

A3.7.6. Ending or Extending a Hearing. The hearing officer has the power to end the hearing if the hearing becomes disorderly, if the speakers become repetitive, or for other good cause. In any such case, the hearing officer must make a statement for the record on the reasons for terminating the hearing. The hearing officer may also extend the hearing beyond the originally announced date and time. The officer should announce the extension to a later date or time during the hearing and prior to the hearing if possible.

A3.8. Adjourning the Hearing

After all persons have had a chance to speak, when the hearing has culled a representative view of public opinion, or when the time set for the hearing and any reasonable extension of time has ended, the hearing officer adjourns the hearing. In certain circumstances (for example, if the hearing officer believes it is likely that some participants will introduce new and relevant information), the hearing officer may justify scheduling an additional, separate hearing session. If the hearing officer makes the decision to hold another hearing while presiding over the original hearing he or she should announce that another public hearing will be scheduled or is under consideration. The officer gives notice of a decision to continue these hearings in essentially the same way he or she announced the original hearing, time permitting. The Public Affairs officer provides the required public notices and directs notices to interested parties in coordination with the hearing officer. Because of lead-time constraints, SAF/MIQ may waive **Federal Register** notice requirements or advertisements in local publications. At the conclusion of the hearing, the hearing officer should inform the attendees of the deadline (usually 2 weeks) to submit additional written remarks in the hearing record. The officer should also notify attendees of the deadline for the commenting period of the Draft EIS.

Janet A. Long,

Air Force Federal Register Liaison Officer.

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GENERAL SERVICES ADMINISTRATION

48 CFR Part 6103

Rules of Procedure for Transportation Rate Cases

AGENCY: Board of Contract Appeals,
GSA.

ACTION: Final rule.

SUMMARY: This document contains nomenclature changes to the rules of procedure of the GSA Board of Contract Appeals applicable to the Board's review of claims made by a carrier or freight forwarder pursuant to 31 U.S.C. 3726(g)(1). The General Services Administration Office of Transportation

Audits (OTA) has been renamed the Audit Division of the General Services Administration Office of Transportation and Property Management (the Audit Division). All references in the Board's rules to "OTA" are changed to "the Audit Division." This rule also revises the authority citation for Part 6103.

EFFECTIVE DATE: July 15, 1999.

FOR FURTHER INFORMATION CONTACT: Margaret S. Pfunder, Deputy Chief Counsel, GSA Board of Contract Appeals, telephone (202) 501-0272, Internet address Margaret.Pfunder@gsa.gov.

SUPPLEMENTARY INFORMATION:

A. Executive Order 12866

The General Services Administration (GSA) has determined that this final rule is not a significant rule for the purposes of Executive Order 12866 of September 30, 1993.

B. Regulatory Flexibility Act

This final rule is not required to be published in the **Federal Register** for notice and comment; therefore, the Regulatory Flexibility Act does not apply.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this final rule does not impose record keeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public that require the approval of the Office of Management and Budget (OMB) under 44 U.S.C. 501, *et seq.*

D. Small Business Regulatory Enforcement Fairness Act

This final rule is also exempt from congressional review prescribed under 5 U.S.C. 801 since it relates solely to agency management and personnel.

List of Subjects in 48 CFR part 6103

Administrative practice and procedure, Freight forwarders, Government procurement.

For the reasons set forth in the preamble, 41 CFR part 6103 is amended as follows:

PART 6103—RULES OF PROCEDURE FOR TRANSPORTATION RATE CASES

1. The authority citation for part 6103 is revised to read as follows:

Authority: 31 U.S.C. 3726(g)(1); 41 U.S.C. 601-613; Sec. 202(o), Pub. L. 104-316, 110 Stat. 3826.

6103.1 [Amended]

2. Section 6103.1 is amended in paragraph (a) by removing the citation

"201(o)" and adding in its place the citation "202(o)" and in paragraph (b) by removing the words "General Services Administration Office of Transportation Audits (OTA)" and adding in their place the words "Audit Division of the General Services Administration Office of Transportation and Property Management (the Audit Division)".

6103.2 [Amended]

3. Section 6103.2 is amended in paragraph (a)(5) by removing the acronym "OTA" and inserting in its place the words "Audit Division", and in paragraphs (c) and (d) by removing the acronym "OTA" wherever it appears and adding in its place the words "the Audit Division".

6103.3 [Amended]

4. Section 6103.3 is amended by removing the acronym "OTA" wherever it appears and adding in its place the words "the Audit Division."

5. Section 6103.4 is revised to read as follows:

6103.4 Reply to Audit Division and agency responses [Rule 304].

A claimant may file with the Board and serve on the Audit Division and the agency a reply to the Audit Division and agency responses within 30 calendar days after receiving the responses (or within 60 calendar days after receiving the responses, if the claimant is located outside the 50 states and the District of Columbia). To expedite proceedings, if the claimant does not wish to respond, the claimant should so notify the Board, the Audit Division, and the agency.

6103.5 [Amended]

6. Section 6103.5 is amended by removing the acronym "OTA" wherever it appears and adding in its place the words "the Audit Division".

6103.6 [Amended]

7. Section 6103.6 is amended by removing the acronym "OTA" wherever it appears and adding in its place the words "the Audit Division".

6103.7 [Amended]

8. Section 6103.7 is amended by removing the acronym "OTA" and adding in its place the words "the Audit Division".

Dated: July 12, 1999.

Stephen M. Daniels,
Chairman.

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