

leasing; the section deleted at DFARS 215.871 applied only to production contracts where special tooling/special test equipment costs exceeded \$1,000,000; and the language deleted at DFARS 219.602 and 252.219-7009 pertained only to administrative procedures for processing a request for a certificate of competency. An initial regulatory flexibility analysis has therefore not been performed. Comments from small entities concerning the affected DFARS subparts will be considered in accordance with Section 610 of the Act. Such comments must be submitted separately and cite DFARS Case 95-D701 in correspondence.

**C. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the interim rule will not impose any additional reporting or record keeping requirements that require Office of Management and Budget approval under 44 U.S.C. 3501, *et seq.*

**D. Determination To Issue an Interim Rule**

A determination has been made under the authority of the Secretary of Defense that urgent and compelling reasons exist to publish this interim rule prior to affording the public an opportunity to comment. This action is necessary to implement Sections 1506, 3065, 3066, and 7101(b) of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103-355), which became effective on October 13, 1995. Comments received in response to the publication of this interim rule will be considered in formulating the final rule.

**List of Subjects in 48 CFR Parts 206, 207, 215, 219, and 252**

Government procurement.

**Michele P. Peterson,**  
*Executive Editor, Defense Acquisition Regulations Council.*

Therefore, 48 CFR Parts 206, 207, 215, 219, and 252 are amended as follows:

**PART 206—COMPETITION REQUIREMENTS**

1. The authority citation for 48 CFR Parts 206, 207, 215, 219, and 252 is revised to read as follows:

**Authority:** 41 U.S.C. 421 and 48 CFR Chapter 1.

2. Section 206.302-5 is amended by revising paragraph (b)(i) to read as follows:

**206.302-5 Authorized or required by statute.**

(b) \* \* \*

(i) Acquire supplies and services from military exchange stores outside the United States for use by the armed forces outside the United States in accordance with 10 U.S.C. 2424(a) and subject to the limitations of 10 U.S.C. 2424(b). The limitations of 10 U.S.C. 2424(b) (1) and (2) do not apply to the purchase of soft drinks that are manufactured in the United States. For the purposes of 10 U.S.C. 2424, soft drinks manufactured in the United States are brand name carbonated sodas, manufactured in the United States, as evidenced by product markings.

\* \* \* \* \*

**PART 207—ACQUISITION PLANNING**

3. Section 207.470 is added to read as follows:

**207.470 Statutory requirement.**

As required by 10 U.S.C. 2401a, the contracting officer shall not enter into any contract for any vessel, aircraft, or vehicle, through a lease, charter, or similar agreement with a term of 18 months or more, or extend or renew any such contract for a term of 18 months or more, unless the head of the contracting activity has—

(a) Considered all costs of such a contract (including estimated termination liability); and

(b) Determined in writing that the contract is in the best interest of the Government.

**PART 215—CONTRACTING BY NEGOTIATION**

**215.871 [Removed and reserved]**

4. Section 215.871 is removed and reserved.

**PART 219—SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS CONCERNS**

**219.602-1 [Amended]**

5. Section 219.602-1 is amended by removing paragraph (a).

**219.602-70 [Amended]**

6. Section 219.602-70 is removed.

**PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

**252.219-7009 [Removed]**

7. Section 252.219-7009 is removed.

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BILLING CODE 5000-04-M

**48 CFR Part 235**

**Defense Federal Acquisition Regulation Supplement; Federally Funded Research and Development Centers**

**AGENCY:** Department of Defense (DoD).

**ACTION:** Correction to interim regulation.

**SUMMARY:** The Department of Defense published miscellaneous amendments (DAC 91-7) to acquisition regulations on June 5, 1995, (60 FR 29491). Coverage concerning Federally funded research and development centers that was added as an interim rule published on March 10, 1995 was inadvertently added again on June 5, 1995. This correction removes the duplicate coverage.

**EFFECTIVE DATE:** August 7, 1995.

**FOR FURTHER INFORMATION CONTACT:** Lucile Martin at (703) 602-0131.

**SUPPLEMENTARY INFORMATION:** The Director of Defense Procurement issued an interim rule adding coverage at 235.017-1 on March 10, 1995 at 60 FR 13076. The same addition was inadvertently included in the miscellaneous amendments (DAC 91-7) published on June 5, 1995 at 60 FR 29491 and should be withdrawn.

**Michele P. Peterson,**  
*Executive Editor, Defense Acquisition Regulations Council.*

The following correction is made to the rule published on June 5, 1995:

1. At page 29500, in the second column, amendatory instruction No. 42 is removed.

[FR Doc. 95-19316 Filed 8-4-95; 8:45 am]

BILLING CODE 5000-04-M

**GENERAL SERVICES ADMINISTRATION**

**48 CFR Part 501**

[APD 2800.12A, CHGE 64]

RIN 3090-AF78

**General Services Administration Acquisition Regulation; Contracting Officer Warrant Program**

**AGENCY:** Office of Acquisition Policy, GSA.

**ACTION:** Final rule.

**SUMMARY:** The General Services Administration Acquisition Regulation (GSAR) is amended to revise section 501.601 and to remove sections 501.602-1, 501.603, 501.603-1, 501.603-3, 501.603-4, and 501.603-70. The material contained in these sections

dealing with the selection, appointment, and termination of contracting officers has been determined to be non-regulatory material and is being relocated to an internal GSA directive. In addition, GSA Forms 3409 and 3410 have been removed from the GSAR and relocated to an internal directive.

EFFECTIVE DATE: August 9, 1995.

FOR FURTHER INFORMATION CONTACT: Teresa Elbin, Office of GSA Acquisition Policy, (202) 501-4765.

SUPPLEMENTARY INFORMATION:

**A. Public Comments**

This rule was not published in the **Federal Register** for public comment because it is not a significant revision as defined in FAR 1.501-1.

**B. Executive Order 12866**

This rule was not submitted to the Office of Management and Budget for review because it is not a significant rule as defined in Executive Order 12866, Regulatory Planning and Review.

**C. Regulatory Flexibility Act**

The Regulatory Flexibility Act does not apply because this rule is not a significant revision as defined in FAR 1.501-1.

**D. Paperwork Reduction Act**

This rule does not impose any information collection or recordkeeping requirements that require the approval of OMB under 44 U.S.C. 3501, et seq. Therefore, the requirements of the Paperwork Reduction Act do not apply.

**List of Subjects in 48 CFR Part 501**

Government procurement.

Accordingly, 48 CFR Part 501 is amended as follows:

1. The authority citation for 48 CFR Part 501 continues to read as follows:

**Authority:** 40 U.S.C. 486(c).

**Subpart 501.6—Contracting Authority and Responsibilities**

2. Section 501.601 is revised to read as follows:

**501.601 General.**

Heads of contracting activities (see 502.1) are contracting officers by virtue of their position. Other contracting officers are appointed under FAR 1.603 and GSA's contracting officer warrant program.

**501.602-1, 501.603, 501.603-3, 501.603-4, 501.603-70 [Removed]**

3. Sections 501.602-1, 501.603, 501.603-3, 501.603-4, and 501.603-70 are removed.

Dated: July 31, 1995.

**C. Allen Olson,**

*Acting Associate Administrator, Office of Acquisition Policy.*

[FR Doc. 95-19223 Filed 8-4-95; 8:45 am]

BILLING CODE 6820-61-M

**DEPARTMENT OF JUSTICE**

**48 CFR Parts 2801, 2802, 2804, 2805, 2807, 2808, 2809, 2810, 2812, 2813, 2814, 2815, 1816, 2817, 2828, 2829, 2830, 2832, 2833, 2835, 2845, 2852 and 2870**

[Justice Acquisition Circular 95-2]

**Amendments to the Justice Acquisition Regulations (JAR) Regarding: Department of Justice (DOJ) Acquisition Regulation System, Administrative Matters, Publicizing Contract Actions, Contract Delivery or Performance, Contracting by Negotiation and Types of Contracts**

**AGENCY:** Justice Management Division, Justice.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the JAR by revising policies and procedures regarding: the Department's acquisition regulation system; administrative matters; publicizing contract actions; contract deliveries and performance; contracting by negotiation; and, types of contracts in response to a review of existing procurement regulations by the DOJ's Procurement Employee Innovation Team.

EFFECTIVE DATE: August 7, 1995.

FOR FURTHER INFORMATION CONTACT: Janis Sposato, Procurement Executive, Justice Management Division (202) 514-3103.

**SUPPLEMENTARY INFORMATION:** The determination is hereby made that this amendment must be issued as a final rule. This amendment was not published for public comment because it does not have an effect beyond the internal operating procedures of the agency. The Director, Office of Management and Budget, by memorandum dated December 14, 1984, exempted agency procurement regulations from review under Executive Order 12291, except for selected areas. The exception applies to this rule. The Department of Justice certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601-612) because the amendment sets forth, wholly, internal departmental procedures. No additional

time or cost burden will be placed on contractors by the promulgation of this regulation.

**List of Subjects in 48 CFR Parts 2801, 2802, 2804, 2805, 2807, 2808, 2809, 2810, 2812, 2813, 2814, 2815, 2816, 2817, 2828, 2829, 2830, 2832, 2833, 2835, 2845, 2852 and 2870**

Government procurement.

Dated: July 19, 1995.

**Stephen R. Colgate,**

*Assistant Attorney General for Administration.*

1. The authority citation for 48 CFR Parts 2801, 2802, 2804, 2805, 2807, 2808, 2809, 2810, 2812, 2813, 2814, 2815, 2816, 2817, 2828, 2829, 2830, 2832, 2833, 2835, 2845, 2852 and 2870 continues to read as follows:

**PART 2801—DEPARTMENT OF JUSTICE ACQUISITION REGULATION SYSTEM**

**Authority:** 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 28 CFR 0.76(j).

**2801.000 [Removed]**

2. Section 2801.000 is removed.

**Subpart 2801.2—Administration**

**2801.270-2 [Removed]**

3. Section 2801.270-2 is removed.

4. Section 2801.270-4 is revised to read as follows:

**2801.270-4 Numbering.**

Justice Acquisition Circulars will be consecutively numbered beginning with the number 1, after each rewrite and publication of the Justice Acquisition Regulations.

**Subpart 2801.3—Agency Acquisition Regulations**

5. Section 2801.304 is amended by revising paragraph (b) to read as follows:

**2801.304 Agency control and compliance procedures.**

\* \* \* \* \*

(b) The Procurement Executive will review all bureau unpublished internal acquisition policies and provide comments prior to their implementation.

**Subpart 2801.4—Deviations From the Federal Acquisition Regulation and the Justice Acquisition Regulations**

6. Section 2801.403 is revised as follows:

**2801.403 Individual deviations.**

Individual deviations from the FAR or the JAR shall be approved by the head of the contracting activity (HCA). A