

**DEPARTMENT OF DEFENSE**

**GENERAL SERVICES ADMINISTRATION**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**48 CFR Ch. 1**

**Semiannual Regulatory Agenda**

**AGENCY:** Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** This agenda provides summary descriptions of regulations being developed by the Civilian Agency Acquisition Council and the Defense

Acquisition Regulations Council in compliance with Executive Order 12866 “Regulatory Planning and Review.” This agenda is being published to allow interested persons an opportunity to participate in the rulemaking process.

The Regulatory Secretariat Division has attempted to list all regulations pending at the time of publication, except for minor and routine or repetitive actions; however, unanticipated requirements may result in the issuance of regulations that are not included in this agenda. There is no legal significance to the omission of an item from this listing.

Published proposed rules may be reviewed in their entirety at the Government’s rulemaking Web site at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Hada Flowers, Division Director, Regulatory Secretariat Division, 1800 F Street NW., Washington, DC 20405, 202-501-4755.

**SUPPLEMENTARY INFORMATION:** DoD, GSA, and NASA, under their several statutory authorities, jointly issue and maintain the FAR through periodic issuance of changes published in the **Federal Register** and produced electronically as Federal Acquisition Circulars (FACs). The electronic version of the FAR, including changes, can be accessed on the FAR Web site at <http://www.acquisition.gov/far>.

Dated: August 29, 2013.

**William Clark,**  
*Acting Director, Office of Government-wide Acquisition Policy/Office of Acquisition Policy, Office of Government-wide Policy.*

**DOD/GSA/NASA (FAR)—PROPOSED RULE STAGE**

Sequence No.	Title	Regulation Identifier No.
420 .....	Federal Acquisition Regulation (FAR); FAR Case 2012-028; Contractor Comment Period-Past Performance Evaluations.	9000-AM40
421 .....	Federal Acquisition Regulation (FAR); FAR Case 2012-001; Performance of Inherently Governmental Functions and Critical Functions.	9000-AM41
422 .....	Federal Acquisition Regulation (FAR); FAR Case 2012-029; Contractor Access to Protected Information.	9000-AM42

**DOD/GSA/NASA (FAR)—FINAL RULE STAGE**

Sequence No.	Title	Regulation Identifier No.
423 .....	Federal Acquisition Regulation (FAR); FAR Case 2011-001; Organizational Conflicts of Interest .....	9000-AL82
424 .....	Federal Acquisition Regulation (FAR); FAR Case 2010-013; Privacy Training .....	9000-AM02
425 .....	Federal Acquisition Regulation (FAR); FAR Case 2010-010; Service Contracts Reporting Requirements ..	9000-AM06
426 .....	Federal Acquisition Regulation (FAR); FAR Case 2011-024, Set-Asides for Small Business .....	9000-AM12
427 .....	Federal Acquisition Regulation (FAR); FAR Case 2011-020; Basic Safeguarding of Contractor Information Systems.	9000-AM19
428 .....	Federal Acquisition Regulation (FAR); FAR Case 2012-031; Accelerated Payments to Small Business Subcontractors.	9000-AM37
429 .....	Federal Acquisition Regulation (FAR); FAR Case 2013-005, Terms of Service and Open-Ended Indemnification, and Unenforceability of Unauthorized Obligations.	9000-AM45
430 .....	Federal Acquisition Regulation (FAR); FAR Case 2012-014; Small Business Protests and Appeals .....	9000-AM46
431 .....	Federal Acquisition Regulation (FAR); FAR Case 2012-024; Commercial and Government Entity Code ....	9000-AM49
432 .....	Federal Acquisition Regulation (FAR); FAR Case 2012-016; Defense Base Act .....	9000-AM50
433 .....	Federal Acquisition Regulation (FAR); FAR Case 2011-023, Irrevocable Letters of Credit .....	9000-AM53
434 .....	Federal Acquisition Regulation; FAR Case 2012-023, Uniform Procurement Identification .....	9000-AM60
435 .....	Federal Acquisition Regulation: Allowability of Legal Costs for Whistleblower Proceedings (FAR Case 2013-017).	9000-AM64

**DOD/GSA/NASA (FAR)—COMPLETED ACTIONS**

Sequence No.	Title	Regulation Identifier No.
436 .....	Federal Acquisition Regulation (FAR); FAR Case 2011-029; Contractors Performing Private Security Functions Outside the United States.	9000-AM20
437 .....	Federal Acquisition Regulation (FAR); FAR Case 2013-003; Definition of Contingency Operation .....	9000-AM48

**DEPARTMENT OF DEFENSE/  
GENERAL SERVICES  
ADMINISTRATION/NATIONAL  
AERONAUTICS AND SPACE  
ADMINISTRATION (FAR)**

*Proposed Rule Stage*

**420. Federal Acquisition Regulation (FAR); FAR Case 2012-028; Contractor Comment Period—Past Performance Evaluations**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

*Abstract:* DoD, GSA, and NASA are proposing to revise the Federal Acquisition Regulation (FAR) to implement section 853 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2013 (Pub. L. 112-239, enacted January 2, 2013) and section 806 of the NDAA for FY 2012 (Pub. L. 112-81, enacted December 31, 2011, 10 U.S.C. 2302 Note). Section 853, entitled “Inclusion of Data on Contractor Performance in Past Performance Databases for Executive Agency Source Selection Decisions,” and section 806, entitled “Inclusion of Data on Contractor Performance in Past Performance Databases for Source Selection Decisions,” require revisions to the acquisition regulations on past performance evaluations so that contractors are provided “up to 14 calendar days . . . from the date of delivery” of past performance evaluations “to submit comments, rebuttals, or additional information pertaining to past performance” for inclusion in the database. In addition, paragraph (c) of both sections 853 and 806 requires that agency evaluations of contractor performance, including any information submitted by contractors, be “included in the relevant past performance database not later than the date that is 14 days after the date of delivery of the information” (section 853(c)) to the contractor. The Governmentwide application of the statute will ensure that the Government has current performance information about contractors to help source selection officials make better award decisions. This case is included in the FAR retrospective review of existing regulations under Executive Order 13563. Additional information is located in the FAR final plan (2013), available at: <https://www.acquisition.gov/>.

*Timetable:*

Action	Date	FR Cite
NPRM .....	08/07/13	78 FR 48123
NPRM Comment Period End.	10/07/13	

Action	Date	FR Cite
Final Rule .....	02/00/14	

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Curtis Glover, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501-1448, *Email:* [curtis.glover@gsa.gov](mailto:curtis.glover@gsa.gov).  
*RIN:* 9000-AM40

**421. Federal Acquisition Regulation (FAR); FAR Case 2012-001; Performance of Inherently Governmental Functions and Critical Functions**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

*Abstract:* DoD, GSA, and NASA are proposing to revise the Federal Acquisition Regulation to implement acquisition-related requirements of the Office of Federal Procurement Policy (OFPP) Policy Letter 11-01, entitled “Performance of Inherently Governmental and Critical Functions,” published September 12, 2011 (65 FR 56227), with a correction published February 13, 2012 (77 FR 7609). OFPP Policy Letter 11-01 was issued in response to (1) the Presidential Memorandum on Government Contracting, signed March 4, 2009, and published March 6, 2009 (74 FR 9755), and (2) section 321 of the Duncan Hunter National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2009 (Pub. L. 110-417).

*Timetable:*

Action	Date	FR Cite
NPRM .....	03/00/14	

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Patricia Corrigan, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 208-1963, *Email:* [patricia.corrigan@gsa.gov](mailto:patricia.corrigan@gsa.gov).  
*RIN:* 9000-AM41

**422. Federal Acquisition Regulation (FAR); FAR Case 2012-029; Contractor Access to Protected Information**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

*Abstract:* DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation (FAR) to address contractor access to protected information. On April 26, 2011, DoD, GSA, and NASA proposed amending the Federal Acquisition Regulation (FAR) to provide additional coverage regarding contractor access to nonpublic information (76 FR 23236), with an

extension for public comment published June 29, 2011 (76 FR 38089). The first proposed rule was combined with proposed revised regulatory coverage on organizational conflicts of interest (FAR Case 2011-001). DoD, GSA, and NASA are proposing substantial changes to the proposed coverage based on the public comments received. Therefore, DoD, GSA, and NASA decided to separate this coverage from the organizational conflicts of interest rule in order to publish for additional public comments.

The coverage provided in this proposed rule differs from the coverage provided in the first proposed rule in a number of important respects. This case is included in the FAR retrospective review of existing regulations under Executive Order 13563. Additional information is located in the FAR final plan (2012), available at: [https://www.acquisition.gov](https://www.acquisition.gov/).

*Timetable:*

Action	Date	FR Cite
NPRM .....	02/00/14	

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Marissa Petrussek, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501-0136, *Email:* [marissa.petrusek@gsa.gov](mailto:marissa.petrusek@gsa.gov).  
*RIN:* 9000-AM42

**DEPARTMENT OF DEFENSE/  
GENERAL SERVICES  
ADMINISTRATION/NATIONAL  
AERONAUTICS AND SPACE  
ADMINISTRATION (FAR)**

*Final Rule Stage*

**423. Federal Acquisition Regulation (FAR); FAR Case 2011-001; Organizational Conflicts of Interest**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

*Abstract:* DoD, GSA, and NASA issued a proposed rule to amend the Federal Acquisition Regulation (FAR) to provide revised regulatory coverage on organizational conflicts of interest (OCIs), and add related provisions and clauses. Coverage on contractor access to protected information has been moved to a new proposed rule, FAR Case 2012-029.

Section 841 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417) required a review of the FAR coverage on OCIs. This proposed rule was developed as a result of a review conducted in accordance with section

841 by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council and the Office of Federal Procurement Policy, in consultation with the Office of Government Ethics. This proposed rule was preceded by an Advance Notice of Proposed Rulemaking, under FAR Case 2007–018 (73 FR 15962), to gather comments from the public with regard to whether and how to improve the FAR coverage on OCIs. This case is included in the FAR retrospective review of existing regulations under Executive Order 13563. Additional information is located in the FAR final plan (2013), available at: <https://www.acquisition.gov/>.

*Timetable:*

Action	Date	FR Cite
NPRM .....	04/26/11	76 FR 23236
NPRM Comment Period End.	06/27/11	
NPRM Comment Period Extended.	06/29/11	76 FR 38089
Comment Period End.	07/27/11	
Final Rule .....	04/00/14	

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Deborah Erwin, Attorney-Advisor in the Office of Governmentwide Policy, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501–2164, *Email:* [deborah.erwin@gsa.gov](mailto:deborah.erwin@gsa.gov).  
*RIN:* 9000–AL82

**424. Federal Acquisition Regulation (FAR); FAR Case 2010–013, Privacy Training**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

*Abstract:* DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation (FAR) to ensure that all contractors are required to complete training in the protection of privacy and the handling and safeguarding of Personally Identifiable Information (PII). The proposed FAR language provides flexibility for agencies to conduct the privacy training or require the contractor to conduct the privacy training.

*Timetable:*

Action	Date	FR Cite
NPRM .....	10/14/11	76 FR 63896
NPRM Comment Period End.	12/13/11	
Final Rule .....	03/00/14	

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Karlos Morgan, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501–2364, *Email:* [karlos.morgan@gsa.gov](mailto:karlos.morgan@gsa.gov).  
*RIN:* 9000–AM02

**425. Federal Acquisition Regulation (FAR); FAR Case 2010–010; Service Contracts Reporting Requirements**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

*Abstract:* DoD, GSA, and NASA are issuing a final rule amending the Federal Acquisition Regulation (FAR) to implement a section of the Consolidated Appropriations Act, 2010. This final rule amends the FAR to require service contractors for executive agencies, except where DoD has fully funded the contract or order, to submit information annually in support of agency-level inventories for service contracts.

*Timetable:*

Action	Date	FR Cite
Proposed Rule ....	04/20/11	76 FR 22070
NPRM Comment Period End.	06/20/11	
Correction .....	05/02/11	76 FR 24443
Final Rule .....	12/00/13	

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Edward Loeb, Program Manager, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501–0650, *Email:* [edward.loeb@gsa.gov](mailto:edward.loeb@gsa.gov).  
*RIN:* 9000–AM06

**426. Federal Acquisition Regulation (FAR); FAR Case 2011–024, Set-Asides for Small Business**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

*Abstract:* DoD, GSA, and NASA issued an interim rule amending the Federal Acquisition Regulation to implement section 1331 of the Small Business Jobs Act of 2010 (Jobs Act). Section 1331 addresses set-asides of task and delivery orders under multiple-award contracts, partial set-asides under multiple-award contracts, and the reserving of one or more multiple-award contracts that are awarded using full and open competition. Within this same context, section 1331 also addresses the Federal Supply Schedules Program managed by the General Services Administration. DoD, GSA, and NASA are coordinating with the Small Business Administration (SBA) on the development of an SBA rule that will provide greater detail regarding implementation of section 1331 authorities. This case is included in the FAR retrospective review of existing

regulations under Executive Order 13563. Additional information is located in the FAR final plan (2013), available at: <https://www.acquisition.gov/>.

*Timetable:*

Action	Date	FR Cite
Interim Final Rule	11/02/11	76 FR 68032
Interim Final Rule Comment Period End.	01/03/12	
Interim Final Rule Comment Period Extended.	01/12/12	77 FR 1889
Interim Final Rule Comment Period Extended End.	02/03/12	
Final Rule .....	03/00/14	

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Karlos Morgan, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501–2364, *Email:* [karlos.morgan@gsa.gov](mailto:karlos.morgan@gsa.gov).  
*RIN:* 9000–AM12

**427. Federal Acquisition Regulation (FAR); FAR Case 2011–020; Basic Safeguarding of Contractor Information Systems**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

*Abstract:* DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation to add a new subpart and contract clause for the safeguarding of contractor information systems that contain information provided by the Government (other than public information) or generated for the Government that will be resident on or transiting through contractor information systems.

*Timetable:*

Action	Date	FR Cite
NPRM .....	07/26/12	77 FR 51496
NPRM Comment Period End.	10/23/12	
Final Rule .....	02/00/14	

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Patricia Corrigan, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 208–1963, *Email:* [patricia.corrigan@gsa.gov](mailto:patricia.corrigan@gsa.gov).  
*RIN:* 9000–AM19

**428. Federal Acquisition Regulation (FAR); FAR Case 2012–031; Accelerated Payments to Small Business Subcontractors**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

*Abstract:* DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation (FAR) to implement the temporary policy provided by Office of Management and Budget (OMB) Policy Memorandum M–12–16, dated July 11, 2012, by adding a new clause to provide for the accelerated payments to small business subcontractors. This temporary policy was extended another year by OMB Policy Memorandum M–13–15, dated July 11, 2013. This case is included in the FAR retrospective review of existing regulations under Executive Order 13563. Additional information is located in the FAR final plan (2013), available at: <https://www.acquisition.gov/>.  
*Timetable:*

Action	Date	FR Cite
NPRM .....	12/19/12	77 FR 75089
NPRM Comment Period End.	02/19/13	
Final Rule .....	12/00/13	

*Regulatory Flexibility Analysis Required:* Yes.  
*Agency Contact:* Edward Chambers, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501–3221, *Email:* [edward.chambers@gsa.gov](mailto:edward.chambers@gsa.gov).  
*RIN:* 9000–AM37

**429. Federal Acquisition Regulation (FAR); FAR Case 2013–005, Terms of Service and Open-Ended Indemnification, and Unenforceability of Unauthorized Obligations**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113  
*Abstract:* DoD, GSA, and NASA issued an interim rule amending the Federal Acquisition Regulation to address concerns raised in an opinion from the U.S. Department of Justice Office of Legal Counsel involving the use of unrestricted, open-ended indemnification clauses in acquisitions for social media applications. See March 27, 2012, Memorandum for Barbara S. Fredericks, Assistant General Counsel for Administration, United States Department of Commerce, available at <http://www.justice.gov/olc/2012/aag-ada-impls-of-consent-by-govt-empls.pdf>.  
*Timetable:*

Action	Date	FR Cite
Interim Final Rule	06/21/13	78 FR 37686
Interim Final Rule Comment Period End.	08/20/13	
Final Rule .....	02/00/14	

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Marissa Petrusek, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501–0136, *Email:* [marissa.petrusek@gsa.gov](mailto:marissa.petrusek@gsa.gov).  
*RIN:* 9000–AM45

**430. Federal Acquisition Regulation (FAR); FAR Case 2012–014; Small Business Protests and Appeals**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113  
*Abstract:* DoD, GSA, and NASA issued a proposed rule to amend the Federal Acquisition Regulation (FAR) to implement the Small Business Administration’s revision of the small business size and small business status protest and appeal procedures.  
*Timetable:*

Action	Date	FR Cite
NPRM .....	03/07/13	78 FR 14746
NPRM Comment Period End.	05/06/13	
Final Rule .....	02/00/14	

*Regulatory Flexibility Analysis Required:* Yes.  
*Agency Contact:* Karlos Morgan, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501–2364, *Email:* [karlos.morgan@gsa.gov](mailto:karlos.morgan@gsa.gov).  
*RIN:* 9000–AM46

**431. Federal Acquisition Regulation (FAR); FAR Case 2012–024; Commercial and Government Entity Code**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113  
*Abstract:* DoD, GSA, and NASA issued a proposed rule to amend the Federal Acquisition Regulation (FAR) to require the use of Commercial and Government Entity (CAGE) codes, including North Atlantic Treaty Organization (NATO) CAGE (NCAGE) codes for foreign entities, for awards valued at greater than the micro-purchase threshold. The CAGE code is a five-character identification number used extensively within the Federal Government. The proposed rule will also require offerors, if owned or controlled by another business entity, to identify that entity during System For Award Management registration.  
*Timetable:*

Action	Date	FR Cite
NPRM .....	04/18/13	78 FR 23194
NPRM Comment Period End.	06/17/13	
Final Rule .....	02/00/14	

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Edward Loeb, Program Manager, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501–0650, *Email:* [edward.loeb@gsa.gov](mailto:edward.loeb@gsa.gov).  
*RIN:* 9000–AM49

**432. Federal Acquisition Regulation (FAR); FAR Case 2012–016; Defense Base Act**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113  
*Abstract:* DoD, GSA, and NASA issued a proposed rule to amend the Federal Acquisition Regulation to clarify contractor and subcontractor responsibilities to obtain workers’ compensation insurance or to qualify as a self-insurer, and other requirements, under the terms of the Longshore and Harbor Workers’ Compensation Act as extended by the Defense Base Act.  
*Timetable:*

Action	Date	FR Cite
NPRM .....	03/20/13	78 FR 17176
NPRM Comment Period End.	05/20/13	
Final Rule .....	12/00/13	

*Regulatory Flexibility Analysis Required:* Yes.  
*Agency Contact:* Edward Chambers, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501–3221, *Email:* [edward.chambers@gsa.gov](mailto:edward.chambers@gsa.gov).  
*RIN:* 9000–AM50

**433. Federal Acquisition Regulation (FAR); FAR Case 2011–023, Irrevocable Letters of Credit**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113  
*Abstract:* DoD, GSA, and NASA issued a proposed rule to amend the Federal Acquisition Regulation to remove all references to Office of Federal Procurement Policy Pamphlet No. 7, Use of Irrevocable Letters of Credit, and also provide updated sources of data required to verify the credit worthiness of a financial entity issuing or confirming an irrevocable letter of credit.  
*Timetable:*

Action	Date	FR Cite
NPRM .....	05/07/13	78 FR 26573
NPRM Comment Period End.	07/08/13	
Final Action .....	01/00/14	

*Regulatory Flexibility Analysis Required:* Yes.  
*Agency Contact:* Cecelia Davis, Program Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington,

DC 20405, *Phone:* 202 219-0202, *Email:* [cecelia.davis@gsa.gov](mailto:cecelia.davis@gsa.gov).  
*RIN:* 9000-AM53

**434. Federal Acquisition Regulation; FAR Case 2012-023, Uniform Procurement Identification**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113  
*Abstract:* DoD, GSA, and NASA issued a proposed rule to amend the Federal Acquisition Regulation (FAR) to implement a uniform Procurement Instrument Identification numbering system, which will require the use of Activity Address Codes as the unique identifier for contracting offices and other offices, in order to standardize procurement transactions across the Federal Government. This proposed rule continues and strengthens efforts at standardization accomplished under a previous FAR case.

*Timetable:*

Action	Date	FR Cite
NPRM .....	06/06/13	78 FR 34020
NPRM Comment Period End.	08/05/13	
Final Rule .....	03/00/14	

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Edward Loeb, Program Manager, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501-0650, *Email:* [edward.loeb@gsa.gov](mailto:edward.loeb@gsa.gov).  
*RIN:* 9000-AM60

**435. • Federal Acquisition Regulation: Allowability of Legal Costs for Whistleblower Proceedings (FAR Case 2013-017)**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

*Abstract:* DoD, GSA, and NASA are issuing an interim rule amending the Federal Acquisition Regulation to implement a section of the National Defense Authorization Act for Fiscal Year 2013 that addresses the allowability of legal costs incurred by a contractor or subcontractor related to a

whistleblower proceeding commenced by the submission of a complaint of reprisal by the contractor or subcontractor employee.

*Timetable:*

Action	Date	FR Cite
Interim Final Rule	09/30/13	78 FR 60173
Interim Final Rule Comment Period End.	11/29/13	

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Edward Chambers, Procurement Analyst, DOD/GSA/NASA (FAR), 1800 F Street NW., Washington, DC 20405, *Phone:* 202 501-3221, *Email:* [edward.chambers@gsa.gov](mailto:edward.chambers@gsa.gov).  
*RIN:* 9000-AM64

**DEPARTMENT OF DEFENSE/ GENERAL SERVICES ADMINISTRATION/NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)**

*Completed Actions*

**436. Federal Acquisition Regulation (FAR); FAR Case 2011-029; Contractors Performing Private Security Functions Outside the United States**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20113

*Abstract:* DoD, GSA, and NASA issued a final rule amending the Federal Acquisition Regulation to implement Governmentwide requirements in National Defense Authorization Acts that establish minimum processes and requirements for the selection, accountability, training, equipping, and conduct of personnel performing private security functions outside the United States.

*Timetable:*

Reason	Date	FR Cite
Final Rule .....	06/21/13	78 FR 37670
Final Rule Effective.	07/22/13	

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Michael O Jackson, *Phone:* 202 208-4949, *Email:* [michaelo.jackson@gsa.gov](mailto:michaelo.jackson@gsa.gov).

*RIN:* 9000-AM20

**437. Federal Acquisition Regulation (FAR); Far Case 2013-003; Definition of Contingency Operation**

*Legal Authority:* 40 U.S.C. 121(c); 10 U.S.C. ch 137; 51 U.S.C. 20115

*Abstract:* DoD, GSA, and NASA issued a final rule amending the Federal Acquisition Regulation (FAR) to revise the definition of “contingency operation” to address the statutory change to the definition made by the National Defense Authorization Act for Fiscal Year 2012.

*Completed:*

Reason	Date	FR Cite
Interim Final Rule Comment Period End.	04/29/13	78 FR 46781
Final Rule .....	08/01/13	
Final Rule Effective.	08/01/13	

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Patricia Corrigan, *Phone:* 202 208-1963, *Email:* [patricia.corrigan@gsa.gov](mailto:patricia.corrigan@gsa.gov).

*RIN:* 9000-AM48

[FR Doc. 2013-29644 Filed 1-6-14; 8:45 am]

**BILLING CODE 6820-EP-P**



# FEDERAL REGISTER

---

Vol. 79

Tuesday,

No. 4

January 7, 2014

---

Part XXI

Bureau of Consumer Financial Protection

---

Semiannual Regulatory Agenda