



# Federal Register

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**Monday,  
December 20, 2010**

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**Part XVIII**

**Department of  
Defense  
General Services  
Administration  
National Aeronautics  
and Space  
Administration**

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**Federal Acquisition Regulation;  
Semiannual Regulatory Agenda**

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

**DEPARTMENT OF DEFENSE**

**GENERAL SERVICES  
ADMINISTRATION**

**NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION**

**48 CFR Ch. 1**

**Semiannual Regulatory Agenda**

**AGENCIES:** 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 Branch 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. Also, the dates shown for the steps of each action are estimated and are not commitments to act on or by the dates shown.

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

**FOR FURTHER INFORMATION CONTACT:** Hada Flowers, Supervisor, Regulatory Secretariat Branch, Room 4041, 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 website at <http://www.acquisition.gov/far>.

**Dated:** September 10, 2010.  
**Joseph A. Neurauter,**  
*Senior Procurement Executive, Office of Acquisition Policy.*

**DOD/GSA/NASA (FAR)—Final Rule Stage**

Sequence Number	Title	Regulation Identifier Number
492	FAR Case 2006-005, HUBZone Program Revisions .....	9000-AL18
493	FAR Case 2010-008, Recovery Act Subcontract Reporting Procedures .....	9000-AL63
494	FAR Case 2008-039, Reporting Executive Compensation and First-Tier Subcontract Awards .....	9000-AL66

**DOD/GSA/NASA (FAR)—Long-Term Actions**

Sequence Number	Title	Regulation Identifier Number
495	FAR Case 2009-009, American Recovery and Reinvestment Act of 2009 (the Recovery Act)—Reporting Requirements .....	9000-AL21

**DOD/GSA/NASA (FAR)—Completed Actions**

Sequence Number	Title	Regulation Identifier Number
496	FAR Case 2006-034, Socioeconomic Program Parity .....	9000-AK92

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

**Final Rule Stage**

**492. FAR CASE 2006-005, HUBZONE PROGRAM REVISIONS**

**Legal Authority:** 40 USC 121(c); 10 USC ch 137; 42 USC 2473(c)

**Abstract:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) are amending the Federal Acquisition Regulation (FAR) to implement revisions to the Small Business Administration's HUBZone Program as a result of revisions to the Small Business Administration's regulations. This was not a significant regulatory action and, therefore, was not subject to review under section 6 of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

**Timetable:**

Action	Date	FR Cite
NPRM	04/13/09	74 FR 16823
NPRM Comment Period End	06/12/09	
Final Rule	02/00/11	

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 9000-AL18

**493. • FAR CASE 2010-008, RECOVERY ACT SUBCONTRACT REPORTING PROCEDURES**

**Legal Authority:** 40 USC 121(c); 10 USC ch 137; 42 USC 2473(c)

**Abstract:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) are issuing an interim rule amending the FAR to revise three subparagraphs and add one

subparagraph to the clause at FAR 52.204-11. This interim rule does not require renegotiation of existing Recovery Act contracts that include the clause dated March 2009 (published at 74 FR 14639). This change will require first-tier subcontractors with Recovery Act funded awards of \$25,000 or more, to report jobs information to the prime contractor for reporting into FederalReporting.gov. It also will require the prime contractor to submit its first report on or before the 10th day after the end of the calendar quarter in which the prime contractor received the award, and quarterly thereafter.

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

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/02/10	75 FR 38684
Interim Final Rule Comment Period End	08/31/10	
Final Rule	06/00/11	

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 9000-AL63

**494. • FAR CASE 2008-039, REPORTING EXECUTIVE COMPENSATION AND FIRST-TIER SUBCONTRACT AWARDS**

**Legal Authority:** 40 USC 121(c); 10 USC ch 137; 42 USC 2473(c)

**Abstract:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (the Councils) have agreed to issue an interim rule to amend the Federal Acquisition Regulation (FAR) to implement section 2 of the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. No. 109-282), as amended by section 6202 of Public Law 110-252, which requires the Office of Management and Budget (OMB) to establish a free, public, website containing full disclosure of all Federal contract award information. This rule will require contractors to report executive compensation and first-tier subcontractor awards on contracts expected to be \$25,000 or more, except classified contracts, and contracts with individuals. This is a significant regulatory action and, therefore, was subject to review under section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/08/10	75 FR 39414
Interim Final Rule Comment Period End	09/07/10	
Final Rule	06/00/11	

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 9000-AL66

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

**Long-Term Actions**

**495. FAR CASE 2009–009, AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (THE RECOVERY ACT)—REPORTING REQUIREMENTS**

**Legal Authority:** 40 USC 121(c); 10 USC ch 137; 42 USC 2473(c)

**Abstract:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (the Councils) are amending the Federal Acquisition Regulation (FAR) to implement section 1512 of Division A of the American Recovery and Reinvestment Act of 2009, which requires contractors to report on their use of Recovery Act funds.

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

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/31/09	74 FR 14639
Interim Final Rule	06/01/09	
Comment Period		
End		
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 9000–AL21

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

**Completed Actions**

**496. FAR CASE 2006–034, SOCIOECONOMIC PROGRAM PARITY**

**Legal Authority:** 40 USC 121(c); 10 USC ch 137; 42 USC 2473(c)

**Abstract:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) are amending the Federal Acquisition Regulation (FAR) to ensure that the FAR reflects the Small Business Administration’s (SBA) interpretation of the Small Business Act and SBA regulations with regard to the

relationship among various small business programs.

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

**Completed:**

Reason	Date	FR Cite
Withdrawn	09/03/10	

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 9000–AK92

[FR Doc. 2010–30472 Filed 12–17–10; 8:45 am]

**BILLING CODE 6820–EP–S**