In addition, if the DoD agency has determined that measurably substantial benefits are expected to be derived as a result of bundling, the notification must include a brief description of those benefits. The objective of the rule is to enable small businesses to compete for more work of which the firms might otherwise have been unaware. The notification requirement will provide a much broader segment of the small-business community awareness of upcoming business opportunities and then allow the small business to either submit a proposal or interact with the requiring agency to request unbundling before the solicitation is finalized. No comments were received from small entities on this rule.

IV. Paperwork Reduction Act

The rule does not impose any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Parts 205 and 210

Government procurement.

Mary Overstreet,
Editor, Defense Acquisition Regulations System.

Interim Rule Adopted as Final Without Change

Accordingly, the interim rule amending 48 CFR parts 205 and 210 published at 75 FR 40714 on July 13, 2010, is adopted as final without change.

[FR Doc. 2011–3756 Filed 2–18–11; 8:45 am]
BILLING CODE 5001–08–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Part 217

RIN 0750–AG67

Defense Federal Acquisition Regulation Supplement; Limitations on Procurements With Non-Defense Agencies (DFARS Case 2009–D027)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is adopting without change an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement section 806 of the National Defense Authorization Act for Fiscal Year 2010. Section 806 authorizes an agency that is an element of the intelligence community to award a contract for supplies or services in excess of the simplified acquisition threshold for the performance of a joint program conducted to meet the needs of DoD and the non-DoD agency.

DATE: Effective Date: February 22, 2011.

FOR FURTHER INFORMATION CONTACT: Ms. Meredith Murphy, 703–602–1302.

SUPPLEMENTARY INFORMATION:

I. Background

DoD published an interim rule at 75 FR 32639 on June 8, 2010, to implement section 806 of the National Defense Authorization Act for Fiscal Year 2010 (Pub. L. 111–84), providing limitations on procurements with non-Defense agencies. The public comment period closed August 9, 2010. No comments were received in response to the interim rule.

II. Executive Order 12866

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

III. 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 addresses internal DoD procedural matters only. Specifically, this implementation of section 806 of the National Defense Authorization Act for Fiscal Year 2010, Treatment of Non-Defense Agency Procurements Under Joint Programs with Intelligence Community, amends the limitations placed on procurements by non-DoD agencies by exempting such procurements that are: (a) Entered into by a non-DoD agency that is an element of the intelligence community and (b) when the procurement is for the performance of a joint program conducted to meet the needs of DoD and the non-DoD agency. The statute resulted in changes to internal operating procedures with no impact on contractors or offerors.

IV. Paperwork Reduction Act

The changes to the DFARS do not impose information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Part 217

Government procurement.

Mary Overstreet,
Editor, Defense Acquisition Regulations System.

Interim Rule Adopted as Final Without Change

Accordingly, the interim rule amending 48 CFR part 217 published at 75 FR 32639 on June 8, 2010, is adopted as final without change.

[FR Doc. 2011–3754 Filed 2–18–11; 8:45 am]
BILLING CODE 5001–08–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Part 219

RIN 0750–AH06

Defense Federal Acquisition Regulation Supplement; Repeal of the Small Business Competitiveness Demonstration Program (DFARS Case 2011–D001)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Acquisition Regulation Supplement (DFARS) to implement section 1335 of the Small Business Jobs Act of 2010. Section 1335 repealed the Small Business Competitiveness Demonstration Program.

DATE: Effective Date: February 22, 2011.

FOR FURTHER INFORMATION CONTACT: Mr. Manual Quiñones, 703–602–8383.

SUPPLEMENTARY INFORMATION:

I. Background

II. Executive Order 12866

This is not a significant regulatory action and, therefore, was not subject to review under Section 6(b) of the Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

III. Regulatory Flexibility Act

The Regulatory Flexibility Act does not apply to this rule because an initial regulatory flexibility analysis is only required for proposed or interim rules that require publication for public comment (5 U.S.C. 603) and a final regulatory flexibility analysis is only required for final rules that were previously published for public comment, and for which an initial regulatory flexibility analysis was prepared (5 U.S.C. 604).

This final rule does not constitute a significant DFARS revision as defined at FAR 1.501–1 because 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 the Government. Therefore, publication for public comment under 41 U.S.C. 418b is not required.

IV. Paperwork Reduction Act

The final rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 33).

List of Subjects in 48 CFR Part 219

Government procurement.

Mary Overstreet,
Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR part 219 is amended as follows:

PART 219—SMALL BUSINESS PROGRAMS

1. The authority citation for 48 CFR part 219 continues to read as follows:


Subpart 219.10—[Removed]

2. Remove subpart 219.10.

[FR Doc. 2011–3762 Filed 2–18–11; 8:45 am]