

Dated: August 7, 1997.
Eleanor R. Spector,
Director, Defense Procurement.

Dated: August 7, 1997.
Tom Luedtke,
*Deputy Associate Administrator for
Procurement National Aeronautics and Space
Administration.*

Dated: August 7, 1997.
Edward C. Loeb,
*Acting Deputy Associate Administrator,
Office of Acquisition Policy, General Services
Administration.*
[FR Doc. 97-22074 Filed 8-15-97; 1:12 pm]
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DEPARTMENT OF DEFENSE

**GENERAL SERVICES
ADMINISTRATION**

**NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION**

48 CFR Part 1

[FAC 97-01; FAR Case 97-006; Item I]

RIN 9000-AH64

**Federal Acquisition Regulation;
Business Process Innovation**

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

ACTION: Final rule.

SUMMARY: The Civilian Agency
Acquisition Council and the Defense
Acquisition Regulations Council have
agreed on a final rule amending the
Federal Acquisition Regulation (FAR) to
state that contracting officers, in their
role as members of the Government
acquisition team, should take the lead in
encouraging business process
innovations and ensuring that business
decisions are sound. 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.

DATES: Effective October 21, 1997.

FOR FURTHER INFORMATION CONTACT: The
FAR Secretariat, Room 4035, GS
Building, Washington, DC 20405 (202)
501-4755 for information pertaining to
status or publication schedules. For
clarification of content, contact Mr.
Ralph De Stefano, Procurement Analyst,
at (202) 501-1758. Please cite FAC 97-
01, FAR case 97-006.

SUPPLEMENTARY INFORMATION:

A. Background

This final rule amends FAR 1.102-
4(e) by adding a statement that
contracting officers, in their role as
members of the Government acquisition
team, should take the lead in
encouraging business process
innovations and ensuring that business
decisions are sound.

B. Regulatory Flexibility Act

The final rule does not constitute a
significant FAR revision within the
meaning of FAR 1.501 and Pub. L. 98-
577, and publication for public
comment is not required. However,
comments from small entities
concerning the affected FAR subpart
will be considered in accordance with 5
U.S.C. 610. Such comments must be
submitted separately and cite 5 U.S.C.
601, *et seq.* (FAC 97-01, FAR case 97-
006), in correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act does
not apply because the changes to the
FAR do not impose recordkeeping or
information collection requirements, or
collections of information from offerors,
contractors, or members of the public
which require the approval of the Office
of Management and Budget under 44
U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Part 1

Government procurement.

Dated: August 7, 1997.

Edward C. Loeb,
Director, Federal Acquisition Policy Division.

Therefore, 48 CFR Part 1 is amended
as set forth below:

**PART 1—FEDERAL ACQUISITION
REGULATIONS SYSTEM**

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

Authority: 40 U.S.C. 486(c); 10 U.S.C.
chapter 137; and 42 U.S.C. 2473(c).

2. Section 1.102-4 is amended by
adding the following sentence at the end
of paragraph (e):

1.102-4 Role of the acquisition team.

* * * * *

(e) * * * Contracting officers should
take the lead in encouraging business
process innovations and ensuring that
business decisions are sound.

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DEPARTMENT OF DEFENSE

**GENERAL SERVICES
ADMINISTRATION**

**NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION**

**48 CFR Parts 1, 9, 14, 19, 22, 33, and
52**

[FAC 97-01; FAR Case 96-601; Item II]
RIN 9000-AH31

**Federal Acquisition Regulation; FASA
and the Walsh-Healey Public Contracts
Act**

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

ACTION: Interim rule adopted as final.

SUMMARY: The Civilian Agency
Acquisition Council and the Defense
Acquisition Regulations Council have
agreed to convert the interim rule
published as Item I of Federal
Acquisition Circular 90-43 on
December 20, 1996, to a final rule
without change. The rule amends the
Federal Acquisition Regulation (FAR) to
eliminate the requirement that covered
contractors under the Walsh-Healey
Public Contracts Act must be either the
manufacturer of or a regular dealer in
the materials, supplies, articles, or
equipment to be manufactured or used
in the performance of the contract. 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.

DATES: Effective October 21, 1997.

FOR FURTHER INFORMATION CONTACT: The
FAR Secretariat, Room 4035, GS
Building, Washington, DC 20405 (202)
501-4755 for information pertaining to
status or publication schedules. For
clarification of content, contact Mr. Jack
O'Neill, Procurement Analyst, at (202)
501-3856. Please cite FAC 97-01, FAR
case 96-601.

SUPPLEMENTARY INFORMATION:

A. Background

On December 20, 1996 (61 FR 67409),
the DoD, GSA, and NASA published an
interim FAR rule implementing the
Federal Acquisition Streamlining Act of
1994 (Pub. L. 103-355) amendments to
the Walsh-Healey Public Contracts Act.
The interim rule deleted the
"manufacturer" or "regular dealer"
requirements and all related definitions
from the FAR, consistent with a
Department of Labor final rule issued on