I. Background

The European Union is a party to the WTO GPA and has assumed rights and obligations under the WTO GPA on behalf of its member states. On July 1, 2013, Croatia became a member of the European Union. Therefore, the European Union has committed to assume rights and obligations under the WTO GPA on behalf of Croatia, and has agreed to waive discriminatory purchasing requirements for eligible products and supplies of Croatia.

II. Publication of This Final Rule for Public Comment Is Not Required by Statute

“Publication of proposed regulations,” 41 U.S.C. 1707, is the statute which applies to the publication of the Federal Acquisition Regulation. Paragraph (a)(1) of the statute requires that a procurement policy, regulation, procedure or form (including an amendment or modification thereof) must be published for public comment if it relates to the expenditure of appropriated funds, and has either a significant effect beyond the internal operating procedures of the agency issuing the policy, regulation, procedure or form, or has a significant cost or administrative impact on contractors or offerors. This final rule is not required to be published for public comment, because it is just updating the lists of designated countries and countries that are party to the Agreement on Trade in Civil Aircraft, in order to reflect the fact that Croatia is now a member of the European Union.

III. 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.

IV. Regulatory Flexibility Act

The Regulatory Flexibility Act does not apply to this rule because this final rule does not constitute a significant FAR revision and 41 U.S.C. 1707 does not require publication for public comment.

V. Paperwork Reduction Act

The Paperwork Reduction Act does apply, because the rule affects the response of an offeror that is offering a product of Croatia to the information collection requirements in the provisions at FAR 52.212–4, 52.213–4, 52.213–5, and 52.213–6, Terms and Conditions—Simplified Acquisitions (Other Than Commercial Items).
country”, “Canada, Cyprus” and adding “Canada, Croatia, Cyprus” in its place.

Subpart 25.4—Trade Agreements

52.407 [Amended]
■ Add “52.407” to the end of paragraph (a).

52.407 Adoption of Executive Orders—Commercial Items

PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

52.221–5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders—Commercial Items

52.221–5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders—Commercial Items (NOV 2013)

52.225–7 Waiver of Buy American Act for Civil Aircraft and Related Articles

52.225–7 Waiver of Buy American Act for Civil Aircraft and Related Articles (NOV 2013)

52.225–11 Buy American Act—Construction Materials Under Trade Agreements

52.225–11 Buy American Act—Construction Materials Under Trade Agreements (NOV 2013)


DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 31 and 52

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SUPPLEMENTARY INFORMATION: In order to update certain elements in 48 CFR parts 31 and 52, this document makes editorial changes to the FAR.