

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Administration for Children and Families****45 CFR Parts 1304 and 1305**

RIN 0970-AC77

**Head Start Designation Renewal System**

**AGENCY:** Office of Head Start (OHS), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** This document delays the effective date of the final rule entitled “Head Start Designation Renewal System,” published in the **Federal Register** on August 28, 2020. As published, the rule was to be effective October 27, 2020. ACF is postponing the effective date of the rule to November 9, 2020.

**DATES:** The effective date for the rule amending 45 CFR parts 1304 and 1305, published at 85 FR 53189 on August 28, 2020, is delayed until November 9, 2020.

**FOR FURTHER INFORMATION CONTACT:** Colleen Rathgeb, Office of Head Start, at [HeadStart@eclkc.info](mailto:HeadStart@eclkc.info) or 1-866-763-6481. Deaf and hearing impaired individuals may call the Federal Dual Party Relay Service at 1-800-877-8339 between 8:00 a.m. and 7:00 p.m. Eastern Standard Time.

**SUPPLEMENTARY INFORMATION:** On August 28, 2020, ACF published a rule refining how the Office of Head Start uses deficiencies, Classroom Assessment Scoring System: Pre-K (CLASS<sup>®</sup>) scores, and audit findings for designation renewal. The rule also streamlines and updates the regulatory provisions on designation renewal to make them easier to understand. The effective date of the rule has been delayed from October 27, 2020, to November 9, 2020.

Dated: October 7, 2020.

**Lynn A. Johnson,**

*Assistant Secretary for Children and Families.*

Approved: October 8, 2020.

**Alex M. Azar II,**

*Secretary.*

[FR Doc. 2020-22960 Filed 10-15-20; 8:45 am]

**BILLING CODE 4184-01-P**

**DEPARTMENT OF DEFENSE****Defense Acquisition Regulations System****48 CFR Parts 204, 212, 217, and 252**

[Docket DARS-2020-0034]

RIN 0750-AK81

**Defense Federal Acquisition Regulation Supplement: Assessing Contractor Implementation of Cybersecurity Requirements (DFARS Case 2019-D041); Correction**

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

**ACTION:** Interim rule; correction.

**SUMMARY:** DoD is correcting interim regulations that published in the **Federal Register** on September 29, 2020. The document heading carried an incorrect Regulation Identifier Number (RIN). This document reflects the correct RIN.

**DATES:** *Effective date:* The correction is effective October 16, 2020.

*Comment due date:* Comments for the interim rule published September 29, 2020, at 85 FR 61505, continue to be accepted on or before November 30, 2020, to be considered in the formulation of a final rule.

**ADDRESSES:** Submit comments identified by DFARS Case 2019-D041, using any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Search for “DFARS Case 2019-D041”. Select “Comment Now” and follow the instructions provided to submit a comment. Please include “DFARS Case 2019-D041” on any attached documents.

- *Email:* [osd.dfars@mail.mil](mailto:osd.dfars@mail.mil). Include DFARS Case 2019-D041 in the subject line of the message.

Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided. To confirm receipt of your comment(s), please check [www.regulations.gov](http://www.regulations.gov), approximately two to three days after submission to verify posting.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jennifer D. Johnson, Defense Acquisition Regulations System, OUSD(A&S)DPC(DARS), Room 3B938, 3060 Defense Pentagon, Washington, DC 20301-3060. Telephone 571-372-6100.

**SUPPLEMENTARY INFORMATION:** On September 29, 2020, DoD published an interim rule in the **Federal Register** at 85 FR 61505 titled “Assessing

Contractor Implementation of Cybersecurity Requirements”. The document’s heading, on page 61505, in the first column, contained the incorrect RIN 0750-AJ81. The correct RIN is “RIN 0750-AK81” and is in the heading of this correction.

**Jennifer D. Johnson,**

*Regulatory Control Officer, Defense Acquisition Regulations System.*

[FR Doc. 2020-22753 Filed 10-15-20; 8:45 am]

**BILLING CODE 5001-06-P**

**DEPARTMENT OF DEFENSE****Defense Acquisition Regulations System****48 CFR Part 252**

[Docket DARS-2019-0052]

RIN 0750-AK66

**Defense Federal Acquisition Regulation Supplement: Treatment of Certain Items as Commercial Items (DFARS Case 2019-D029); Correction**

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

**ACTION:** Correcting amendment.

**SUMMARY:** DoD is correcting final regulations that published in the **Federal Register** on September 29, 2020, to reflect that the clause date for the DFARS section on subcontracts for commercial items should be “(OCT 2020)”.

**DATES:** Effective October 16, 2020.

**FOR FURTHER INFORMATION CONTACT:** Ms. Jennifer D. Johnson, Defense Acquisition Regulations System, OUSD(A&S)DPC(DARS), Room 3B938, 3060 Defense Pentagon, Washington, DC 20301-3060. Telephone 571-372-6100.

**SUPPLEMENTARY INFORMATION:** On September 29, 2020, DoD published in the **Federal Register** at 85 FR 60918 a final rule titled “Treatment of Certain Items as Commercial Items”. The purpose of this correction is to reflect that the clause date for DFARS 252.244-7000, Subcontracts for Commercial Items, should be “(OCT 2020)” and not “(SEP 2020)” as published in the final rule.

**List of Subjects in 48 CFR Part 252**

Government procurement.

**Jennifer D. Johnson,**

*Regulatory Control Officer, Defense Acquisition Regulations System.*

Therefore, 48 CFR part 252 is amended as follows:

## PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 1. The authority citation for 48 CFR part 252 continues to read as follows:

**Authority:** 41 U.S.C. 1303 and 48 CFR chapter 1.

### 252.244–7000 [Amended]

■ 2. Amend section 252.244–7000 by removing the clause date of “(SEP 2020)” and adding “(OCT 2020)” in its place.

[FR Doc. 2020–22752 Filed 10–15–20; 8:45 am]

**BILLING CODE 5001–01–P**

## AGENCY FOR INTERNATIONAL DEVELOPMENT

### 48 CFR Chapter 7

RIN 0412–AA86

### Leave and Holidays for U.S. Personal Services Contractors, Including Family and Medical Leave

**AGENCY:** U.S. Agency for International Development.

**ACTION:** Final rule.

**SUMMARY:** The rule amends the AIDAR’s provisions that pertain to the General Provision contract clause 5 (hereafter “clause”), entitled “Leave and Holidays (APR 1997).”

**DATES:** *Effective Date:* November 16, 2020.

**FOR FURTHER INFORMATION CONTACT:** Richard E. Spencer, Procurement Analyst, by phone at 202–916–2629, or email at [rspencer@usaid.gov](mailto:rspencer@usaid.gov), for clarification of content or information pertaining to status or publication schedules. All communications regarding this rule must cite AIDAR RIN No. 0412–AA86.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

The U.S. Agency for International Development (USAID) published a proposed rule on June 21, 2019 (84 FR 29140), with a supplemental notice on August 16, 2019 (84 FR 41954), to amend Section 12 of Appendix D of the AIDAR by revising General Provision contract clause 5 and its related provisions. The public comment period closed on August 20, 2019, and USAID received 142 comments. The revisions to Appendix D of the AIDAR made by this final rule are as follows.

USAID is revising Section 4 of Appendix D of the AIDAR to make the prescription for Annual and Sick Leave in Paragraph (c)(2)(ix) consistent with

the General Provision contract clause 5 in Section 12 of Appendix D, entitled “Leave and Holidays.” The revisions to General Provision contract clause 5 in Section 12 are as follows:

##### (1) Annual Leave.

- The title of the clause changes from “Vacation Leave” to “Annual Leave,” to be consistent with Paragraph (c)(2)(ix) of Section 4 of this Appendix, as well as USAID’s time-keeping system, and the Family and Medical Leave Act of 1993, as amended (FMLA), which allows for the use of “Annual” leave.

- The rule clarifies the provision regarding the minimum 90-day period of continuous performance required for a USAID U.S. Personal Services Contractor (USPSC) to accrue Annual Leave.

- The terms “tour,” “tour of duty,” and “employee” change to “period of performance” and “contractor,” to be consistent with USAID’s current contractual terminology.

- The rule clarifies the accrual of Annual Leave to indicate USAID will prorate it for less-than-full-time work.

- Annual-leave accrual rates broaden to include former service as a USAID USPSC under any statutory authority, and former service as a U.S. Government civilian and/or honorable service as an active-duty member of the U.S. Uniformed Services, by using the definition from Section 2101 of Title 5 of the U.S. Code (U.S.C.). The clause also specifies the documents a USAID Contracting Officer (CO) may review as evidence of a USPSC’s prior service. This change is intended to expand the Agency’s market base for USPSCs and attract former U.S. Government employees with relevant skills to participate in the competitive process for hiring them.

- USAID caps the maximum amount of annual leave a USPSC may carry over from one calendar year to the next during the period of a contract at 240 hours, consistent with the same restriction the Agency imposes on its U.S. direct-hire (USDH) employees. This change will also eliminate the need for making manual entries in the Agency’s time-keeping system to reinstate forfeited leave automatically cancelled in the time-keeping system at the end of each calendar year.

- The rule clarifies the conditions that allow a USPSC to avoid forfeiting Annual Leave; endorsement by a Mission Director is no longer required for a CO to approve these conditions, and a Determinations and Findings (D&F) is now required before the authorization of a lump-sum payment.

- USPSCs who are performing at USAID’s headquarters in Washington, DC, require approval by the cognizant Assistant Administrator (AA) for advanced Annual Leave. Also, the maximum amount of advanced leave an AA may approve is limited to what a USPSC could earn in a 12-month period, or over the life of his or her contract, whichever is less.

##### (2) Sick Leave.

- The rule amends the paragraph to clarify that the USPSC may take Sick Leave based on the same standards that apply to USAID’s USDH employees.

- The rule clarifies the paragraph to indicate that USAID will prorate the accrual of Sick Leave for less-than-full-time work.

- The rule clarifies the paragraph regarding the carryover of Sick Leave to specify that it only applies to a subsequent “follow-on” contract for the same services.

##### (3) Home Leave.

Home leave is a benefit a USPSC can earn after performing services for USAID abroad, usually after two years. It provides time off that the USPSC must use in the U.S., subject to his or her commitment to continued service. Home leave is meant to ensure that persons who are living and working abroad undergo reorientation and re-exposure in the U.S., and USAID provides it to USPSCs as a benefit comparable to that the Agency offers to its USDH employees. Detailed changes to the text regarding home leave are as follows:

- USAID only provides Home Leave currently to USPSCs who agree to return to the same Mission abroad after completing the Home Leave. In July 1998, USAID issued a policy deviation from Appendix D of the AIDAR to authorize a maximum of 20 workdays of Home Leave based on a USPSC’s commitment to relocate to a different USAID Mission as a USPSC immediately following the Home Leave for a specific period of time, subject to prior approval by the Mission Director (*i.e.*, the Mission from which the USPSC is departing.)

- The revised clause includes the required verification documents a USPSC must provide to support Home Leave based on a commitment to continue work under a new contract with a different USAID Mission.

- The rule makes a clarification to the travel requirements to specify that the days counted toward Home Leave do not include the travel time for Home Leave, with a cross-reference to the related contract clause titled, “Travel and Transportation Expenses.”