

215.404-71-2 Performance risk. (b) * * *

Item	Contractor risk factors	Assigned weighting	Assigned value	Base (item 20)	Profit objective
21	Technical	(1)	(2)	N/A	N/A
22	Management/Cost Control	(1)	(2)	N/A	N/A
23	Performance Risk (Composite)	N/A	(3)	(4)	(5)

* * * * *

215.404-71-3 [Amended]

3. Section 215.404-71-3 is amended as follows:
 a. In paragraph (b) introductory text, in the table, by redesignating Items 25 and 26 as Items 24 and 25, respectively;

b. In paragraph (c)(2) by removing “(Block 26)” and adding in its place “(Block 25)”; and
 c. In paragraph (c)(5), in the second sentence, by removing “Block 26” and adding in its place “Block 25”.

4. Section 215.404-71-4 is amended in paragraph (b) introductory text by revising the table to read as follows:

215.404-71-4 Facilities capital employed.

* * * * *

(b) * * *

Item	Contractor facilities capital employed	Assigned value	Amount employed	Profit objective
26	Land	N/A	(2)	N/A
27	Buildings	N/A	(2)	N/A
28	Equipment	(1)	(2)	(3)

* * * * *

215.404-71-5 [Amended]

5. Section 215.404-71-5 is amended in paragraph (a), in the last sentence, by adding, before the period, “(Block 29)”.

Description	Code
Modified weighted guidelines approach (215.404-72)	5
Technology incentive (215.404-71-2(c)(2))	6

215.404-72 [Amended]

6. Section 215.404-72 is amended as follows:
 a. In the heading of paragraph (b)(1), in the parenthetical, by removing “Blocks 21-24” and adding in its place “Blocks 21-23”; and
 b. In the heading of paragraph (b)(2), in the parenthetical, by removing “Block 25” and adding in its place “Block 24”.

* * * * *

(15) *Block 30—total profit objective.* Enter the total of Blocks 23, 24, 25, 27, 28, and 29. This section is not required to be completed when using an alternate structured approach (215.404-73).
 * * * * *

[FR Doc. 02-19083 Filed 7-29-02; 8:45 am]
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FOR FURTHER INFORMATION CONTACT: Ms. Angelena Moy, Defense Acquisition Regulations Council, OUSD (AT&L) DP (DAR), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-1302; facsimile (703) 602-0350. Please cite DFARS Case 2001-D016.

SUPPLEMENTARY INFORMATION:

A. Background

DoD published an interim rule at 67 FR 11435 on March 14, 2002, to implement a partnership agreement between DoD and SBA. The partnership agreement permits DoD to award 8(a) contracts directly to 8(a) concerns, on behalf of SBA. DoD received one comment on the interim rule, and that comment was in support of the rule. Therefore, DoD is adopting the interim rule as a final rule with only minor editorial changes.

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

B. Regulatory Flexibility Act

DoD certifies that this final 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.*, because the rule affects only the administrative procedures used for award of contracts under the 8(a) Program.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the rule does not

215.407-4 [Amended]

7. Section 215.407-4 is amended in paragraph (c)(1) by revising the second parenthetical to read “(http://www.dcmahq.dla.mil/)”.

DEPARTMENT OF DEFENSE

48 CFR Parts 219 and 252

[DFARS Case 2001-D016]

Defense Federal Acquisition Regulation Supplement; Partnership Agreement Between DoD and the Small Business Administration

AGENCY: Department of Defense (DoD).
ACTION: Final rule.

PART 253—FORMS

8. Section 253.215-70 is amended by revising paragraphs (c)(12) and (c)(15) to read as follows:

253.215-70 DD Form 1547, Record of Weighted Guidelines Application.

* * * * *

(c) * * *

(12) *Block 12—use code.* Enter the appropriate code for use of the weighted guidelines method—

Description	Code
Standard weighted guidelines method (215.404-71-2(c)(1)) ...	2
Alternate structured approach (215.404-73)	4

SUMMARY: DoD has adopted as final, with minor changes, an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement a partnership agreement between DoD and the Small Business Administration (SBA). The partnership agreement streamlines procedures for contract awards under SBA’s 8(a) Program.
EFFECTIVE DATE: July 30, 2002.

impose any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 219 and 252

Government procurement.

Michele P. Peterson,

Executive Editor, Defense Acquisition Regulations Council.

Interim Rule Adopted as Final With Changes

Accordingly, the interim rule amending 48 CFR Parts 219 and 252, which was published at 67 FR 11435 on March 14, 2002, is adopted as a final rule with the following changes:

1. The authority citation for 48 CFR Parts 219 and 252 continues to read as follows:

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

PART 219—SMALL BUSINESS PROGRAMS

219.804-2 [Amended]

2. Section 219.804-2 is amended by removing “must” and adding, in its place, “shall” in the following places:

- a. Paragraph (1) introductory text, in the first and last sentences;
- b. Paragraph (1)(ii)(A);
- c. Paragraph (2) introductory text, twice in the second sentence and once in the last sentence;
- d. Paragraph (2)(ii), in the last sentence; and
- e. Paragraph (3), in the first and last sentences.

219.806 [Amended]

3. Section 219.806 is amended in paragraph (1) and in the last sentence of paragraph (2) by removing “must” and adding in its place “shall”.

219.811-1 [Amended]

4. Section 219.811-1 is amended in paragraph (a), in the first, second, and last sentences, by removing “must” and adding in its place “shall”.

219.811-2 [Amended]

5. Section 219.811-2 is amended by removing “must” and adding in its place “shall”.

[FR Doc. 02-19082 Filed 7-29-02; 8:45 am]

BILLING CODE 5001-08-P

DEPARTMENT OF DEFENSE

48 CFR Part 225

[DFARS Case 2002-D011]

Defense Federal Acquisition Regulation Supplement; Trade Agreements Thresholds—Construction

AGENCY: Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD has issued a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS). The rule implements the determination of the U.S. Trade Representative to revise the dollar thresholds for application of the Trade Agreements Act and the North American Free Trade Agreement (NAFTA) to construction contracts.

EFFECTIVE DATE: July 30, 2002.

FOR FURTHER INFORMATION CONTACT: Ms. Amy Williams, Defense Acquisition Regulations Council, OUSD (AT&L) DP (DAR), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-0328; facsimile (703) 602-0350. Please cite DFARS Case 2002-D011.

SUPPLEMENTARY INFORMATION:

A. Background

On March 27, 2002 (67 FR 14763), the U.S. Trade Representative published a determination that decreased the threshold for application of the Trade Agreements Act to construction contracts from \$6,806,000 to \$6,481,000; and increased the threshold for application of NAFTA to construction contracts from \$7,068,419 to \$7,304,733. This final rule amends the prescriptions for use of the clauses at DFARS 252.225-7044, Balance of Payments Program—Construction Material, and 252.225-7045, Balance of Payments Program—Construction Material Under Trade Agreements, to reflect the new dollar thresholds.

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

B. Regulatory Flexibility Act

This rule will not have a significant cost or administrative impact on contractors or offerors, or a significant effect beyond the internal operating procedures of DoD. Therefore, publication for public comment is not required. However, DoD will consider comments from small entities concerning the affected DFARS subpart in accordance with 5 U.S.C. 610. Such comments should cite DFARS Case 2002-D011.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the rule does not impose any information collection requirements that 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 225

Government procurement.

Michele P. Peterson,

Executive Editor, Defense Acquisition Regulations Council.

Therefore, 48 CFR Part 225 is amended as follows:

1. The authority citation for 48 CFR Part 225 continues to read as follows:

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

PART 225—FOREIGN ACQUISITION

225.7503 [Amended]

2. Section 225.7503 is amended as follows:

- a. In paragraph (a), and in paragraph (b) in the first and last sentences, by removing “\$6,806,000” and adding in its place “\$6,481,000”; and
- b. In paragraph (b), in the last sentence, by removing “\$7,068,419” and adding in its place “\$7,304,733”.

[FR Doc. 02-19080 Filed 7-29-02; 8:45 am]

BILLING CODE 5001-08-P

DEPARTMENT OF DEFENSE

48 CFR Part 253

[DFARS Case 2002-D010]

Defense Federal Acquisition Regulation Supplement; Reporting Requirements Update; Correction

AGENCY: Department of Defense (DoD).

ACTION: Correction to final rule.

SUMMARY: DoD is issuing a correction to the final rule published at 67 FR 46112-46123 on July 12, 2002, pertaining to contract action reporting requirements for Fiscal Year 2003. The correction adds a reporting agency code.

EFFECTIVE DATE: October 1, 2002.

FOR FURTHER INFORMATION CONTACT: Ms. Susan Schneider, Defense Acquisition Regulations Council, OUSD(AT&L)DP(DAR), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-0326; facsimile (703) 602-0350.

Correction

In the issue of Friday, July 12, 2002, on page 46113, in the third column, section 253.204-70, paragraph (a)(3)(i)