR Citation: 48 CFR 532; 48 CFR 552

Legal Deadline: None

Abstract: This rulemaking establishes procedures for implementing the Debt Collection Improvement Act of 1996 in accordance with Department of Treasury rules at 31 CFR part 208 and OMB Prompt Payment Act rules at 5 CFR part 1315. To comply with these rules, GSA must collect specific vendor information. 5 CFR 1315.9(b) requires a proper invoice to include the Taxpayer Identification Number (TIN) and banking information for electronic funds transfer, unless agency procedures provide otherwise. GSA will require the TIN on each invoice but will enter banking information on the GSA Form 300 in lieu of requiring it on the invoice.

Timetable:

Action	Date	FR Cite
Final Action	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3090—AH30

General Services Administration (GSA)

Completed Actions

3610. NONDISCRIMINATION ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, HANDICAP, OR AGE IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**Priority:** Substantive, Nonsignificant**CFR Citation:** 41 CFR 101—6; 41 CFR 101—8**Completed:**

Reason	Date	FR Cite
Final Action	08/26/03	68 FR 51373
Final Action Effective	09/25/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, State**Agency Contact:** Regina Budd

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RIN: 3090—AH33**3611. FPMR AMENDMENT H—211 AND FMR AMENDMENT B—3, FEDERAL MANAGEMENT REGULATION; SALE OF PERSONAL PROPERTY****Priority:** Substantive, Nonsignificant**CFR Citation:** 41 CFR 101—45; 41 CFR 102—38**Completed:**

Reason	Date	FR Cite
Final Action	08/26/03	68 FR 51420
Final Action Effective	08/26/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Robert Holcombe

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RIN: 3090—AH10**3612. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) CASE 2002—G506; GSAR CHANGE 6, IDENTIFICATION OF PRODUCTS THAT HAVE ENVIRONMENTAL ATTRIBUTES****Priority:** Other Significant**CFR Citation:** 48 CFR 538; 48 CFR 552**Completed:**

Reason	Date	FR Cite
Final Action	09/02/03	68 FR 52127
Final Action Effective	09/02/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Rodney P. Lantier

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RIN: 3090—AH25**3613. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) AND GOVERNMENTWIDE REQUIREMENTS FOR DRUG—FREE WORKPLACE (GRANTS)****Priority:** Other Significant**CFR Citation:** 41 CFR 105—68; 41 CFR 105—74**Completed:**

Reason	Date	FR Cite
Final Action	11/26/03	68 FR 66534
Final Action Effective	11/26/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, State**Agency Contact:** Donald J. Suda

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RIN: 3090—AH35**3614. GSAR CASE 2002—G507; GSAR AMENDMENT 2003—02, CONSOLIDATION OF INDUSTRIAL FUNDING FEE AND SALES REPORTING CLAUSES; REDUCTION IN AMOUNT OF INDUSTRIAL FUNDING FEE****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 501; 48 CFR 538; 48 CFR 552**Completed:**

Reason	Date	FR Cite
Final Action	07/11/03	68 FR 41286
Final Action Effective	07/11/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Rodney P. Lantier

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RIN: 3090—AH79**3615. • FTR CASE 2003—304; FTR AMENDMENT 2003—04, FEDERAL TRAVEL REGULATION; USING PROMOTIONAL MATERIALS; CONFERENCE PLANNING****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 5 USC 5707, 31 USC 1353**CFR Citation:** 41 CFR 301—53; 41 CFR 301—74**Legal Deadline:** None**Abstract:** The Federal Travel Regulation (FTR) was amended to clarify provisions regarding promotional benefits or materials that a conference planner receives from a travel service provider.**Timetable:**

Action	Date	FR Cite
Final Action	05/22/03	68 FR 27936
Final Action Effective	05/22/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Jim Harte, Program Analyst (Leader—Facilitator), Travel Management Policy, General Services Administration, Office of Governmentwide Policy, Washington, DC 20405

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RIN: 3090—AH81**3616. • FTR CASE 2003—306; FTR AMENDMENT 2003—05, FEDERAL TRAVEL REGULATION; PER DIEM (INCIDENTAL EXPENSE INCREASE)****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 5 USC 5707**CFR Citation:** 41 CFR 301**Legal Deadline:** None**Abstract:** This final rule amends the Federal Travel Regulation (FTR) by increasing the incidental expense allowance under the per diem expenses from \$2.00 to \$3.00 for all per diem localities.**Timetable:**

Action	Date	FR Cite
Final Action	08/29/03	68 FR 51911
Final Action Effective	10/01/03	

GSA**Completed Actions**

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: Federal

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