

Paperwork Reduction Act

Although this document contains provisions constituting collections of information, at 38 CFR 59.20, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), no new or revised collections of information are associated with this rule. The information collection requirements for § 59.20 are currently approved by OMB and have been assigned OMB control number 2900–0661.

Executive Orders 12866 and 13563

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, and other advantages; distributive impacts; and equity). Executive Order 13563 (Improving Regulation and Regulatory Review) emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. Executive Order 12866 (Regulatory Planning and Review) defines a “significant regulatory action,” which requires review by the Office of Management and Budget (OMB), as “any regulatory action that is likely to result in a rule that may: (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in this Executive Order.”

The economic, interagency, budgetary, legal, and policy implications of this regulatory action have been examined and it has been determined to be a significant regulatory action under Executive Order 12866 because it is likely to result in a rule that may raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in the Executive Order.

Regulatory Flexibility Act

The Secretary hereby certifies that this final rule would not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. The rule affects States and has no impact on any small entities. Therefore, pursuant to 5 U.S.C. 605(b), this amendment is exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance program numbers and titles for this rule are as follows: 64.005, Grants to States for Construction of State Home Facilities; 64.007, Blind Rehabilitation Centers; 64.008, Veterans Domiciliary Care; 64.009, Veterans Medical Care Benefits; 64.010, Veterans Nursing Home Care; 64.014, Veterans State Domiciliary Care; 64.015, Veterans State Nursing Home Care; 64.018, Sharing Specialized Medical Resources; 64.019, Veterans Rehabilitation Alcohol and Drug Dependence; 64.022, Veterans Home Based Primary Care; and 64.024, VA Homeless Providers Grant and Per Diem Program.

Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. John R. Gingrich, Chief of Staff, Department of Veterans Affairs, approved this document on November 14, 2011, for publication.

List of Subjects in 38 CFR Part 59

Administrative practice and procedure; Alcohol abuse; Alcoholism; Claims; Day care; Dental health; Drug abuse; Government contracts; Grant programs—health; Grant programs—veterans; Health care; Health facilities; Health professions; Health records; Homeless; Mental health programs; Nursing homes; Philippines, Reporting and recordkeeping requirements; Veterans.

Dated: February 17, 2012.

Robert C. McFetridge,

Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs.

For the reasons set forth in the preamble, VA amends 38 CFR part 59 as follows:

PART 59—GRANTS TO STATES FOR CONSTRUCTION OR ACQUISITION OF STATE HOMES

■ 1. Revise the authority citation for part 59 to read as follows:

Authority: 38 U.S.C. 101, 501, 1710, 1742, 8105, 8131–8137.

■ 2. Amend § 59.20 by:

- a. Revising paragraph (c).
- b. Removing “August” from paragraph (d) and adding, in its place, “April”.
- c. Adding an information collection approval parenthetical after the authority citation at the end of the section.

The revision and addition read as follows:

§ 59.20 Initial application requirements.

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(c) The items requested under paragraph (a) of this section must be received by VA no later than April 15 in order for VA to include the application on the priority list for the award of grants during the next fiscal year. *See* § 59.50, Priority List.

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(The Office of Management and Budget has approved the information collection requirements in this section under control number 2900–0661)

■ 3. Amend § 59.50 by removing “August” from the introductory text of paragraph (a) and adding, in its place, “April”.

■ 4. Amend § 59.70 by removing “August 15” from paragraph (b) and adding, in its place, “August 1”.

[FR Doc. 2012–4234 Filed 2–22–12; 8:45 am]

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GENERAL SERVICES ADMINISTRATION

48 CFR Parts 519 and 552

[GSAR Amendment 2012–02; GSAR Case 2011–G502; (Change 54) Docket 2012–0003, Sequence 1]

RIN 3090–AJ24

General Services Administration Acquisition Regulation; Acquisition-Related Thresholds

AGENCIES: Office of Acquisition Policy, General Services Administration (GSA).

ACTION: Final rule.

SUMMARY: GSA is issuing a final rule amending the General Services Administration Acquisition Regulation (GSAR) to update the acquisition-related thresholds in two GSAR clauses.

DATES: *Effective Date:* March 26, 2012.

FOR FURTHER INFORMATION CONTACT: Mr. Karlos Morgan, Procurement Analyst, at (202) 501-2364, for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at (202) 501-4755. Please cite GSAR Amendment 2012-02, GSAR Case 2011-G502.

SUPPLEMENTARY INFORMATION:

I. Background

The General Services Administration is amending the GSAR to comply with changes made to acquisition-related thresholds by Federal Acquisition Circular 2005-45 (Federal Acquisition Regulation (FAR) Case 2008-024), published in the **Federal Register** at 75 FR 53129, August 30, 2010, with an effective date of October 1, 2010. FAR Case 2008-024 implements Section 807 of the National Defense Authorization Act for Fiscal Year 2005 (Pub. L. 108-375). Section 807 provides for adjustment every 5 years of acquisition-related thresholds, except for Davis-Bacon Act, Service Contract Act, and trade agreements thresholds.

As a result of changes made to the acquisition-related thresholds, the GSAR clause at 552.219-71, Notice to Offerors of Subcontracting Plan Requirements, is revised by removing "\$500,000" and "\$1,000,000" and replacing the GSAR text with "\$650,000" and "\$1,500,000", respectively. The GSAR clause at 552.219-72, Preparation, Submission, and Negotiation of Subcontracting Plans, is revised by removing "\$500,000" and "\$1,000,000" and replacing the GSAR text with "\$650,000" and "\$1,500,000", respectively.

II. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under Section 6(b) of E.O. 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 General Services Administration certify 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 FAR Case 2008-024, which addresses the acquisition-related thresholds, was published in the **Federal Register** at 75 FR 53129, August 30, 2010, with an effective date of October 1, 2010. Further, Acquisition Letter MV-11-01, Adjustment of GSAM Acquisition-Related Thresholds due to Federal Acquisition Circular 2005-45 (Item I, Inflation Adjustment of Acquisition-Related Thresholds), was effective immediately upon the publishing of Acquisition Letter (October 8, 2010). All other revisions to the GSAM are non-regulatory.

IV. Paperwork Reduction Act

The 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 35).

List of Subjects in 48 CFR Parts 519 and 552

Government procurement.

Dated: February 16, 2011.

Joseph A. Neurauter,
Senior Procurement Executive, Office of Acquisition Policy, General Services Administration.

Therefore, GSA amends 48 CFR parts 519 and 552 as set forth below:

PART 519—SMALL BUSINESS PROGRAMS

■ 1. The authority citation for 48 CFR part 519 is revised to read as follows:

Authority: 40 U.S.C. 121(c).

■ 2. Amend section 519.870-8 by revising paragraph (a)(3) to read as follows:

519.870-8 Contract clauses.

(a) * * *

(3) Insert the clause at FAR 52.219-18, Notification of Competition Limited to Eligible 8(a) Concerns. Substitute the following paragraph for paragraph (c) of the clause. Add the word "Deviation" at the end of the clause title.

(c) Any award resulting from this solicitation will be made directly by the Contracting Officer to the successful 8(a) offeror selected through the evaluation criteria set forth in this solicitation.

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PART 552—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 3. The authority citation for 48 CFR part 552 continues to read as follows:

Authority: 40 U.S.C. 121(c).

■ 4. Amend section 552.219-71 by revising the date of the provision; and by removing from the introductory text "\$500,000 (\$1,000,000)" and adding "\$650,000 (\$1,500,000)" in its place. The revised text reads as follows:

552.219-71 Notice to Offerors of Subcontracting Plan Requirements.

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Notice to Offereors of Subcontracting Plan Requirements (MAR 2012)

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■ 5. Amend section 552.219-72 by revising the date of the provision; and removing from the introductory text "\$500,000 (\$1,000,000)" and adding "\$650,000 (\$1,500,000)" in its place. The revised text reads as follows:

552.219-72 Preparation, Submission, and Negotiation of Subcontracting Plans.

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Preparation, Submission, and Negotiation of Subcontracting Plans (MAR 2012)

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■ 6. Amend section 552.219-76 by revising the date of the clause; and removing from paragraph (f) "519.7011(j)" and adding "519.7010(j)" in its place. The revised text reads as follows:

552.219-76 Mentor Requirements and Evaluation.

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Mentor Requirements and Evaluation (MAR 2012)

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DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

49 CFR Part 199

[Docket No. PHMSA-2011-0335]

Pipeline Safety: Post Accident Drug and Alcohol Testing

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA); DOT.