



# Federal Register

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**Thursday,  
November 30, 2000**

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**Part XVIII**

**Agency for  
International  
Development**

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**Semiannual Regulatory Agenda**

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**AGENCY FOR INTERNATIONAL DEVELOPMENT (AID)**


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**AGENCY FOR INTERNATIONAL DEVELOPMENT****22 CFR Ch. II****Federal Regulations; USAID Regulatory Agenda Semiannual Summary****AGENCY:** U.S. Agency for International Development.**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** The U.S. Agency for International Development (USAID) is publishing this agenda as required by Executive Order 12866, "Regulatory Planning and Review" (58 FR 51735, October 4, 1993), and the Regulatory Flexibility Act. This agenda reports the status of those regulations currently under review and gives USAID's plan for the issuance of proposed regulations

during the next 12 months. It is expected that the information provided in this agenda will enable the public to be more aware of and to participate more effectively in USAID's regulatory process.

**FOR FURTHER INFORMATION CONTACT:**

*General:* For further information on the agenda or the review list in general, contact: Joanne M. Paskar, Chief, Bureau for Management, Office of Administrative Services, Information and Records Division, U.S. Agency for International Development, Washington, DC 20523; Telephone (202) 712-1217, E-mail jpaskar@usaid.gov.

*Specific:* For further information about any particular item on the agenda, contact the individual listed as the contact for that item.

**SUPPLEMENTARY INFORMATION:** Executive Order 12866 and the Regulatory

Flexibility Act require the semiannual publication in the **Federal Register** of an agenda of regulations. The Regulatory Flexibility Act applies only to regulations for which a notice of proposed rulemaking was issued on or after September 19, 1980. USAID is required to publish an agenda listing all the regulations it expects to propose or promulgate that are likely to have a "significant economic impact on a substantial number of small entities." The Executive order became effective on September 30, 1993, and it is required that USAID publish a listing of all the regulations it expects to have under active consideration for proposal, or review during the coming one-year period.

**Dated:** August 17, 2000.**Charles G. Knight,***Acting Director of Administrative Services.*


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**Agency for International Development (AID)**
**Proposed Rule Stage****3442. USAID ACQUISITION REGULATION (AIDAR) UPDATE OF APPENDIX D AND APPENDIX J****Priority:** Substantive, Nonsignificant**Legal Authority:** 22 USC 2381**CFR Citation:** 48 CFR ch 7, app D; 48 CFR ch 7, app J**Legal Deadline:** None

**Abstract:** Revision of appendix D and appendix J of the AIDAR, regarding personal services contracts with U.S. citizens and cooperating country and third country nationals. The appendices will be consolidated, determination of

pay and benefits for jobs will be revised, and editorial changes made.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/00	
NPRM Comment Period End	11/00/00	
Final Action	12/00/00	
Final Action Effective	01/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

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**RIN:** 0412-AA43

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**Agency for International Development (AID)**
**Final Rule Stage****3443. ADMINISTRATION OF GRANTS AND COOPERATIVE AGREEMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 22 USC 2381**CFR Citation:** 22 CFR 226**Legal Deadline:** None

**Abstract:** This regulation will implement the Governmentwide uniform administrative requirements for grants and agreements with institutions of higher education,

hospitals, and other nonprofit organizations issued by the Office of Management and Budget.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/19/95	60 FR 3743
Final Action	01/00/01	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Organizations

**Government Levels Affected:** None

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**RIN:** 0412-AA21

## AID

## Final Rule Stage

**3444. MISCELLANEOUS AMENDMENTS TO THE AIDAR (AIDAR NOTICE 98-2)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 22 USC 2381**CFR Citation:** 48 CFR 712; 48 CFR 727; 48 CFR 742; 48 CFR 752; 48 CFR ch 7, app I**Legal Deadline:** None**Abstract:** The USAID Acquisition Regulation will be amended to clarify USAID policy on the use of Government facilities and personnel in commercial products, establish an Agency policy regarding contract clauses to clarify withholding requirements under IQC contracts, revise reporting requirements, and

coordinate the Agency's academic publication policy with the FAR's Rights in Data coverage by removing it from appendix I into a new part 727. This new AIDAR part will also provide for contractual coverage of Rights in Data in USAID's contracts performed overseas and awarded to U.S. organizations, provide guidance on Rights in Data coverage for overseas contracts with non-U.S. entities, and provide an alternate paragraph to add to the applicable FAR clause to reserve USAID's right to restrict release of data when release may negatively impact the Government's development or diplomatic relationship with the cooperating countries.

**Timetable:**

Action	Date	FR Cite
NPRM	11/04/98	63 FR 59501
NPRM Comment Period End	01/04/99	
Final Action	01/00/01	
Final Action Effective	02/00/01	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Additional Information:** The final rule published in the Federal Register on July 29, 1997, at 62 FR 40462 (FR Doc. 97-18603) mistakenly cited this RIN number. It should have used RIN 0412-AA32.**Agency Contact:** Diane M. Howard, Senior Procurement Analyst, Agency for International Development, Room 7.08-082U, M/OP/P, 1300 Pennsylvania Avenue NW., Washington, DC 20523-7801

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**RIN:** 0412-AA30

## Agency for International Development (AID)

## Long-Term Actions

**3445. • NONDISCRIMINATION ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, HANDICAP, AND AGE IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 794; 42 USC 2000d to 2000d-7; 42 USC 6101 to 6107; EO 12250**CFR Citation:** 22 CFR 209.1 to 209.13; 22 CFR 217.1 to 217.47; 22 CFR 218.01 to 218.39**Legal Deadline:** None**Abstract:** The Agency for International Development proposes to make amendments to its regulations implementing title VI of the Civil Rights Act of 1964 (title VI), section 504 of the Rehabilitation Act of 1972 (section 504), and the Age Discrimination Act of 1975 (Age

Discrimination Act). Together, these statutes prohibit discrimination on the basis of race, color, national origin, disability, and age in programs or activities that receive Federal financial assistance. In 1988, the Civil Rights Restoration Act (CRRA) added definitions of "program or activity" and "program" to title VI and added a definition of "program or activity" to section 504 and the Age Discrimination Act. The added definitions were designed to clarify the broad scope of coverage of recipients' programs or activities under these statutes. The promulgation of this proposed regulation explicitly incorporates the CRRA's definition of "program or activity" and "program" into the Department's title VI, section 504, and Age Discrimination Act regulations. The Department's proposed regulation will be published as part of a joint

Notice of Proposed Rulemaking involving up to 24 Federal agencies.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	
NPRM Comment Period End	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Agency Contact:** Jessalyn L. Pendarvis, Director, Office of Equal Opportunity Programs, Agency for International Development, Room 2.09-77, 1300 Pennsylvania Avenue NW., Washington, DC 20523-2901

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**RIN:** 0412-AA45

## Agency for International Development (AID)

## Completed Actions

**3446. • CONTRACTOR PERFORMANCE EVALUATION****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 41 USC 405(j)**CFR Citation:** 48 CFR 715; 48 CFR 742**Legal Deadline:** None**Abstract:** The USAID Acquisition Regulation is amended to implement USAID's contractor performance evaluation system as a subscriber to the NIH Contractor Performance System. The rulemaking revises the CFR to implement enhanced use of contractor performance information as a selection factor in new awards.**Timetable:**

Action	Date	FR Cite
Final Action	06/09/00	65 FR 36642
Final Action Effective	07/10/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Kenneth Monsess, Agency for International Development, Room 7.08-095, M/OP/P, 1300 Pennsylvania Avenue NW., Washington, DC 20523-7801  
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**RIN:** 0412-AA44**3447. • NONDISCRIMINATION ON THE BASIS OF SEX IN FEDERALLY ASSISTED PROGRAMS AND ACTIVITIES-IMPLEMENTATION OF TITLE IX OF THE EDUCATION AMENDMENTS OF 1972****Priority:** Other Significant**Legal Authority:** 42 USC 2000d**CFR Citation:** 22 CFR 229**Legal Deadline:** None**Abstract:** This final common rule provides for the enforcement of title IX of the Education Amendments of 1972, as amended, which prohibits recipients of Federal financial assistance from discriminating on the basis of sex in education programs or activities.**Timetable:**

Action	Date	FR Cite
NPRM	10/29/99	64 FR 58567
Final Action	08/30/00	65 FR 52858
Final Action Effective	09/29/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Local, Federal**Agency Contact:** Jessalyn L. Pendarvis, Director, Office of Equal Opportunity Programs, Agency for International Development, Room 2.09-77, 1300 Pennsylvania Avenue NW., Washington, DC 20523-2901  
Phone: 202 712-1110  
Fax: 202 216-3370  
Email: jpendarvis@usaid.gov**RIN:** 0412-AA46

[FR Doc. 00-24467 Filed 11-29-00]

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