Monday,
December 20, 2010

Part XVIII

Department of Defense
General Services Administration
National Aeronautics and Space Administration

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.

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

DOD/GSA/NASA (FAR)—Final Rule Stage

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<th>Sequence Number</th>
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<td>FAR Case 2010-008, Recovery Act Subcontract Reporting Procedures</td>
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<td>FAR Case 2008-039, Reporting Executive Compensation and First-Tier Subcontract Awards</td>
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DOD/GSA/NASA (FAR)—Long-Term Actions

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DOD/GSA/NASA (FAR)—Completed Actions

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<td>496</td>
<td>FAR Case 2006-034, Socioeconomic Program Parity</td>
<td>9000–AK92</td>
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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:

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<tr>
<th>Action</th>
<th>Date</th>
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<td>NPRM</td>
<td>04/13/09</td>
<td>74 FR 16823</td>
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<tr>
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Regulatory Flexibility Analysis Required: Yes

Agency Contact: Karlos Morgan, Procurement Analyst, General Services Administration, 1275 First Street, NE., Washington, DC 20417, Washington, DC 20417

Phone: 202 501–2364

Email: karlos.morgan@gsa.gov

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) 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.

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<tr>
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<td>75 FR 38684</td>
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Regulatory Flexibility Analysis Required: Yes

Agency Contact: Karlos Morgan, Procurement Analyst, General Services Administration, 1275 First Street, NE., Washington, DC 20417, Washington, DC 20417

Phone: 202 501–2364

Email: karlos.morgan@gsa.gov

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.

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Regulatory Flexibility Analysis Required: Yes

Agency Contact: William Clark, Procurement Analyst, DOD/GSA/NASA (FAR), 1275 First Street, NE., Washington, DC 20417, Washington, DC 20405

Phone: 202 219–1813

Email: william.clark@gsa.gov

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

Agency Contact: William Clark, Procurement Analyst, DOD/GSA/NASA (FAR), 1275 First Street, NE., Washington, DC 20417, Washington, DC 20405
Phone: 202 219–1813
Email: william.clark@gsa.gov
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

Agency Contact: Karlos Morgan
Phone: 202 501–2364
Email: karlos.morgan@gsa.gov
RIN: 9000–AK92

[FR Doc. 2010–30472 Filed 12–17–10; 8:45 am]
BILLING CODE 6820–EP–S