

PART 39—ACQUISITION OF INFORMATION TECHNOLOGY

1. The authority citation for 48 CFR part 39 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

2. Amend section 39.101 by designating the existing paragraph as “(b)”, and adding paragraph (a) to read as follows:

39.101 Policy.

(a) Division A, Section 101(h), Title VI, Section 622 of the Omnibus Appropriations and Authorization Act for Fiscal Year 1999 (Pub. L. 105-277) requires that agencies may not use appropriated funds to acquire information technology that does not comply with 39.106, unless the agency's Chief Information Officer determines that noncompliance with 39.106 is necessary to the function and operation of the agency or the acquisition is required by a contract in effect before October 21, 1998. The Chief Information Officer must send to the Office of Management and Budget a copy of all waivers for forwarding to Congress.

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[FR Doc. 99-15151 Filed 6-16-99; 8:45 am]

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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1, 9, 12, 19, 22, 31, 42, 52, and 53

[FAC 97-12; Item VII]

Federal Acquisition Regulation; Technical Amendments

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

ACTION: Technical amendments.

SUMMARY: This document makes amendments to the Federal Acquisition Regulation in order to update references and make editorial changes.

EFFECTIVE DATE: June 17, 1999.

FOR FURTHER INFORMATION CONTACT: The FAR Secretariat, Room 4035, GS Building, Washington, DC 20405, (202) 501-4755.

List of Subjects in 48 CFR Parts 1, 9, 12, 19, 22, 31, 42, 52, and 53

Government procurement.

Dated: June 9, 1999.

Edward C. Loeb,

Director, Federal Acquisition Policy Division.

Therefore, DoD, GSA, and NASA amend 48 CFR parts 1, 9, 12, 19, 22, 31, 42, 52, and 53 as set forth below:

1. The authority citation for 48 CFR parts 1, 9, 12, 19, 22, 31, 42, 52, and 53 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

PART 1—FEDERAL ACQUISITION REGULATIONS SYSTEM

2. Amend section 1.106 in the table following the introductory paragraph by—

a. Removing the FAR segment entries at 28.106-1(e) and 28.106-1(n) and their corresponding OMB Control Numbers;

b. Revising the FAR segment entry “52.223-8” to read “52.223-9”;

c. At entry 52.228-2 by removing “and 9000-0119”;

e. At entry 52.228-16 by removing “and 9000-0119”; and

f. Adding entry 52.228-12 to read as follows:

1.106 OMB approval under the Paperwork Reduction Act.

FAR segment	OMB Control No.
* * * * *	
52.228-12	9000-0135
* * * * *	

PART 9—CONTRACTOR QUALIFICATIONS

9.505 [Amended]

3. Amend section 9.505 in paragraph (b)(1) by removing “(as defined in 3.104-3)”.

PART 12—ACQUISITION OF COMMERCIAL ITEMS 12.301 [Amended]

4. Amend section 12.301 in the first sentence of paragraph (b)(3) by revising the parenthetical to read “(see Block 27, SF 1449)”.

PART 19—SMALL BUSINESS PROGRAMS

19.803 [Amended]

5. Amend section 19.803 by revising the parenthetical at the end of paragraph (c) to read “(but see 19.800(e)).”

19.806 [Amended]

6. Amend section 19.806 in the second sentence of paragraph (a) by removing the word “certified”.

PART 22—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

7. Revise section 22.609 to read as follows:

22.609 Regional jurisdictions of the Department of Labor, Wage and Hour Division.

Geographic jurisdictions of the following regional offices of the DoL, Wage and Hour Division, are shown here, and contracting officers should contact them in all situations required by this subpart, unless otherwise specified:

(a) The Region I and Region II office located in New York, New York, has jurisdiction for Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Puerto Rico, Rhode Island, Vermont, and the Virgin Islands.

(b) The Region III office located in Philadelphia, Pennsylvania, has jurisdiction for Delaware, the District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia.

(c) The Region IV office located in Atlanta, Georgia, has jurisdiction for Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.

(d) The Region V and Region VII office located in Chicago, Illinois, has jurisdiction for Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin.

(e) The Region VI and Region VIII office located in Dallas, Texas, has jurisdiction for Arkansas, Colorado, Louisiana, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming.

(f) The Region IX and Region X office located in San Francisco, California, has jurisdiction for Alaska, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, and Washington.

PART 31—CONTRACT COST PRINCIPLES AND PROCEDURES

31.205-6 [Amended]

8. Amend section 31.205-6 in the second sentence of paragraph (o)(6) by removing the word “certified”.

PART 42—CONTRACT ADMINISTRATION AND AUDIT SERVICES

42.203 [Amended]

9. Amend section 42.203 in the third sentence by removing “DCMC-AQBF” and adding “DCMCC-F”, and revising the ZIP code to read “22060-6221”.

PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

52.204-6 [Amended]

10. Amend section 52.204-6 by revising the provision date to read “(JUNE 1999)”; and by removing from the first sentence of paragraph (c) of the provision “http://www.dnb.com/” and adding “http://www.customerservice@dnb.com” in its place.

52.212-1 [Amended]

11. Amend section 52.212-1 by revising the provision date to read “(JUNE 1999)”; and by removing from the next-to-the-last sentence in paragraph (j) of the provision “http://www.dnb.com/” and adding “http://www.customerservice@dnb.com” in its place.

52.212-3 [Amended]

12. Amend section 52.212-3 by revising the provision date to read “(JUNE 1999)”; and by removing “, □ is not” from paragraph (c)(4) of the provision.

52.213-4 [Amended]

13. Amend section 52.213-4 by—
 a. Revising the clause date to read “(JUNE 1999)”;
 b. In paragraph (a)(2)(vi) of the clause by revising “(OCT 1995)” to read “(DEC 1998)”;
 c. In paragraph (a)(2)(vii) of the clause by revising “(OCT 1995)” to read “(OCT 1998)”;
 d. In paragraph (b)(1)(ii) of the clause by revising “(APR 1984)” to read “(FEB 1999)”; and
 e. In (b)(1)(v) of the clause by revising “(APR 1998)” to read “(JAN 1999)”.

14. Amend section 52.215-2 by revising the date of the clause, to read “(June 1999)”, revising paragraphs (f)(1) and (f)(2) of the clause, and Alternate III to read as follows:

52.215-2 Audit and Records—Negotiation.

* * * * *
 Audit and Records—Negotiation (June 1999)
 * * * * *

(f) * * * * *
 (1) If this contract is completely or partially terminated, the Contractor shall make available the records relating to the work terminated until 3 years after any resulting final termination settlement; and

(2) The Contractor shall make available records relating to appeals under the Disputes clause or to litigation or the settlement of claims arising under or relating to this contract until such appeals, litigation, or claims are finally resolved.

* * * * *
Alternate III (June 1999). As prescribed in 15.209(b)(4), delete paragraph (d) of the basic clause and redesignate the remaining paragraphs accordingly, and substitute the following paragraph (e) for the redesignated paragraph (e) of the basic clause:

(e) *Availability.* The Contractor shall make available at its office at all reasonable times the records, materials, and other evidence described in paragraphs (a), (b), (c), and (d) of this clause, for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in Subpart 4.7, Contractor Records Retention, of the Federal Acquisition Regulation (FAR), or for any longer period required by statute or by other clauses of this contract. In addition—

(1) If this contract is completely or partially terminated, the Contractor shall make available the records relating to the work terminated until 3 years after any resulting final termination settlement; and

(2) The Contractor shall make available records relating to appeals under the Disputes clause or to litigation or the settlement of claims arising under or relating to this contract until such appeals, litigation, or claims are finally resolved.

52.219-1 [Amended]

15. Amend section 52.219-1 in the introductory text of Alternate I by revising “19.307(a)(1)” to read “19.307(a)(2)”.

52.219-8 [Amended]

16. Amend section 52.219-8 by revising the date of the clause to read “(JUNE 1999)”; and by removing from paragraph (c)(4)(ii) of the clause “women; and” and adding “women.” in its place.

17. Amend section 52.219-14 by revising the introductory paragraph to read as follows:

52.219-14 Limitations on Subcontracting.

As prescribed in 19.508(e) or 19.811-3(e), insert the following clause:
 * * * * *

52.219-22 [Amended]

18. Amend section 52.219-22 in the introductory text of Alternate I by revising “19.306(b)” to read “19.307(b)”.

PART 53—FORMS

53.214 [Amended]

19. Amend section 53.214 in paragraph (c) by removing the last sentence.

53.215-1 [Amended]

20. Amend section 53.215-1 in paragraph (c) by removing the last sentence.

[FR Doc. 99-15152 Filed 6-16-99; 8:45 am]
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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Chapter 1

Federal Acquisition Regulation; Small Entity Compliance Guide

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

ACTION: Small Entity Compliance Guide.

SUMMARY: This document is issued under the joint authority of the Secretary of Defense, the Administrator of General Services and the Administrator for the National Aeronautics and Space Administration. This *Small Entity Compliance Guide* has been prepared in accordance with Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121). It consists of a summary of rules appearing in Federal Acquisition Circular (FAC) 97-12 which amend the FAR. The rule marked with an asterisk (*) indicates that a regulatory flexibility analysis has been prepared in accordance with 5 U.S.C. 604. Interested parties may obtain further information regarding these rules by referring to FAC 97-12 which precedes this document. These documents are also available via the Internet at <http://www.arnet.gov/far>.

FOR FURTHER INFORMATION CONTACT: Laurie Duarte, FAR Secretariat, (202) 501-4225.

LIST OF RULES IN FAC 97-12

Item	Subject	FAR case	Analyst
I	Taxpayer Identification Numbers	97-003	Olson.
II	* Use of Brand Name Item Descriptions	96-018	Moss.
III	SBA's 8(a) Business Development Program (Interim)	98-011	Moss.
IV	Competition Under Multiple Award Task and Delivery Order Contracts	98-007	DeStefano.
V	Application of the Brooks Act	98-023	O'Neill