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Part XLVI

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

Federal Acquisition Regulation;
Semiannual Regulatory Agenda

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

DEPARTMENT OF DEFENSE

**GENERAL SERVICES
ADMINISTRATION**

**NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION**

48 CFR Ch. 1

Semiannual Regulatory Agenda

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

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda provides summary descriptions of regulations being developed by the Civilian Agency

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

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

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

SUPPLEMENTARY INFORMATION: DoD, GSA, and NASA, under their several statutory authorities, jointly issue and maintain the FAR through periodic issuance of 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: March 15, 2002.

Al Matera,
Director, Acquisition Policy Division.

DOD/GSA/NASA(FAR)—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3563	FAR Case 2001-005, Notification of Overpayment, Contract Financing Payments	9000-AJ20
3564	FAR Case 2001-030, Electronic Listing of Acquisition Vehicles For Use By More Than One Agency	9000-AJ30
3565	FAR Case 2001-029, Miscellaneous Cost Principles	9000-AJ33
3566	FAR Case 2000-009, Contract Terms and Conditions Required To Implement Statute or Executive Orders—Commercial Items	9000-AJ34
3567	FAR Case 2001-015, Prohibited Sources	9000-AJ35
3568	FAR Case 2001-008, Compensation Cost Principle	9000-AJ36

DOD/GSA/NASA(FAR)—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3569	FAR Case 99-303, Task Order and Delivery Order Contracts	9000-AI72
3570	FAR Case 99-616, Balance of Payments Program	9000-AI90
3571	FAR Case 2000-401, Definitions of Applied Research and Development	9000-AI91
3572	FAR Case 2000-007, Financing Policies	9000-AI92
3573	FAR Case 2000-304, Electronic Signatures	9000-AI94
3574	FAR Case 99-024, Preference for U.S.-Flag Vessels	9000-AI97
3575	FAR Case 99-400, Geographic Use of the Term "United States"	9000-AI99
3576	FAR Case 99-614, Federal Supply Schedule Order Disputes and Incidental Items	9000-AJ01
3577	FAR Case 2000-307, Preference for Performance-Based Contracting	9000-AJ12
3578	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
3579	FAR Case 2000-306, Caribbean Basin Country End Products	9000-AJ27

DOD/GSA/NASA(FAR)—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3580	FAR Case 89-093, Implementation of the Anti-Lobbying Statute	9000-AD76

FAR

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

Sequence Number	Title	Regulation Identification Number
3581	FAR Case 91-078, Small Business Subcontracting Reporting	9000-AG04
3582	FAR Case 94-753, Travel Costs	9000-AG27
3583	FAR Case 95-013, Government Property	9000-AH60
3584	FAR Case 97-032, Relocation Costs	9000-AH96
3585	FAR Case 97-304, Electronic Commerce in Federal Procurement	9000-AI10
3586	FAR Case 99-025, Cost Accounting Standards Administration	9000-AI70
3587	FAR Case 2000-302, Veterans Entrepreneurship and Small Business Development Act of 1999	9000-AI93
3588	FAR Case 98-018, Trademarks for Government Products	9000-AI98
3589	FAR Case 2000-013, Contract Types for Commercial Item Acquisitions	9000-AJ03
3590	FAR Case 2000-608, New Consolidated Form for Selection of Architect-Engineer Contractors	9000-AJ15
3591	FAR Case 2000-308, Prompt Payment Under Cost-Reimbursement Contracts for Services	9000-AJ17
3592	FAR Case 2000-011, Revisions to Provisions/Clauses to Accommodated Sealed Bidding and Simplified Procedures in Commercial Item Acquisitions	9000-AJ18
3593	FAR Case 2000-406, Definition of "Claim" and Terms Relating to Termination	9000-AJ19
3594	FAR Case 98-020, Hazardous Material Safety Data	9000-AJ21
3595	FAR Case 2001-012, Payments Under Fixed-Price Construction Contracts	9000-AJ22
3596	FAR Case 2001-006, Progress Payment Requests Under Indefinite—Delivery Contracts	9000-AJ23
3597	FAR Case 2001-002, European Union Trade Sanctions	9000-AJ37

DOD/GSA/NASA(FAR)—Completed Actions

Sequence Number	Title	Regulation Identification Number
3598	FAR Case 99-010, Contractor Responsibility, Labor Relations Costs, and Costs Relating to Legal and Other Proceedings	9000-AI40
3599	FAR Case 98-024, Procurement Integrity Rewrite	9000-AI61
3600	FAR Case 1999-022, Discussion Requirements	9000-AI68
3601	FAR Case 99-011, Energy Efficiency of Supplies and Services	9000-AI71
3602	FAR Case 2000-604, North American Industry Classification System (NAICS)	9000-AI75
3603	FAR Case 2000-402, Definitions for "Contract Action" and "Contracting Action"	9000-AI76
3604	FAR Case 2000-404, Definitions for Classified Acquisitions	9000-AI81
3605	FAR Case 99-017, JWOD Subcontract Preference Under Service Contracts	9000-AI82
3606	FAR Case 2000-403, Definitions for Sealed Bid and Negotiated Procurements	9000-AI84
3607	FAR Case 99-026, Final Contract Voucher Submission	9000-AI86
3608	FAR Case 99-023, Prompt Payment and the Recovery of Overpayment	9000-AI89
3609	FAR Case 99-612, Application of Labor Clauses	9000-AI95
3610	FAR Case 99-605, Subcontracts (Labor Standards)	9000-AI96
3611	FAR Case 2000-008, Acquisition of Helium	9000-AJ09
3612	FAR Case 2001-014, Contractor Responsibility, Labor Relations Costs, and Costs Relating to Legal and Other Proceedings—Revocation	9000-AJ10
3613	FAR Case 2000-609, Contractor Personnel in the Procurement of Information Technology Services	9000-AJ11
3614	FAR Case 2001-017, Executive Order 13204, Revocation of Executive Order on Nondisplacement of Qualified Workers Under Certain Contracts	9000-AJ13
3615	FAR Case 2000-015, Definitions of Component and End Product	9000-AJ24
3616	FAR Case 2000-017, Definition of Subcontract in FAR Subpart 15.4	9000-AJ25
3617	FAR Case 2001-025, Iceland—Newly Designated Country Under the Trade Agreements Act	9000-AJ26
3618	FAR Case 2002-002, Special Simplified Procedures for Purchases of Commercial Items in Excess of the Simplified Acquisition Threshold	9000-AJ28
3619	FAR Case 2001-013, Notification of Noncompliance With Cost Accounting Standards	9000-AJ29
3620	FAR Case 2000-012, Commercial Item—Standard Form 1449	9000-AJ31
3621	FAR Case 2001-003, HUBZone Program Applicability	9000-AJ32

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

Proposed Rule Stage

**3563. 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. 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	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 9000-AJ20

**3564. • 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		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 9000-AJ30

**3565. • 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.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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RIN: 9000-AJ33

**3566. • 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	05/20/02	
Period End		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 9000-AJ34

**3567. • FAR CASE 2001-015,
PROHIBITED SOURCES**

Priority: Substantive, Nonsignificant

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

FAR

Proposed Rule Stage

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	

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

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RIN: 9000-AJ35**3568. • 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

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RIN: 9000-AJ36

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

Final Rule Stage

3569. FAR CASE 99-303, TASK ORDER AND DELIVERY ORDER CONTRACTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 2; 48 CFR 16**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to further strengthen that policy and the implementation of subsection 804(a) and (b) of the National Defense Authorization Act for Fiscal Year 2000 in several ways. With respect to acquisition planning, the rule draws greater attention to the capital planning requirements of the Clinger-Cohen Act (40 U.S.C. 1422) and ensures more deliberation by agency acquisition planners before orders are placed under a Governmentwide acquisition contract, a task-order or delivery-order contract issued by another agency, or the multiple award schedules program. With respect to the structuring of orders and the consideration given to contract holders prior to order

placement, the rule (1) increases attention to modular contracting principles to help agencies avoid unnecessarily large and inadequately defined orders, (2) facilitates information exchange during the fair opportunity process so that contractors may develop and propose solutions that enable the Government to award performance-based orders, and (3) revises existing documentation requirements to address best value tradeoff decisions, as well as the issuance of sole-source orders as logical follow-ons to orders already issued under the contract. This regulatory action is not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993, and is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	08/23/01	66 FR 44518
NPRM Comment Period End	10/22/01	
Final Action	05/00/02	

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

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RIN: 9000-AI72**3570. FAR CASE 99-616, BALANCE OF PAYMENTS PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 13; 48 CFR 25; 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to remove subpart 25.3, Balance of Payments Program, and makes conforming changes to FAR parts 13 and 52. This

FAR

Final Rule Stage

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	09/11/00	65 FR 54936
NPRM Comment Period End	11/13/00	
Final Action	05/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 9000-AI90

3571. FAR CASE 2000-401, DEFINITIONS OF APPLIED RESEARCH AND DEVELOPMENT

Priority: Substantive, Nonsignificant

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

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

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to move the definitions of "applied research" and "development" from separate areas of the FAR into the same FAR section pertaining to definitions. This regulatory action is not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993, and is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	09/11/00	65 FR 54940
NPRM Comment Period End	11/13/00	
Final Action	05/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 9000-AI91

3572. 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 establish a standard time period of 30 days that contractors have to pay their vendors after the contractors have billed the Government for incurred vendor costs. 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	
Final Action	05/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 9000-AI92

3573. 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	
Final Action	05/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 9000-AI94

3574. FAR CASE 99-024, 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

FAR

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	01/08/01	
Final Action	05/00/02	

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

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RIN: 9000-AI97**3575. FAR CASE 99-400, 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 Period End	09/25/01	
Final Action	05/00/02	

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

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RIN: 9000-AI99**3576. FAR CASE 99-614, FEDERAL SUPPLY SCHEDULE ORDER DISPUTES AND INCIDENTAL ITEMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 8; 48 CFR 51**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to add policies on disputes and incidental items under Federal Supply Schedule contracts and to remove the requirement to notify the General Services Administration when a schedule contractor refuses to honor an order placed by a Government 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
NPRM	12/29/00	65 FR 79702
NPRM Comment Period End	02/20/01	
Final Action	05/00/02	

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

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RIN: 9000-AJ01**3577. FAR CASE 2000-307, PREFERENCE FOR PERFORMANCE-BASED CONTRACTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 2; 48 CFR 37**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement section 821 of the Floyd D.

Spence National Defense Authorization Act for Fiscal Year 2001. The FAR rule explicitly establishes a preference for performance-based contracting when acquiring services. 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	05/02/01	66 FR 22802
Interim Final Rule Effective	05/02/01	
Interim Final Rule Comment Period End	07/02/01	
Final Action	05/00/02	

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

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RIN: 9000-AJ12**3578. 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

FAR

Final Rule Stage

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	
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	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal

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RIN: 9000-AJ14

3579. • 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 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. 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	
Interim Final Rule Comment Period End	04/09/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 9000-AJ27

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

Long-Term Actions

3580. FAR CASE 89-093, IMPLEMENTATION OF THE ANTI-LOBBYING STATUTE

Priority: Substantive, Nonsignificant

Legal Authority: PL 101-121, sec 319

CFR Citation: 48 CFR 3; 48 CFR 52

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement section 319 of Public Law 101-121, which added a new section 1352 to title 31 U.S.C. entitled "Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions." Section 319 generally prohibits recipients of Federal contracts, grants, and loans from using appropriated funds for lobbying the

executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan. Section 319 also requires that each person who requests or receives a Federal contract, grant, or cooperative agreement, in excess of \$100,000, or a loan or Federal commitment to insure or guarantee a loan, in excess of \$150,000, must disclose lobbying with other than appropriated funds.

Timetable:

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

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RIN: 9000-AD76

FAR

Long-Term Actions

3581. FAR CASE 91-078, SMALL BUSINESS SUBCONTRACTING REPORTING**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 53.219**Legal Deadline:** None

Abstract: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council are proposing to amend FAR 53.219 to authorize the addition of a column to the Standard Form 295, Summary Subcontract Report, to report the number of subcontracts awarded to small business concerns, small disadvantaged business concerns, and women-owned small business enterprises. This regulatory action was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993, and is not a major rule under 5 U.S.C. 804.

Timetable:

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

Next Action Undetermined

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

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RIN: 9000-AG04**3582. FAR CASE 94-753, 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

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RIN: 9000-AG27**3583. FAR CASE 95-013, 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

Action	Date	FR Cite
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

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RIN: 9000-AH60**3584. FAR CASE 97-032, RELOCATION COSTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 10 USC 2301 to 2331; 42 USC 2473(c)**CFR Citation:** 48 CFR 31**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	05/25/99	64 FR 28330
NPRM Comment Period End	07/26/99	
Next Action Undetermined		

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

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FAR

Long-Term Actions

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RIN: 9000-AH96

3585. FAR CASE 97-304, ELECTRONIC COMMERCE IN FEDERAL PROCUREMENT

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-85, sec 850

CFR Citation: 48 CFR 2; 48 CFR 4; 48 CFR 5; 48 CFR 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

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RIN: 9000-AI10

3586. FAR CASE 99-025, 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

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RIN: 9000-AI70

3587. 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	
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

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RIN: 9000-AI93

3588. FAR CASE 98-018, 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.

FAR

Long-Term Actions

Timetable:

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

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

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RIN: 9000-AI98
**3589. 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 Period End	02/27/01	
Final Action	To Be	Determined

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

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RIN: 9000-AJ03
**3590. 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

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RIN: 9000-AJ15
**3591. 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 is not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993, and is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
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

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RIN: 9000-AJ17
**3592. FAR CASE 2000-011, REVISIONS
TO PROVISIONS/CLAUSES TO
ACCOMMODATE 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 is not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993, and is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	08/22/01	66 FR 44288
NPRM Comment Period End	10/22/01	
Final Action	To Be	Determined

FAR

Long-Term Actions

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

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RIN: 9000-AJ18
3593. FAR CASE 2000-406, DEFINITION OF "CLAIM" AND TERMS RELATING TO TERMINATION
Priority: Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 2; 48 CFR 17; 48 CFR 33; 48 CFR 49; 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to clarify and move the definitions of "claim" and certain terms relating to termination to part 2 of the FAR. 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	08/15/01	66 FR 42922
NPRM Comment	10/15/01	
Period End		
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Federal

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RIN: 9000-AJ19
3594. FAR CASE 98-020, 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 April 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

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Related RIN: Previously reported as 9000-AI87**RIN:** 9000-AJ21
3595. • FAR CASE 2001-012, PAYMENTS UNDER FIXED-PRICE CONSTRUCTION CONTRACTS
Priority: Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to clarify in the certification language of the clause entitled Payments under Fixed-Price Construction Contracts that all payments due to subcontractors and suppliers have been made by the prime contractor from previous progress payments received from the Government. This regulatory action was not subject to review under Executive Order 12866, dated September 30, 1993, and is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	10/18/01	66 FR 53030
NPRM Comment	12/17/01	
Period End		
Next Action	Undetermined	

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

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RIN: 9000-AJ22
3596. • 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

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FAR

Long-Term Actions

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RIN: 9000-AJ23

3597. • FAR CASE 2001-002, EUROPEAN UNION TRADE SANCTIONS

Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 25

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to correct

the clause prescription for the clauses that implement European Union trade sanctions by specifically exempting solicitations issued and contracts awarded by the Department of Defense. This regulatory was not subject to Office of Management 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
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 9000-AJ37

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

Completed Actions

3598. FAR CASE 99-010, CONTRACTOR RESPONSIBILITY, LABOR RELATIONS COSTS, AND COSTS RELATING TO LEGAL AND OTHER PROCEEDINGS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 9.104-1; 48 CFR 14.404-2; 48 CFR 15.503; 48 CFR 31.205-21; 48 CFR 31.205-47; 48 CFR 52.209-5; 48 CFR 52.212-3

Completed:

Reason	Date	FR Cite
Final Action(Termination of Stay of final rule)	12/27/01	66 FR 66984
Final Action Effective	12/27/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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RIN: 9000-AI40

3599. FAR CASE 98-024, PROCUREMENT INTEGRITY REWRITE

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 2; 48 CFR 3; 48 CFR 4; 48 CFR 9; 48 CFR 15; 48 CFR 52; ...

Completed:

Reason	Date	FR Cite
Final Action	03/20/02	67 FR 13057
Final Action Effective	04/04/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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RIN: 9000-AI61

3600. FAR CASE 1999-022, DISCUSSION REQUIREMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 15

Completed:

Reason	Date	FR Cite
Final Action	12/18/01	66 FR 65368
Final Action Effective	02/19/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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3601. FAR CASE 99-011, ENERGY EFFICIENCY OF SUPPLIES AND SERVICES

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 2; 48 CFR 11; 48 CFR 15; 48 CFR 23; 48 CFR 42

Completed:

Reason	Date	FR Cite
Final Action	12/18/01	66 FR 65351
Final Action Effective	02/19/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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3602. FAR CASE 2000-604, NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS)

Priority: Substantive, Nonsignificant

CFR Citation: 48 CFR 5; 48 CFR 19; 48 CFR 23; 48 CFR 52; 48 CFR 53

Completed:

Reason	Date	FR Cite
Final Action	12/18/01	66 FR 65370
Final Action Effective	02/19/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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FAR

Completed Actions

3603. FAR CASE 2000-402, DEFINITIONS FOR "CONTRACT ACTION" AND "CONTRACTING ACTION"**Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 1; 48 CFR 5; 48 CFR 8; 48 CFR 17; 48 CFR 19; 48 CFR 32; 48 CFR 52**Completed:**

Reason	Date	FR Cite
Final Action	03/20/02	67 FR 13053
Final Action Effective	04/04/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte
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Email: laurie.duarte@gsa.gov**RIN:** 9000-AI76**3604. FAR CASE 2000-404, DEFINITIONS FOR CLASSIFIED ACQUISITIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 2; 48 CFR 4; 48 CFR 14; 48 CFR 32**Completed:**

Reason	Date	FR Cite
Final Action	02/08/02	67 FR 6113
Final Action Effective	02/20/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte
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Email: laurie.duarte@gsa.gov**RIN:** 9000-AI81**3605. FAR CASE 99-017, JWOD SUBCONTRACT PREFERENCE UNDER SERVICE CONTRACTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 8; 48 CFR 44; 48 CFR 52**Completed:**

Reason	Date	FR Cite
Final Action	12/18/01	66 FR 65367
Final Action Effective	02/19/02	

Regulatory Flexibility Analysis Required: Yes**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte
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Email: laurie.duarte@gsa.gov**RIN:** 9000-AI82**3606. FAR CASE 2000-403, DEFINITIONS FOR SEALED BID AND NEGOTIATED PROCUREMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 2; 48 CFR 3; 48 CFR 14; 48 CFR 15; 48 CFR 28; 48 CFR 35; 48 CFR 52**Completed:**

Reason	Date	FR Cite
Final Action	03/20/02	67 FR 13054
Final Action Effective	04/04/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte
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Reason	Date	FR Cite
Final Action	02/08/02	67 FR 6118
Final Action Effective	02/20/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte
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Email: laurie.duarte@gsa.gov**RIN:** 9000-AI86**3608. FAR CASE 99-023, PROMPT PAYMENT AND THE RECOVERY OF OVERPAYMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 2; 48 CFR 32; 48 CFR 52**Completed:**

Reason	Date	FR Cite
Final Action	12/18/01	66 FR 65353
Final Action Effective	02/19/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte
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Email: laurie.duarte@gsa.gov**RIN:** 9000-AI89**3609. FAR CASE 99-612, APPLICATION OF LABOR CLAUSES****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 52**Completed:**

Reason	Date	FR Cite
Final Action	03/20/02	67 FR 13066
Final Action Effective	04/04/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte
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Email: laurie.duarte@gsa.gov**RIN:** 9000-AI95**3610. FAR CASE 99-605, SUBCONTRACTS (LABOR STANDARDS)****Priority:** Economically Significant**CFR Citation:** 48 CFR 22; 48 CFR 52; 48 CFR 53**Completed:**

Reason	Date	FR Cite
Withdrawn	01/17/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte
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Email: laurie.duarte@gsa.gov**RIN:** 9000-AI96**3611. FAR CASE 2000-008, ACQUISITION OF HELIUM****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 8; 48 CFR 52**Completed:**

Reason	Date	FR Cite
Final Action	03/20/02	67 FR 13064
Final Action Effective	04/04/02	

FAR

Completed Actions

Regulatory Flexibility Analysis

Required: No

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

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RIN: 9000-AJ09

3612. FAR CASE 2001-014, CONTRACTOR RESPONSIBILITY, LABOR RELATIONS COSTS, AND COSTS RELATING TO LEGAL AND OTHER PROCEEDINGS—REVOCATION**Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 9; 48 CFR 14; 48 CFR 15; 48 CFR 31; 48 CFR 52**Completed:**

Reason	Date	FR Cite
Final Action	12/27/01	66 FR 66986
Final Action Effective	12/27/01	

Regulatory Flexibility Analysis

Required: No

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RIN: 9000-AJ10

3613. FAR CASE 2000-609, CONTRACTOR PERSONNEL IN THE PROCUREMENT OF INFORMATION TECHNOLOGY SERVICES**Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 39**Completed:**

Reason	Date	FR Cite
Final Action	12/18/01	66 FR 65371
Final Action Effective	12/18/01	

Regulatory Flexibility Analysis

Required: Yes

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RIN: 9000-AJ11

3614. FAR CASE 2001-017, EXECUTIVE ORDER 13204, REVOCATION OF EXECUTIVE ORDER ON NONDISPLACEMENT OF QUALIFIED WORKERS UNDER CERTAIN CONTRACTS**Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 22; 48 CFR 52**Completed:**

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

Regulatory Flexibility Analysis

Required: No

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

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RIN: 9000-AJ13

3615. • FAR CASE 2000-015, DEFINITIONS OF COMPONENT AND END PRODUCT**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473**CFR Citation:** 48 CFR 2; 48 CFR 25; 48 CFR 52**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to restore the unique part 25 definitions of "component" and "end product" for acquisition of supplies. It also revises definitions of "component" and "cost of components" for acquisition of construction. 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
Final Action	12/18/01	66 FR 65349
Final Action Effective	02/19/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte, FAR

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3616. • FAR CASE 2000-017, DEFINITION OF SUBCONTRACT IN FAR SUBPART 15.4**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 10 USC ch 137; 42 USC 2473(c)**CFR Citation:** 48 CFR 15**Legal Deadline:** None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to exclude section 15.407-2 from application of the expanded definition of "subcontract" at FAR 5.401. This regulatory action was not subject to the 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
Final Action	12/18/01	66 FR 65369
Final Action Effective	02/19/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Federal**Agency Contact:** Laurie Duarte, FAR

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RIN: 9000-AJ25

3617. • FAR CASE 2001-025, ICELAND—NEWLY DESIGNATED COUNTRY UNDER THE TRADE AGREEMENTS ACT**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 the accession of Iceland to the Agreement on Government Procurement, by adding Iceland as a designated country under the Trade Agreements Act. This regulatory action

FAR

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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
Final Action	12/18/01	66 FR 65370
Final Action Effective	02/19/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 9000-AJ26

3618. • FAR CASE 2002-002, SPECIAL SIMPLIFIED PROCEDURES FOR PURCHASES OF COMMERCIAL ITEMS IN EXCESS OF THE SIMPLIFIED ACQUISITION THRESHOLD

Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 13

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to implement section 823 of the National Defense Authorization Act for Fiscal Year 2000 (Pub. L. 107-107). Section 823 extends the test of the special simplified procedures for purchases of commercial items greater than the simplified acquisition threshold, but not exceeding \$5,000,000, until January 1, 2003. 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
Final Action	02/08/02	67 FR 6114
Final Action Effective	02/20/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 9000-AJ28

3619. • FAR CASE 2001-013, NOTIFICATION OF NONCOMPLIANCE WITH COST ACCOUNTING STANDARDS

Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 15

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to remove the requirement for a contractor to notify the contracting officer when there is a cost accounting standard (CAS) noncompliance that has an immaterial cost impact. 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
Final Action	02/08/02	67 FR 6115
Final Action Effective	02/20/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 9000-AJ29

3620. • FAR CASE 2000-012, COMMERCIAL ITEM—STANDARD FORM 1449

Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 1; 48 CFR 53

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to update

Standard Form 1449, Solicitation/Contract/Order for Commercial Items. 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
Final Action	03/20/02	67 FR 13049
Final Action Effective	04/04/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 9000-AJ31

3621. • FAR CASE 2001-003, HUBZONE PROGRAM APPLICABILITY

Priority: Substantive, Nonsignificant

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

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

Legal Deadline: None

Abstract: This rule amends the Federal Acquisition Regulation (FAR) to simplify current FAR language that expands the applicability of the HUBZone Program to all agencies covered by the FAR after September 30, 2000. 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
Final Action	03/20/02	67 FR 13065
Final Action Effective	04/04/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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[FR Doc. 02-7690 Filed 05-10-02; 8:45 am]

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