

simplified Government-wide procurement regulations now known as the Federal Acquisition Regulation (FAR) (48 CFR 1). The Policy Letter covered establishment of the FAR System, FAR maintenance, and resolution of differences among executive agencies in development of FAR provisions. The provisions of Policy Letter 85-1 were codified in sections 6 and 25 of the OFPP Act (41 U.S.C. 405 and 41 U.S.C. 421, respectively) and incorporated in FAR Subparts 1.1, 1.2, and 1.3.

OFPP Policy Letter 89-1, Conflict of Interest Policies Applicable to Consultants

Policy Letter 89-1 established policy and procedures on applying conflict of interest standards to persons who provide consulting services to the government, pursuant to section 8141 of the 1989 Department of Defense Appropriations Act, Public Law 100-463, 102 Stat. 2270-47 (October 1, 1988). The provisions of Policy Letter 89-1 were incorporated in FAR Subpart 9.5.

OFPP Policy Letter 91-2, Service Contracting

OFPP Policy Letter 91-2 established policy for acquiring services by contract. It encouraged the use of "performance-based contracting," which uses standards to measure quality and timeliness of contractor performance and surveillance plans to assure that the standards are met. Policy Letter 91-2 is implemented in FAR Subpart 37.6. For more information on this subject, see OFPP's "A Guide to Best Practices for Performance-Based Service Contracting" (October 1998) at the ARNet world wide website, <http://www.arnet.gov/BestP/PPBSC/BestPPBSC.html>.

OFPP Policy Letter 91-4, Use of Irrevocable Letters of Credit

OFPP Policy Letter 91-4 established policy for use of irrevocable letters of credit in lieu of sureties for Federal construction contracts requiring Miller Act bonds. The Miller Act (40 U.S.C. 270a *et seq.*) requires the use of performance and payment bonds for Federal construction contracts in excess of \$25,000. Policy Letter 91-4 determined that: irrevocable letters of credit serve much of the same function and provide the same redeemable value as bonds, postal orders, and certified checks; Federal agencies are authorized to accept such letters; and their usage in lieu of sureties would help to achieve greater access by small and small disadvantaged businesses to Federal construction contracts. The Policy Letter

permitted agencies to use irrevocable letters of credit in lieu of sureties for Federal construction contracts requiring Miller Act bonds. Policy Letter 91-4 is implemented in FAR section 28.204-3.

OFPP Policy Letter 92-5, Past Performance Information

Policy Letter 92-5 established requirements for evaluating contractor performance and for using past performance information in the contractor selection process. The provisions of Policy Letter 92-5 have been implemented in FAR Subpart 42.15 and FAR sections 15.304 and 15.305. For more information on this subject, see "A Guide to Best Practices for Past Performance" (May 1995) at the ARNet world wide website, <http://www.arnet.gov/BestP/BestPract.html>.

OFPP Policy Letter 95-1, Subcontracting Plans for Companies Supplying Commercial Items

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) requires that each contract that exceeds \$500,000 (\$1 million in the case of construction) and that offers subcontracting opportunities include a requirement that the apparently successful offeror negotiate a subcontracting plan which shall become a material part of the contract. Policy Letter 95-1 revised the policy on subcontracting plans to reduce the burden of government-unique requirements on prime contractors and subcontractors that supply commercial items. The Policy Letter allows such contractors and subcontractors to meet the requirements of Section 8(a) of the Small Business Act by submitting an annual "commercial plan" rather than an individual contract-by-contract or subcontract-by-subcontract plan. A commercial plan is a subcontracting plan that covers a contractor's or subcontractor's fiscal year and that applies to the entire production of commercial items sold by either the entire company or a portion thereof (e.g., division, plant, or product line). The provisions of Policy Letter 95-1 were implemented in FAR sections 19.701, 19.704(d), and 19.705-7.

OFPP requests comments on these proposed rescissions.

Deidre A. Lee,
Administrator.

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (99-110)]

Government-Owned Inventions, Available for Licensing

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of Availability of Inventions for Licensing.

SUMMARY: The inventions listed below are assigned to the National Aeronautics and Space Administration, have been filed in the United States Patent and Trademark Office, and are available for licensing.

DATES: September 15, 1999.

FOR FURTHER INFORMATION CONTACT: Mr. Kent N. Stone, Patent Attorney, John H. Glenn Research Center at Lewis Field, Mail Stop 500-118, Cleveland, Ohio 44135-3191; telephone (216) 433-8855.

NASA Case No. LEW 16,682-1: Rare Earth Optical Temperature Sensor;

NASA Case No. LEW 15,805-2: Soft Tissue Implants with Microscopic Surface Roughness;

NASA Case No. LEW 16,644-1: Wave Augmented Diffuser for Centrifugal Compressor;

NASA Case No. LEW 16,684-1: Provisional Thermal Barrier Braided Rope Seal.

Dated: September 1, 1999.

Edward A. Frankle,

General Counsel.

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BILLING CODE 7510-01-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (99-111)]

Government-Owned Inventions, Available for Licensing

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of Availability of Inventions for Licensing.

SUMMARY: The inventions listed below are assigned to the National Aeronautics and Space Administration, have been filed in the United States Patent and Trademark Office, and are available for licensing.

DATES: September 15, 1999.

FOR FURTHER INFORMATION CONTACT: Patent Counsel, Langley Research Center, Mail Stop 212, Hampton, VA 23681-0001; telephone (757) 864-9260.

NASA Case No. LAR 15449-1: A Method to Prepare Processable Polyimides with Reactive Endgroups Using 1,3-Bis (3-Aminophenoxy) Benzene;