



Federal Register

**Monday,
December 9, 2002**

Part XLVII

**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 Regulatory and Federal Assistance Publication Division 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, Regulatory and Federal Assistance Publication Division, 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 changes published in the **Federal Register** and produced electronically as Federal Acquisition Circulars (FACs).

The electronic version of the FAR, including changes, can be accessed on the FAR website at <http://www.arnet.gov/FAR>.

Dated: September 18, 2002.

Al Matera,

Director, Acquisition Policy Division.

DOD/GSA/NASA(FAR)—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3878	FAR Case 1999-024, Preference for U.S.-Flag Vessels	9000-AI97
3879	FAR Case 2000-306, Caribbean Basin Country End Products	9000-AJ27
3880	FAR Case 2002-009, Trade Agreements Thresholds	9000-AJ41

DOD/GSA/NASA(FAR)—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3881	FAR Case 1989-093, Implementation of the Anti-Lobbying Statute	9000-AD76
3882	FAR Case 1991-078, Small Business Subcontracting Reporting	9000-AG04
3883	FAR Case 1994-753, Travel Costs	9000-AG27
3884	FAR Case 1995-013, Government Property	9000-AH60
3885	FAR Case 1997-304, Electronic Commerce in Federal Procurement	9000-AI10
3886	FAR Case 1999-025, Cost Accounting Standards Administration	9000-AI70
3887	FAR Case 2000-007, Financing Policies	9000-AI92
3888	FAR Case 2000-302, Veterans Entrepreneurship and Small Business Development Act of 1999	9000-AI93
3889	FAR Case 2000-304, Electronic Signatures	9000-AI94
3890	FAR Case 1998-018, Trademarks for Government Products	9000-AI98
3891	FAR Case 1999-400, Geographic Use of the Term "United States"	9000-AI99
3892	FAR Case 2000-013, Contract Types for Commercial Item Acquisitions	9000-AJ03
3893	FAR Case 2001-016, E.O. 13202, Preservation of Open Competition and Government Neutrality Towards Government Contractors' Labor Relations on Federal and Federally Funded Construction Projects	9000-AJ14
3894	FAR Case 2000-608, New Consolidated Form for Selection of Architect-Engineer Contractors	9000-AJ15
3895	FAR Case 2000-308, Prompt Payment Under Cost-Reimbursement Contracts for Services	9000-AJ17
3896	FAR Case 2000-011, Revisions to Provisions/Clauses to Accommodated Sealed Bidding and Simplified Procedures in Commercial Item Acquisitions	9000-AJ18
3897	FAR Case 2001-005, Notification of Overpayment, Contract Financing Payments	9000-AJ20
3898	FAR Case 1998-020, Hazardous Material Safety Data	9000-AJ21
3899	FAR Case 2001-006, Progress Payment Requests Under Indefinite—Delivery Contracts	9000-AJ23
3900	FAR Case 2001-030, Electronic Listing of Acquisition Vehicles for Use by More Than One Agency	9000-AJ30
3901	FAR Case 2001-029, Miscellaneous Cost Principles	9000-AJ33

FAR

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

Sequence Number	Title	Regulation Identification Number
3902	FAR Case 2000-009, Contract Terms and Conditions Required To Implement Statute or Executive Orders—Commercial Items	9000-AJ34
3903	FAR Case 2001-015, Prohibited Sources	9000-AJ35
3904	FAR Case 2001-008, Compensation Cost Principle	9000-AJ36
3905	FAR Case 2001-021, Training and Education Cost Principle	9000-AJ38
3906	FAR Case 2000-016, Federal, State, and Local Taxes	9000-AJ39
3907	FAR Case 2002-003, Temporary Emergency Procurement Authority	9000-AJ40
3908	FAR Case 2001-024, Selling Cost Principle	9000-AJ42
3909	FAR Case 2000-005, Leadership in Environmental Management (Executive Order 13148)	9000-AJ44
3910	FAR Case 2001-035, Past Performance Evaluation of Federal Prison Industries Contracts	9000-AJ45
3911	FAR Case 2002-001, Economic Planning, Employee Morale, and Travel Costs Principles	9000-AJ46

DOD/GSA/NASA(FAR)—Completed Actions

Sequence Number	Title	Regulation Identification Number
3912	FAR Case 1997-032, Relocation Costs	9000-AH96
3913	FAR Case 1999-303, Task Order and Delivery Order Contracts	9000-AI72
3914	FAR Case 1999-616, Balance of Payments Program	9000-AI90
3915	FAR Case 2000-401, Definitions of Applied Research and Development	9000-AI91
3916	FAR Case 1999-614, Federal Supply Schedule Order Disputes and Incidental Items	9000-AJ01
3917	FAR Case 2000-307, Preference for Performance-Based Contracting	9000-AJ12
3918	FAR Case 2000-406, Definition of "Claim" and Terms Relating to Termination	9000-AJ19
3919	FAR Case 2001-012, Payments Under Fixed-Price Construction Contracts	9000-AJ22
3920	FAR Case 2001-002, European Union Trade Sanctions	9000-AJ37

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

Final Rule Stage

**3878. FAR CASE 1999-024,
PREFERENCE FOR U.S.-FLAG
VESSELS**

Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 2; 48 CFR 12; 48 CFR 32; 48 CFR 47; 48 CFR 52

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) regarding the applicability of statutory requirements for use of U.S.-flag vessels in the transportation of supplies by sea. The FAR presently waives these requirements for subcontracts for the acquisition of commercial items. The rule requires the use of U.S.-flag vessels under certain subcontracts for commercial items. 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 is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Timetable:

Action	Date	FR Cite
NPRM	11/07/00	65 FR 66920
NPRM Comment Period End	01/08/01	
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA

(FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AI97

**3879. FAR CASE 2000-306,
CARIBBEAN BASIN COUNTRY END
PRODUCTS**

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 (FAR) to implement the determination of the United States Trade Representative (USTR) to extend the treatment of

FAR

Final Rule Stage

certain end products, from countries designated by the President as beneficiaries under the Caribbean Basin Economic Recovery Act, as eligible products under the Trade Agreements Act, with the exception of end products from the Dominican Republic, Honduras, and Panama. On July 12, 2002 (67 FR 46239), the USTR published a notice in the Federal Register to reinstate the treatment on Government procurement of products from Honduras. The rule also implements section 211 of the United States-Caribbean Basin Trade Partnership Act and the determination of the USTR as to which countries qualify for the enhanced trade benefits under that Act. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/08/02	67 FR 6116
Interim Final Rule Effective	02/20/02	

Action	Date	FR Cite
Interim Final Rule	04/09/02	
Comment Period End		
Final Action	11/00/02	

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

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AJ27**3880. • FAR CASE 2002-009, TRADE AGREEMENTS THRESHOLDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 22; 48 CFR 25; 48 CFR 52**Legal Deadline:** None**Abstract:** This rule amends the Federal Acquisition Regulation (FAR) to

implement new dollar thresholds for application of the Trade Agreements Act (TAA) and North American Free Trade Agreement (NAFTA) as published by the U.S. Trade Representative in the Federal Register at 67 FR 14763, March 27, 2002. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
Final Action	11/00/02	

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

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AJ41

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

Long-Term Actions

3881. FAR CASE 1989-093, 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
Interim Final Rule Comment Period End	04/02/90	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AD76**3882. FAR CASE 1991-078, 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

FAR

Long-Term Actions

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	
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AG04**3883. FAR CASE 1994-753, TRAVEL COSTS****Priority:** Other Significant**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 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, and is not a major rule under 5 U.S.C. 804.

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

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AG27**3884. FAR CASE 1995-013, GOVERNMENT PROPERTY****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 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, reduce recordkeeping, 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	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA

(FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AH60**3885. FAR CASE 1997-304, 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 12; 48 CFR 13; 48 CFR 14; 48 CFR 19; 48 CFR 22; 48 CFR 34; 48 CFR 35; 48 CFR 36

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 the 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	
NPRM	08/21/00	65 FR 50872
NPRM Comment Period End	10/20/00	
Interim Final Rule	05/16/01	66 FR 27407
Interim Final Rule Comment Period End	07/16/01	
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AI10

FAR

Long-Term Actions

3886. FAR CASE 1999-025, COST ACCOUNTING STANDARDS ADMINISTRATION**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 30; 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to delineate the process for determining and resolving the cost impact on contracts and subcontracts when a contractor makes a compliant change to a cost accounting practice or follows a noncompliant practice. 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	04/18/00	65 FR 20854
NPRM Comment Period End	06/19/00	
Final Action	To Be Determined	

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

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AI70**3887. FAR CASE 2000-007, FINANCING POLICIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 32; 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to permit the use of performance-based payments type of financing on fixed-price contracts prior to definitization and to revise the criteria governing when a prime contractor can bill the Government for costs incurred, but not yet paid, for supplies and services purchased directly for the contract and

for associated subcontractor financing payment requests. 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	09/18/00	65 FR 56454
NPRM Comment Period End	11/17/00	
Next Action	Undetermined	

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

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AI92**3888. FAR CASE 2000-302, VETERANS ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT ACT OF 1999****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 137; 42 USC 2473(c); PL 106-50**CFR Citation:** 48 CFR 2; 48 CFR 4; 48 CFR 5; 48 CFR 7; 48 CFR 19; 48 CFR 52; 48 CFR 53**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement section 803 of the Small Business Reauthorization Act of 2000, part of the Consolidated Appropriations Act 2001 (Pub. L. 106-554). The Act established new assistance programs for veterans and service-disabled veterans who own and operate small businesses. 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	10/11/00	65 FR 60542
Interim Final Rule Effective	10/11/00	
Interim Final Rule Comment Period End	12/11/00	

Action	Date	FR Cite
Interim Final Rule	10/22/01	66 FR 53492
Interim Final Rule Effective	10/22/01	
Interim Final Rule Comment Period End	12/21/01	
Next Action	Undetermined	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AI93**3889. FAR CASE 2000-304, ELECTRONIC SIGNATURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 2; 48 CFR 4**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to clarify and encourage the use of electronic signatures in Federal procurement. 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	11/01/00	65 FR 65698
NPRM Comment Period End	01/02/01	
Next Action	Undetermined	

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

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AI94

FAR

Long-Term Actions

3890. FAR CASE 1998-018, TRADEMARKS FOR GOVERNMENT PRODUCTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(a); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 27; 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to provide guidance on the use of names, symbols, and logos that describe Government products, services, systems, and programs. 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 is a procurement-related action for which there is no statutory requirement. There may be a paperwork burden associated with this action.

Timetable:

Action	Date	FR Cite
NPRM	08/09/01	66 FR 42102
NPRM Comment	10/09/01	
Period End		
Final Action	To Be	Determined

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

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AI98**3891. FAR CASE 1999-400, GEOGRAPHIC USE OF THE TERM "UNITED STATES"****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 5; 48 CFR 6; 48 CFR 8; 48 CFR 9; 48 CFR 14; 48 CFR 19; 48 CFR 22; 48 CFR 23; 48 CFR 25; 48 CFR 26; 48 CFR 28; 48 CFR 29; 48 CFR 31; 48 CFR 35; 48 CFR 36; 48 CFR 42; 48 CFR 47; 48 CFR 52; 48 CFR 53

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to review and clarify the use of the term "United States" in the FAR. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	07/27/01	66 FR 39230
NPRM Comment	09/25/01	
Period End		
Next Action	Undetermined	

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

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AI99**3892. FAR CASE 2000-013, CONTRACT TYPES FOR COMMERCIAL ITEM ACQUISITIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 12; 48 CFR 16**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to provide clarification on what contract types are authorized for commercial item acquisitions. 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	12/29/00	65 FR 83292
NPRM Comment	02/27/01	
Period End		
Final Action	To Be	Determined

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

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AJ03**3893. FAR CASE 2001-016, E.O. 13202, PRESERVATION OF OPEN COMPETITION AND GOVERNMENT NEUTRALITY TOWARDS GOVERNMENT CONTRACTORS' LABOR RELATIONS ON FEDERAL AND FEDERALLY FUNDED CONSTRUCTION PROJECTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 17; 48 CFR 22; 48 CFR 36**Legal Deadline:** None

Abstract: Executive Order (EO) 13202, Preservation of Open Competition and Government Neutrality Towards Government Contractors' Labor Relations on Federal and Federally Funded Construction Projects, which prohibits including requirements for affiliation with a labor organization as a condition for award of any contract or subcontract for construction or construction management services, is currently the subject of litigation in the Federal courts. The district court agreed with the AFL-CIO's contention that the Labor Relations Act preempts the E.O. and granted an injunction against implementation of the E.O. An appeal of this decision is pending in the United States Court of Appeals for the District of Columbia Circuit. Pending resolution of this litigation, a stay for the interim rule was published in the Federal Register on March 7, 2002, to comply with the court order. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/16/01	66 FR 27414
Interim Final Rule Effective	05/16/01	
Interim Final Rule Comment Period End	07/16/01	

FAR

Long-Term Actions

Action	Date	FR Cite
Interim Final Rule (Stay)	03/07/02	67 FR 10528
Interim Final Rule Effective	03/07/02	
Interim Final Rule Comment Period End	05/06/02	

Next Action Undetermined

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
 Phone: 202 501-4225
 Fax: 202 501-4067
 Email: laurie.duarte@gsa.gov

RIN: 9000-AJ14

3894. FAR CASE 2000-608, NEW CONSOLIDATED FORM FOR SELECTION OF ARCHITECT-ENGINEER CONTRACTORS

Priority: Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 36**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to replace Standard Forms 254 and 255 with proposed Standard Form 330, Architect-Engineer Qualification. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	10/19/01	66 FR 53314
NPRM Comment Period End	12/18/01	
NPRM Comment Period End (Extended)	01/08/02	66 FR 65792

Next Action Undetermined

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

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225
 Fax: 202 501-4067
 Email: laurie.duarte@gsa.gov

RIN: 9000-AJ15

3895. FAR CASE 2000-308, PROMPT PAYMENT UNDER COST-REIMBURSEMENT CONTRACTS FOR SERVICES

Priority: Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 32; 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to require agencies to pay an interest penalty whenever they make an interim payment under a cost-reimbursement contract for services more than 30 days after the agency receives a proper invoice from the contractor. 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	10/22/01	66 FR 53485
Interim Final Rule Effective	10/22/01	
Interim Final Rule Comment Period End	12/21/01	

Next Action Undetermined

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

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
 Phone: 202 501-4225
 Fax: 202 501-4067
 Email: laurie.duarte@gsa.gov

RIN: 9000-AJ17

3896. FAR CASE 2000-011, REVISIONS TO PROVISIONS/CLAUSES TO ACCOMMODATED SEALED BIDDING AND SIMPLIFIED PROCEDURES IN COMMERCIAL ITEM ACQUISITIONS

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 update FAR provisions relating to Instructions to Offerors-Commercial Items and Offeror Representations and Certifications-Commercial Items to accommodate sealed bidding and simplified acquisitions. 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	08/22/01	66 FR 44288
NPRM Comment Period End	10/22/01	
Final Action	To Be Determined	

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

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
 Phone: 202 501-4225
 Fax: 202 501-4067
 Email: laurie.duarte@gsa.gov

RIN: 9000-AJ18

3897. FAR CASE 2001-005, NOTIFICATION OF OVERPAYMENT, CONTRACT FINANCING PAYMENTS

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 require the contractor to notify the contracting officer if the Government overpays the contractor when making a contract financing payment under both commercial item and non-commercial item 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.

This is a procurement-related action for which there is no statutory

FAR

Long-Term Actions

requirement. There is a paperwork burden associated with this action.

Timetable:

Action	Date	FR Cite
NPRM	08/29/02	
NPRM Comment	10/28/02	67 FR 55676
Period End		

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AJ20

3898. FAR CASE 1998-020, HAZARDOUS MATERIAL SAFETY DATA

Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 23; 48 CFR 52

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to revise the language that provides policies and procedures for contractor submission of Material Safety Data Sheets (MSDSs). 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. RIN 9000-AI87 was withdrawn in the spring 2001 Unified Agenda, published in the Federal Register on May 14, 2001.

Timetable:

Action	Date	FR Cite
NPRM	01/04/02	67 FR 632
NPRM Comment	03/05/02	
Period End		

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

Related RIN: Previously reported as 9000-AI87

RIN: 9000-AJ21

3899. FAR CASE 2001-006, PROGRESS PAYMENT REQUESTS UNDER INDEFINITE—DELIVERY CONTRACTS

Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 32; 48 CFR 52

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to require, under indefinite—delivery contracts, the contractor to account for and submit progress payment requests under individual orders as if each order constitutes a separate contract, unless otherwise specified in the contract. This regulatory action was not subject to Office of Management and Budget Review under Executive Order 12866 dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	11/14/01	66 FR 57294
NPRM Comment	01/14/02	
Period End		

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AJ23

3900. FAR CASE 2001-030, ELECTRONIC LISTING OF ACQUISITION VEHICLES FOR USE BY MORE THAN ONE AGENCY

Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 5

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to require contracting activities to input information online for Governmentwide acquisition contracts, multi-agency contracts, General Services Administration (GSA) Federal Supply Schedule (FSS) contracts, blanket purchase agreements (BPAs) under FSS contracts, and other procurement instruments intended for multiple agency use. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	02/15/02	67 FR 7256
NPRM Comment	04/16/02	
Period End		

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AJ30

3901. FAR CASE 2001-029, MISCELLANEOUS COST PRINCIPLES

Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 2; 48 CFR 31; 48 CFR 47; 48 CFR 52

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to delete the cost principle concerning transportation costs, and to revise the cost principles concerning cost of money, other business expenses, and deferred research and developments. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804.

FAR

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	03/20/02	67 FR 13072
NPRM Comment Period End	05/20/02	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal**Agency Contact:** Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AJ33

3902. FAR CASE 2000-009, CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTE OR EXECUTIVE ORDERS—COMMERCIAL ITEMS**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486; 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 update the clause regarding contract terms and conditions required to implement statute or Executive orders—commercial items. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	03/20/02	67 FR 13076
NPRM Comment Period End	05/20/02	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AJ34

3903. FAR CASE 2001-015, PROHIBITED SOURCES**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 (FAR) to implement Executive Order 13192, Lifting and Modifying Measures With Respect to the Federal Republic of Yugoslavia (Serbia and Montenegro), and other regulations of the Department of Treasury that enforce economic sanctions imposed by the President. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. The rule is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	03/20/02	67 FR 13080
NPRM Comment Period End	05/20/02	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AJ35

3904. FAR CASE 2001-008, COMPENSATION COST PRINCIPLE**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 16; 48 CFR 22; 48 CFR 31; 48 CFR 37; 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to revise the “compensation for personal services” cost principle. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	04/23/02	67 FR 19952
NPRM Comment Period End	06/24/02	

Final Action To Be Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AJ36

3905. • FAR CASE 2001-021, TRAINING AND EDUCATION COST PRINCIPLE**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473**CFR Citation:** 48 CFR 31**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) “Training and Education 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	05/15/02	67 FR 34810
Correction	06/11/02	67 FR 40136
NPRM Comment Period End	07/15/02	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405

Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AJ38

FAR

Long-Term Actions

3906. • FAR CASE 2000-016, FEDERAL, STATE, AND LOCAL TAXES**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473 (c)**CFR Citation:** 48 CFR 29; 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation to clarify the prescriptions for use of clauses relating to Federal, State, and local taxes. In addition, the rule deletes the clause regarding taxes-contracts performed in U.S. possessions or Puerto Rico and updates and moves the definitions of "local taxes". This regulatory action was not subject to review under Executive Order 12866, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	06/04/02	67 FR 38552
NPRM Comment Period End	08/05/02	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AJ39

3907. • FAR CASE 2002-003, TEMPORARY EMERGENCY PROCUREMENT AUTHORITY**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 2; 48 CFR 12; 48 CFR 13; 48 CFR 19; 48 CFR 25**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement section 836 of the Fiscal Year 2002 National Defense Authorization Act. This regulatory action was not subject to review under Office of Management and Budget review under Executive Order 12866,

dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/30/02	67 FR 56120
Interim Final Rule Effective	08/30/02	
Interim Final Rule Comment Period End	10/29/02	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AJ40

3908. • FAR CASE 2001-024, SELLING COST PRINCIPLE**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 revise the "selling costs" cost principle to increase clarity and to remove excessive wording and details. This regulatory action was not subject to Office of Management and Budget review under Executive order 12866 dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	08/29/02	
NPRM Comment Period End	10/28/02	67 FR 55682

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
Phone: 202 501-4225

Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AJ42

3909. • FAR CASE 2000-005, LEADERSHIP IN ENVIRONMENTAL MANAGEMENT (EXECUTIVE ORDER 13148)**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 23; 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement Executive Order (E.O.) 13148 of April 21, 2000, Greening the Government through Leadership in Environmental Management. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	08/29/02	
NPRM Comment Period End	10/28/02	67 FR 55670

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AJ44

3910. • FAR CASE 2001-035, PAST PERFORMANCE EVALUATION OF FEDERAL PRISON INDUSTRIES CONTRACTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 8; 48 CFR 42**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to remove the prohibition on evaluating Federal Prison Industries (FPI) contract

FAR

Long-Term Actions

performance. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	08/29/02	
NPRM Comment Period End	10/28/02	67 FR 55680
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
Phone: 202 501-4225
Fax: 202 501-4067

Email: laurie.duarte@gsa.gov

RIN: 9000-AJ45

3911. • FAR CASE 2002-001, ECONOMIC PLANNING, EMPLOYEE MORALE, AND TRAVEL COSTS PRINCIPLES

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 regulation amends the Federal Acquisition Regulation (FAR) to revise the cost principles regarding economic planning costs, employee morale, health, welfare, food service, and dormitory costs and credits, and travel costs to increase clarity and readability. This regulatory action was not subject to Office of Management and Budget review under Executive

Order 12866, dated September 30, 1993. This is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	08/29/02	
NPRM Comment Period End	10/28/02	67 FR 55686
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte, FAR Secretariat (MVP), DOD/GSA/NASA (FAR), Room 4033, 1800 F Street NW, Washington, DC 20405
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AJ46

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

Completed Actions

3912. FAR CASE 1997-032, RELOCATION COSTS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 31

Completed:

Reason	Date	FR Cite
Final Action	06/27/02	67 FR 43516
Final Action Effective	07/29/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AH96

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AI72

3914. FAR CASE 1999-616, BALANCE OF PAYMENTS PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 13; 48 CFR 25; 48 CFR 52

Completed:

Reason	Date	FR Cite
Final Action	04/30/02	67 FR 21534
Final Action Effective	05/15/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AI90

3915. FAR CASE 2000-401, DEFINITIONS OF APPLIED RESEARCH AND DEVELOPMENT

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 2; 48 CFR 31; 48 CFR 35

Completed:

Reason	Date	FR Cite
Withdrawn	06/20/02	67 FR 42174

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Laurie Duarte
Phone: 202 501-4225
Fax: 202 501-4067
Email: laurie.duarte@gsa.gov

RIN: 9000-AI91

3913. FAR CASE 1999-303, TASK ORDER AND DELIVERY ORDER CONTRACTS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 2; 48 CFR 16

Completed:

Reason	Date	FR Cite
Final Action	08/30/02	67 FR 56117
Final Action Effective	09/30/02	

3916. FAR CASE 1999-614, FEDERAL SUPPLY SCHEDULE ORDER DISPUTES AND INCIDENTAL ITEMS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 8; 48 CFR 51

FAR

Completed Actions

Completed:

Reason	Date	FR Cite
Final Action	06/27/02	67 FR 43514
Final Action Effective	07/29/02	

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

Agency Contact: Laurie Duarte
 Phone: 202 501-4225
 Fax: 202 501-4067
 Email: laurie.duarte@gsa.gov

RIN: 9000-AJ01**3917. FAR CASE 2000-307, PREFERENCE FOR PERFORMANCE-BASED CONTRACTING****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 2; 48 CFR 37**Completed:**

Reason	Date	FR Cite
Final Action	04/30/02	67 FR 21533
Final Action Effective	05/15/02	

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

Agency Contact: Laurie Duarte
 Phone: 202 501-4225
 Fax: 202 501-4067
 Email: laurie.duarte@gsa.gov

RIN: 9000-AJ12**3918. FAR CASE 2000-406, DEFINITION OF "CLAIM" AND TERMS RELATING TO TERMINATION****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 2; 48 CFR 17; 48 CFR 33; 48 CFR 49; 48 CFR 52**Completed:**

Reason	Date	FR Cite
Final Action	06/27/02	67 FR 43513
Correction	07/19/02	67 FR 47635
Final Action Effective	07/29/02	

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

Agency Contact: Laurie Duarte
 Phone: 202 501-4225
 Fax: 202 501-4067
 Email: laurie.duarte@gsa.gov

RIN: 9000-AJ19**3919. FAR CASE 2001-012, PAYMENTS UNDER FIXED-PRICE CONSTRUCTION CONTRACTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 52**Completed:**

Reason	Date	FR Cite
Final Action	08/30/02	67 FR 56124
Final Action Effective	09/30/02	

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

Agency Contact: Laurie Duarte
 Phone: 202 501-4225
 Fax: 202 501-4067
 Email: laurie.duarte@gsa.gov

RIN: 9000-AJ22**3920. FAR CASE 2001-002, EUROPEAN UNION TRADE SANCTIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 25**Completed:**

Reason	Date	FR Cite
Final Action	04/30/02	67 FR 21538
Final Action Effective	05/15/02	

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

Agency Contact: Laurie Duarte
 Phone: 202 501-4225
 Fax: 202 501-4067
 Email: laurie.duarte@gsa.gov

RIN: 9000-AJ37

[FR Doc. 02-24266 Filed 12-06-02; 8:45 am]

BILLING CODE 6820-EP-S