

until December 28, 1998, making it impossible to publish a NPRM or a final rule 30 days in advance. Publishing an NPRM and delaying its effective date would be contrary to public interest since this safety zone is needed to protect persons, facilities, vessels and others in the maritime community from the safety hazards associated with the handling and detonation of explosives.

Background and Purpose

The Explosive Loads and Detonations will occur from 6 a.m. Wednesday December 30, 1998 until 12 p.m. Saturday January 30, 1999. The safety zone covers the waters of the Kennebec River, Bath, ME, in a 400 foot radius around Bath Iron Works, Bath, ME. This safety zone is required to protect the maritime community from the hazards associated with the loading, detonation and transportation of explosives. Entry into this zone will be prohibited unless authorized by the Captain of the Port.

Regulatory Evaluation

This temporary final rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This safety zone involves only a portion of the Kennebec River. Due to the limited duration of the safety zone, the fact that the safety zone will not restrict the entire channel of the Kennebec River, allowing traffic to continue without obstruction, and that advance maritime advisories will be made, the Coast Guard expects the economic impact of this regulation to be so minimal that a Regulatory Evaluation is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal will have a significant economic impact on a substantial number of small entities. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2)

governmental jurisdictions with populations of less than 50,000.

For the reasons addressed under the Regulatory Evaluation above, the Coast Guard expects the impact of this regulation to be minimal and certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impact of this regulation and concluded that, under section 2.B.2.e. of Commandant Instruction M16475.1B, (as revised by 59 FR 38654, July 29, 1994), this rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination and an Environmental Analysis Checklist is available in the docket for inspection or copying.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

Regulation

For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6 and 160.5; 49 CFR 1.46.

2. Add temporary § 165.T01-CGD1-183 to read as follows:

§ 165.T01-CGD1-183 Explosive Load, Bath Iron Works, Bath, ME.

(a) *Location.* The safety zone covers the waters of the Kennebec River, Bath, ME, in a 400 foot radius around Bath Iron Works, Bath, ME.

(b) *Effective date.* The Explosive Loads and Detonations will occur from 6 a.m. Wednesday December 30, 1998 until 12 p.m. Saturday January 30, 1999.

The safety zone covers the waters of the Kennebec River, Bath, ME.

(c) Regulations.

(1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of the vessel shall proceed as directed.

(3) In accordance with the general regulations in § 165.23 of this part, entry or movement within this zone is prohibited unless authorized by the Captain of the Port, Portland, ME.

John E. Cameron,

Commander, U.S. Coast Guard, Captain of the Port Portland, Maine

[FR Doc. 99-860 Filed 1-13-99; 8:45 am]

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GENERAL SERVICES ADMINISTRATION

41 CFR Parts 300-2, 300-3 and 303-70

[FTR Amendment 76—1998 Edition]

RIN 3090-AG76

Federal Travel Regulation, Payment of Expenses Connected With the Death of Certain Employees

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Final rule.

SUMMARY: This final rule amends the Federal Travel Regulation (FTR), chapter 303, provisions pertaining to payment by the government of expenses connected with the death of certain employees and their immediate family members. This amendment implements the Administrator's authority under 5 U.S.C. 5721-5738 and 5741-5742 to require agencies to pay certain expenses in connection with the death of certain employees and/or their immediate family members.

DATES: This final rule is effective March 1, 1999, and applies to payment of expenses in connection with the death of certain employees and their immediate family members on or after March 1, 1999.

FOR FURTHER INFORMATION CONTACT: Sandra Batton, telephone (202) 501-1538.

SUPPLEMENTARY INFORMATION: This final rule amends FTR parts 300-2 and 300-

3 to incorporate FTR chapter 303 changes and implements the Administrator of General Services' authority under 5 U.S.C. 5721-5738 and 5741-5742 to require agencies to pay certain expenses in connection with the death of certain employees and/or their immediate family members.

This final rule sets forth the allowable expenses authorized by 5 U.S.C. 5742 for the preparation and transportation of the remains of certain deceased employees, for the transportation of the immediate family and household goods of certain deceased employees, and for the transportation of the remains of a member of the employee's immediate family who dies while residing with the employee outside the continental United States (CONUS) or in transit thereto or therefrom.

A. Background

A proposed rule with request for comments was published in the **Federal Register** on August 27, 1998 (63 FR 45781). All comments received were considered in the formulation of the final rule. The Small Business Administration provided comments requesting provisions for reimbursement of expenses for the escort (based on religious beliefs) of remains, and transportation of the remains of an immediate family member residing within CONUS. The United States Secret Service provided comments requesting provisions for reimbursement of travel expenses for the escort of remains when the employee dies while away from his/her official duty station or assigned overseas in the interest of the government. The Administrator of General Services does not have authority under 5 U.S.C. 5721-5738 and 5741-5742 to authorize agencies to pay these expenses.

The United States Secret Service also provided comments regarding extension of the time provisions of § 303-70.305. These comments were not adopted because the General Services Administration (GSA) believes that the benefits provided in § 303-70.305 are adequate for meeting the needs of the families.

This amendment is written in the "plain language" style of regulation writing as a continuation of GSA's effort to make the FTR easier to understand and use. The "plain language" style of regulation writing is a new, simpler to read and understand, question and answer regulatory format. Questions are in the first person, and answers are in the second person. Throughout these chapters, the pronouns "we", "you", and their variants are used to refer to the agency.

What are the significant changes?

There are significant changes for payment of death-related expenses. The final rule:

- (a) Removes the \$250 limit for preparation and transportation of remains to allow payment of actual costs;
- (b) Removes restrictions concerning the return of baggage;
- (c) Allows continued payment of the relocation expenses of the employee's immediate family when the employee dies before completion of relocation; and
- (d) Requires payment of allowable death-related expenses.

B. Executive Order 12866

GSA has determined that this final rule is not a significant regulatory action for the purposes of Executive Order 12866 of September 30, 1993.

C. Regulatory Flexibility Act

This final rule is not required to be published in the **Federal Register** for notice and comment; therefore, the Regulatory Flexibility Act does not apply.

D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the revisions do not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget (OMB) under 44 U.S.C. 501 *et seq.*

E. Small Business Reform Act

This final rule is also exempt from congressional review prescribed under 5 U.S.C. 801 since it relates solely to agency management and personnel.

List of Subjects in 41 CFR Parts 300-2, 300-3 and 303-70

Government employees, Travel and transportation expenses.

For the reasons set forth in the preamble, 41 CFR parts 300-2, 300-3 and 303-70 are amended to read as follows:

PART 300-2—HOW TO USE THE FTR

1. The authority citation for 41 CFR part 300-2 continues to read as follows:

Authority: 5 U.S.C. 5707; 5 U.S.C. 5738; 5 U.S.C. 5741-5742; 20 U.S.C. 905(a); 31 U.S.C. 1353; 40 U.S.C. 486(c); 49 U.S.C. 40118; E.O. 11609, 3 CFR, 1971-1975 Comp., p. 586.

2. Section 300-2.22 is amended by revising the table to read as follows:

§ 300-2.22 Who is subject to the FTR?

* * * * *

For	The employee provisions are contained in	And the agency provisions are contained in
Chapter 301,	Subchapters A, B, and C,	Subchapter D.
Chapter 303,	N/A	Subparts A, B, C, D, E and F.

PART 300-3—GLOSSARY OF TERMS

3. The authority citation for 41 CFR part 300-3 continues to read as follows:

Authority: 5 U.S.C. 5707; 5 U.S.C. 5738; 5 U.S.C. 5741-5742; 20 U.S.C. 905(a); 31 U.S.C. 1353; 40 U.S.C. 486(c); 49 U.S.C. 40118; E.O. 11609, 3 CFR, 1971-1975 Comp., p. 586.

4. Section 300-3.1 is amended by adding in alphabetical order the definition "Mandatory mobility agreement" to read as follows:

§ 300-3.1 What do the following terms mean?

* * * * *

Mandatory mobility agreement—Agreement requiring employee relocation to enhance career development and progression and/or achieve mission effectiveness.

* * * * *

5. 41 CFR chapter 303 is amended by removing parts 303-1 and 303-2; and by adding new part 303-70 to read as follows:

Chapter 303—Payment of Expenses Connected With the Death of Certain Employees

PARTS 303-1 and 303-2—[REMOVED]**PART 303-70—AGENCY REQUIREMENTS FOR PAYMENT OF EXPENSES CONNECTED WITH THE DEATH OF CERTAIN EMPLOYEES****Subpart A—General Policies**

Sec.

303-70.1 When must we authorize payment of expenses related to an employee's death?

303-70.2 Must we pay death-related expenses when the employee's death is not work-related?

303-70.3 Must we pay death-related expenses for an employee who dies while on leave, or who dies on a nonworkday while on TDY or stationed outside CONUS?

303-70.4 May we pay death-related expenses under this chapter if the same expenses are payable under other laws of the United States?

Subpart B—General Procedures

303-70.100 May we pay the travel expenses of an escort for the remains of the decedent?

303-70.101 Must we provide assistance in arranging for preparation and transportation of employee remains?

Subpart C—Allowances for Preparation and Transportation of Remains

303-70.200 What costs must we pay for preparation and transportation of remains?

Subpart D—Transportation of Immediate Family Members, Baggage, and Household Goods

303-70.300 Must we pay transportation costs to return the deceased employee's baggage?

303-70.301 Are there any limitations on the baggage we may transport?

303-70.302 When the employee dies at or while in transit to or from his/her official station outside CONUS, must we return the employee's immediate family, baggage and household goods to the residence or alternate destination?

303-70.303 Must we continue payment of relocation expenses for an employee's immediate family if the employee dies while in transit to his/her new duty station within CONUS?

303-70.304 Must we continue payment of relocation expenses for an employee's immediate family if the employee dies after reporting to the new duty station within CONUS, but the family was in transit to the new duty station or had not begun its en route travel?

303-70.305 What relocation expenses must we authorize for the immediate family under §§ 303-70.303 and 303-70.304?

Subpart E—Preparation and Transportation Expenses for Remains of Immediate Family Members

303-70.400 When an immediate family member, residing with the employee, dies while the employee is stationed outside CONUS, must we furnish mortuary services?

303-70.401 When an immediate family member, residing with the employee, dies while the employee is stationed outside CONUS, must we pay expenses to transport the remains?

303-70.402 When an immediate family member, residing with the employee, dies while the employee is stationed outside CONUS, may we pay burial expenses?

303-70.403 When a family member, residing with the employee, dies while in transit to the employee's duty station outside CONUS must we furnish mortuary services, and/or transportation of remains?

Subpart F—Policies and Procedures for Payment of Expenses

303-70.500 Are receipts required for claims for reimbursement?

303-70.501 To whom should we make payment?

Authority: 5 U.S.C. 5721-5738; 5741-5742; E.O. 11609, 3 CFR, 1971-1975 Comp., p. 586.

Subpart A—General Policies

§ 303-70.1 When must we authorize payment of expenses related to an employee's death?

When, at the time of death, the employee was:

(a) On official travel; or

(b) Performing official duties outside CONUS; or

(c) Absent from duty as provided in § 303-70.3; or

(d) Reassigned away from his/her home of record under a mandatory mobility agreement.

§ 303-70.2 Must we pay death-related expenses when the employee's death is not work-related?

Yes, provided the requirements in § 303-70.1 are met.

§ 303-70.3 Must we pay death-related expenses for an employee who dies while on leave, or who dies on a nonworkday while on TDY or stationed outside CONUS?

Yes. However, payment cannot exceed the amount allowed if death had occurred at the temporary duty station or at the official station outside CONUS.

§ 303-70.4 May we pay death-related expenses under this chapter if the same expenses are payable under other laws of the United States?

No.

Note to Subpart A: When an employee dies from injuries sustained while performing official duty, death-related expenses are payable under the Federal Employees' Compensation Act (FECA), 5 U.S.C. 8134. For further information contact the Department of Labor, Federal Employees' Compensation Division, 200 Constitution Avenue, NW, Washington, DC 20210.

Subpart B—General Procedures

§ 303-70.100 May we pay the travel expenses of an escort for the remains of the decedent?

No.

§ 303-70.101 Must we provide assistance in arranging for preparation and transportation of employee remains?

Yes.

Subpart C—Allowances for Preparation and Transportation of Remains

§ 303-70.200 What costs must we pay for preparation and transportation of remains?

All actual costs including but not limited to:

(a) Preparation of remains:

(1) Embalming or cremation;

(2) Necessary clothing;

(3) A casket or container suitable for shipment to place of burial;

(4) Expenses necessary to comply with local laws at the port of entry in the United States; and

(b) Transportation of remains by common carrier (that is normally used for transportation of remains), hearse, other means, or a combination thereof, from the temporary duty station or official station outside CONUS to the employee's residence, official station, or place of burial, including but not limited to:

- (1) Movement from place of death to a mortuary and/or cemetery;
- (2) Shipping permits;
- (3) Outside case for shipment and sealing of the case if necessary;
- (4) Removal to and from the common carrier; and
- (5) Ferry fares, bridge tolls, and similar charges.

Note to § 303-70.200: Costs for an outside case are not authorized for transportation by hearse. Costs for transportation by hearse or other means cannot exceed the cost of common carrier (that is normally used for transportation of remains). Transportation costs to the place of burial cannot exceed the actual cost of transportation to the employee's residence.

Subpart D—Transportation of Immediate Family Members, Baggage, and Household Goods

§ 303-70.300 Must we pay transportation costs to return the deceased employee's baggage?

Yes, you must pay transportation costs to return the deceased employee's baggage to his/her official duty station or residence. However, you may not pay insurance of or reimbursement for loss or damage to baggage.

§ 303-70.301 Are there any limitations on the baggage we may transport?

Yes. You may only transport government property and the employee's personal property.

§ 303-70.302 When the employee dies at or while in transit to or from his/her official station outside CONUS, must we return the employee's immediate family, baggage and household goods to the residence or alternate destination?

Yes. However, your agency head or his/her designated representative must approve the family's election to return to an alternate destination, and the allowable expenses cannot exceed the cost of transportation to the decedent's residence. Travel and transportation must begin within one year from the date of the employee's death. A one-year extension may be granted if requested by the family prior to the expiration of the one-year limit.

§ 303-70.303 Must we continue payment of relocation expenses for an employee's immediate family if the employee dies while in transit to his/her new duty station within CONUS?

Yes, if the immediate family chooses to continue the relocation, you must continue payment of relocation expenses for the immediate family if the immediate family was included on the employee's relocation travel orders. (See § 303-70.305.)

§ 303-70.304 Must we continue payment of relocation expenses for an employee's immediate family if the employee dies after reporting to the new duty station within CONUS, but the family was in transit to the new duty station or had not begun its en route travel?

Yes, if the immediate family chooses to continue the relocation, you must continue payment of relocation expenses for the immediate family if the immediate family was included on the employee's relocation travel orders. (See § 303-70.305.)

§ 303-70.305 What relocation expenses must we authorize for the immediate family under §§ 303-70.303 and 303-70.304?

When the immediate family chooses to continue the relocation, the following expenses must be authorized:

- (a) Travel to the new duty station; or
- (b) Travel to an alternate destination, selected by the immediate family, not to exceed the remaining constructive cost of travel to the new duty station.
- (c) Temporary quarters not to exceed 60 days, to be paid at the per diem rate for an unaccompanied spouse and immediate family.
- (d) Shipment of household goods to the new or old duty station, or to an alternate destination selected by the immediate family. However, the cost may not exceed the constructive cost of transportation between the old and the new duty stations.
- (e) Storage of household goods not to exceed 90 days.
- (f) Reimbursement of real estate expenses incident to the relocation.

(g) Shipment of POV to the new or old duty station, or to an alternate destination, selected by the immediate family. However, the cost may not exceed the constructive cost of transportation between the old and the new duty stations.

Subpart E—Preparation and Transportation Expenses for Remains of Immediate Family Members

§ 303-70.400 When an immediate family member, residing with the employee, dies while the employee is stationed outside CONUS, must we furnish mortuary services?

Yes, if requested by the employee and when:

- (a) Local commercial mortuary facilities or supplies are not available; or
- (b) The cost of available mortuary facilities or supplies are prohibitive as determined by your agency head.

Note to § 303-70.400: The employee must reimburse you for all furnished mortuary facilities and supplies.

§ 303-70.401 When an immediate family member, residing with the employee, dies while the employee is stationed outside CONUS, must we pay expenses to transport the remains?

Yes, if requested by the employee, payment must be made to transport the remains to the residence of the immediate family member. The employee may elect an alternate destination, which must be approved by your agency head or his/her designated representative. In that case, the allowable expenses cannot exceed the cost of transportation to the decedent's residence.

§ 303-70.402 When an immediate family member, residing with the employee, dies while the employee is stationed outside CONUS, may we pay burial expenses?

No.

§ 303-70.403 When a family member, residing with the employee, dies while in transit to the employee's duty station outside CONUS must we furnish mortuary services, and/or transportation of remains?

You must furnish transportation if requested by the employee. You must follow the guidelines in § 303-70.401 for transportation expenses. You must furnish mortuary services only if the conditions in § 303-70.400 are met.

Subpart F—Policies and Procedures for Payment of Expenses

§ 303-70.500 Are receipts required for claims for reimbursement?

Yes.

§ 303-70.501 To whom should we make payment?

You should pay:

- (a) The person performing the service; or
- (b) Reimburse the person who made the original payment.

Dated: January 6, 1999.

David J. Barram,

Administrator of General Services.

[FR Doc. 99-832 Filed 1-13-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

48 CFR Parts 1201, 1205, 1206, 1211, 1213, 1215, 1237, 1252 and 1253

Amendment of Department of Transportation Acquisition Regulations

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: This final rule deletes unnecessary Federal Acquisition Regulation (FAR) implementations which were in the Transportation Acquisition Regulation (TAR), implements and supplements FAR Circulars 97-01 through 97-03, and sequentially aligns Coast Guard TAR Supplements with the applicable TAR Parts 1201, 1205, 1206, 1211, 1213, 1215, 1237, 1252 and 1253.

EFFECTIVE DATE: This final rule is effective February 16, 1999.

FOR FURTHER INFORMATION CONTACT: Charlotte Hackley, Office of Acquisition and Grant Management, M-60, 400 Seventh Street SW., Washington, DC 20590; (202) 366-4267.

SUPPLEMENTARY INFORMATION:

A. Background

Amendments to the Department of Transportation (DOT) Acquisition Regulation (TAR) were published in the **Federal Register** (63 FR 52666) as a proposed rule on October 1, 1998. Public comments were invited but none were received by November 2, 1998, and the final rule does not change the proposed rule. These proposed changes were initiated after the quarterly review of the TAR and the changes cited in FAR Circulars 97-01 through 97-03. The significant changes are to—

1. Provide DOT policy and standard procedures for the receipt, handling and disposition of unsolicited proposals; and

2. Delete Form DOT F 4220.44 and the instructions for completing the form to coincide with the changes made to FAR Part 15. The form is approved under the Office of Management and Budget Control Number 2105-0517 which expires on May 31, 2000.

B. Regulatory Analysis and Notices

The Department has determined that this action is not a significant regulatory action under Executive Order 12866 or under the Department's Regulatory Policies and Procedures. The Department does not believe that there would be significant Federalism implications to warrant the preparation of a Federalism assessment.

C. Regulatory Flexibility Act

The Department certifies that this rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* The rule makes primarily administrative changes to the TAR and provides DOT policy and procedures for the receipt, handling and disposition of unsolicited proposals.

D. Paperwork Reduction Act

The Department certifies that the Paperwork Reduction Act (44 U.S.C. 3501, *et seq.*) does not apply because this rule does not contain information collection requirements.

List of Subjects in 48 CFR Parts 1201, 1205, 1206, 1211, 1213, 1215, 1237, 1252 and 1253

Government procurement.

This rule is issued under the delegated authority of 49 CFR Part 1.59(p).

This authority is delegated to the Senior Procurement Executive, issued this 6th day of January 1999, at Washington, DC.

David J. Litman,

Director of Acquisition and Grant Management.

Adoption of Amendments

For the reasons set out in the preamble, 48 CFR Chapter 12 is amended as follows:

1. The authority citation for 48 CFR Chapter 12, parts 1201, 1205, 1206, 1211, 1213, 1237, 1252 and 1253 continues to read as follows:

Authority: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.

PART 1201—FEDERAL ACQUISITION REGULATIONS SYSTEM

2. Section 1201.103 is removed.

2a. In 1201.201-1, paragraph (d) is removed.

3. Section 1201.301 is amended by adding paragraphs (a)(2) introductory text, (a)(2)(i), (a)(2)(ii), and (b) as follows:

1201.301 Policy.

(a) * * *

(2) Acquisition procedures. The authority of the agency head under (FAR) 48 CFR 1.301(a)(2) to issue or authorize the issuance of internal agency guidance at any organizational level has been delegated to the SPE.

(i) Departmentwide acquisition procedures. DOT internal operating procedures are contained in the Transportation Acquisition Manual (TAM).

(ii) OA acquisition procedures. Procedures necessary to implement or supplement the FAR, TAR, or TAM may be issued by the HCA, who may delegate this authority to any organizational level deemed appropriate. OA procedures may be more restrictive or require higher approval levels than those permitted by the TAM unless specified otherwise.

(b) The authority of the agency head under (FAR) 48 CFR 1.301(b) to establish procedures to ensure that agency acquisition regulations are published for comment in the **Federal Register** in conformance with the procedures in FAR Subpart 1.5 is delegated to the Assistant General Counsel for Regulation and Enforcement (C-50).

PART 1205—PUBLICIZING CONTRACT ACTIONS

4. Subpart 1205.90 is revised to read as follows:

Subpart 1205.90—Publicizing Contract Actions for Personal Services Contracting

§ 1205.9000 Applicability. (USCG)

Contracts awarded by the U.S. Coast Guard using the procedures in (TAR) 48 CFR 1237.104-91 are expressly authorized under Section 1091 of Title 10 U.S.C. as amended by Pub. L. 104-106, DOD Authorization Act, Section 733 for the Coast Guard and are exempt from the requirements of (FAR) 48 CFR part 5.

PART 1206—COMPETITION REQUIREMENTS

5. Subpart 1206.90 is revised to read as follows:

Subpart 1206.90—Competition Requirements for Personal Services Contracting

1206.9000 Applicability. (USCG)

Contracts awarded by the U.S. Coast Guard using the procedures in (TAR) 48 CFR 1237.104-91 are expressly authorized under section 1091 of Title 10 U.S.C. as amended by Pub. L. 104-106, DOD Authorization Act, section 733 for the Coast Guard and are exempt