

offer is based on furnishing a domestic end product with nonqualifying country components for which the offeror requests duty-free entry, or a foreign end product, other than those that will be accorded duty-free entry as qualifying country end products or components, or eligible products under a trade agreement. If the answer to paragraph (a) is positive, then paragraph (b) requires two checks, as to whether such foreign supplies are now in the United States, whether duty has been paid, and if the duty has not yet been paid, an indication of what amount is included in the offer to cover such duty. Paragraph (c) requires the awardee to identify, at the request of the contracting officer, the foreign supplies which are subject to duty-free entry. Alternate I, as prescribed in 225.605-70(e), is used when the Buy American Act/Balance of Payments Program does not apply, and refers to U.S. made end products rather than domestic products (proposed rule, published September 9, 1997, 62 FR 47407).

- **DFARS 252.225-7005**,

Identification of Expenditures in the United States, as prescribed in 225.305-70, requires contractors to identify, on each request for payment under certain contracts subject to the Balance of Payments Program, the part of the requested payment representing expenditures in the United States.

- **DFARS 252.225-7006**, Buy American Act-Trade Agreements—Balance of Payments Program Certificate, as prescribed in 225.408(a)(1), is similar to 225.252-7000, but requires separate listing of end products that are U.S. made but not domestic, or that are from a qualifying country, designated country, Caribbean Basin country, NAFTA country, or other nondesignated country.

- **DFARS 252.225-7009**, Duty-Free Entry-Qualifying Country Supplies (End Products and Components), **DFARS 252.225-7010**, Duty-Free Entry-Additional Provisions, and **DFARS 252.225-7037**, Duty-Free Entry-Eligible End Products, all as prescribed in 225.605-70, require the contractor or an authorized agent to provide information on shipping documents and customs forms regarding those items that are eligible for duty-free entry (proposed rule, published March 11, 1997, 62 FR 11142).

- **DFARS 252.225-7016** Restriction on Acquisition of Ball and Roller Bearings, as prescribed in 225.7019-4, requires contractor retention of records showing compliance with the restriction until 3 years after final payment. The contractor agrees to make the records available to the contracting officer upon

request. The Contractor may request a waiver in accordance with 225.7019-3, which also requires the contractor to submit a written plan for transitioning to domestically manufactured bearings, for a waiver under a multiyear contract or a contract exceeding 12 months.

- **DFARS 252.225-7018**, Notice of Prohibition of Certain Contracts with Foreign Entities for the Conduct of Ballistic Missile Defense RDTSE, as prescribed in 225.7011-5, is used in all competitively negotiated Ballistic Missile Defense solicitations for research, development, test, and evaluation, unless foreign participation is otherwise excluded, and requires the offeror to check its status as a U.S. firm.

- **DFARS 252.225-7020**, Trade Agreements Certificate, as prescribed in 225.408(a)(3), requires the offeror to list nondesignated country end products. This is a new provision, used in solicitations for information technology products subject to the Trade Agreements Act, in lieu of 252.225-7006 (proposed rule, published September 9, 1997, 62 FR 47407).

- **DFARS 252.225-7025**, Restriction on Acquisition of Forgings, as prescribed in 225.7102-4, requires contractor retention of records showing compliance with the restriction until 3 years after final payment. The contractor agrees to make the records available to the contracting officer upon request. The contractor may request a waiver in accordance with 225.7102-3.

- **DFARS 252.225-7026**, Reporting of Contract Performance Outside the United States, as prescribed in 225.7203, requires the contractor to submit a Report of Contract Performance Outside the United States when any part of the contract that exceeds a specified dollar threshold will be performed outside the United States. The specified threshold is \$500,000 for contracts that exceed \$10 million, or the simplified acquisition threshold (\$100,000) for contracts that exceed \$500,000. The Contractor may submit the report on DD Form 2139, Report of Contract Performance Outside the United States, or may use a computer-generated report that contains all information required by DD Form 2139 (proposed rule, published October 17, 1997, 62 FR 54017).

- **DFARS 252.225-7032**, Waiver of United Kingdom Levies, as prescribed in 225.873-3, requires United Kingdom (U.K.) prime contractors, and prime contractors with subcontracts of a dollar value exceeding \$1 million with U.K. firms, to provide certain information necessary for DoD to obtain a waiver of U.K. levies.

- **DFARS 252.225-7035**, Buy American Act—North American Free Trade Agreement Implementation Act—Balance of Payments Program Certificate, as prescribed in 225.408(a)(3), requires the offeror to list qualifying country (except Canada), NAFTA country, or other foreign end products. Alternate I, as prescribed in 225.408(a)(3), requires listing of Canadian end products, rather than NAFTA country end products, in solicitations between \$25,000 and \$50,000 (proposed rule published March 11, 1997 (62 FR 11142)).

Michele P. Peterson,

Executive Editor, Defense Acquisition Regulations Council.

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DEPARTMENT OF DEFENSE

Office of the Secretary

Revision of the Department of Defense 6055.9—Standard, Department of Defense Ammunition and Explosives Safety Standards

AGENCY: Department of Defense.

ACTION: Notice of change.

SUMMARY: The Department of Defense Explosives Safety Board (DDESB) is today announcing several changes to Department of Defense 6055.9—Standard, dated October 1992. Because of the length of time since the Standard was last published in full, the DDESB is republishing the Standard with all changes adopted by the Board since 1992 incorporated therein.

The DDESB is taking this action pursuant to its statutory authority as set forth in Title 10, United States Code, Section 172 (10 U.S.C. 172) and DoD Directive 6055.9, "Explosives Safety Board (DDESB) and DoD Component Explosives Safety Responsibilities," July 29, 1996. The Standard is applicable to the Office of the Secretary of Defense, the Military Departments (including the Army and Air Force National Guards), the Defense Nuclear Agency, the Defense Logistics Agency, the Coast Guard (when under DoD control), and other parties who produce or manage ammunition or explosives under contract to the DoD. Through DoD 6055.9-STD, the DDESB establishes minimum explosives safety requirements for storing and handling ammunition and explosives. Copies of this Standard may be obtained from the U.S. Department of Commerce, National Technical Information Service, 5285 Port Royal Road, Springfield, VA 27161.

For more detailed information on specific aspects of this Standard, contact Ray Sawyer by calling (703) 325-8625 or by writing to Department of Defense Explosives Safety Board, 2461 Eisenhower Avenue, Room 856-C, Alexandria, VA 22331-0600.

SUPPLEMENTARY INFORMATION: Dating back to 1928 when Congress directed the Secretaries of the military departments to establish a joint board of officers to "keep informed on stored supplies of ammunition and components thereof * * *, with particular regard to keeping those supplies properly dispersed and stored and to preventing hazardous conditions from arising to endanger life and property inside or outside of storage reservations," the DDESB (formerly known as the Ammunition Safety Board) has periodically revised or updated the Standard based on new scientific or technical information and explosives safety experience. The implementation of a change to DoD 6055.9-STD does not depend on formal publication of a change to DoD 6055.9-STD. Changes to the Standard are effective when adopted by the Board, or as the Board may otherwise direct. In order to ensure compliance, the Services and Defense Agencies modify their Service or Agency implementing procedures and standards accordingly.

This revision to the October 1992 version of DoD 6055.9-STD incorporates decisions of the DDESB made at its 307th through 314th meetings held from July 1992 through February 1997. Although the decisions adopted at the 307th meeting of the Board in July 1992 pre-date the October 1992 publication, the Standard was already at the printer and those changes could not be included. This revision also reflects the recent assignment of the DDESB to the Office of the Under Secretary of Defense for Acquisition and Technology.

The changes included herein address the following:

- Expands the Scope of the Standard to include application to any energetic material (U.S. titled or otherwise) on DoD owned or leased facilities.
- Eliminates high explosives limits for training military working dogs for explosives detection and maintains evacuation distances applicable to personnel who are not involved in the training activity.
- Establishes quantity-distance criteria for non-essential personnel and establishes protection level criteria for essential personnel for use at ammunition and explosives burning sites.

- Expands and clarifies quantity-distance criteria for the location of steel tanks used to store hazardous materials or water with respect to ammunition and explosives locations.

- Establishes criteria for sites where explosives loaded containers may be moved from a rail to a road transport mode, and vice versa.

- Modifies lightning protection criteria into performance oriented criteria that are consistent with current National Fire Protection Association (NFPA) standards.

- Establishes criteria that apply to locations where inhabited building quantity-distance arcs are allowed to extend beyond DoD boundary lines.

- Clarifies the application of explosion propagation prevention measures when storing Storage Compatibility Groups B and F ammunition with other compatibility groups ammunition.

- Expands the exemption from quantity-distance requirements for specific combat aircraft weapons loads.

- Establishes quantity-distance criteria for Navy Maritime Pre-positioning Ships based on test results for specific ship explosives load configurations.

- Expands and clarifies the standards applicable to real property containing ammunition, explosives, or chemical agents, including providing for specified depth criteria in the absence of a site-specific assessment.

- Specifies the conditions that would allow limited opening of boxes loaded with ammunition while inside storage facilities.

- Clarifies the quantity-distance criteria applicable to training facilities occupied by military personnel.

- Clarifies the criteria for types of ammunition and inert materials that may be stored in modular storage units and sets explosives limits for modular storage cells.

- Based upon tests results and analysis, reduces the quantity-distance criteria for U.S. 3rd generation harden aircraft shelters.

- Allows commanders to determine the appropriate separation distances between aircraft parking areas, combat aircraft parking areas, the associated ready ammunition storage facilities, and ammunition cargo areas.

- Based upon test results, clarifies the criteria used to satisfy the quantity-distance requirements for underground ammunition and explosives storage facilities.

- Establishes requirement to retain the explosives facility site plan package at the installation.

- Establishes quantity-distance criteria for siting range control points with respect to other potential explosion sites.

- Expands and clarifies quantity-distance criteria to include separation of combat- and explosives-loaded aircraft from taxiways and runways.

- Revises the definitions and quantity-distance requirements, particularly inter-magazine separation requirements, for earth covered magazines.

- Clarifies the requirements for location of overhead electric services lines with respect to ammunition and explosives facilities.

- Expands and clarifies the requirements for transporting materials contaminated with chemical agents.

- Clarifies the criteria for containers that may be used to monitor protective clothing that may be used in chemical agent areas.

- Modifies public traffic route distance criteria by expanding traffic density evaluations to include rail and ship traffic, basing density on passengers per day, and providing guidance for evaluating traffic density to clarify the use of minimum fragment distances.

- Corrects inconsistencies with current Hazard Division 1.6 ammunition criteria, and harmonizes U.S. criteria with NATO criteria.

- Establishes criteria applicable to the use of revetments to separate ammunition stored on pads or hung on aircraft.

In adopting these changes, the DDESB has determined that the Standards, as changed, are at least as protective as the previous Standards.

Dated: November 20, 1997.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 98-20]

36(b)(1) Arms Sales Notification

AGENCY: Defense Security Assistance Agency, Department of Defense.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of P.L. 104-164 dated 21 July 1996.