

**DEPARTMENT OF DEFENSE****GENERAL SERVICES  
ADMINISTRATION****NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION**

48 CFR Parts 1, 4, 5, 7, 8, 9, 11, 12, 15, 19, 26, 27, 29, 30, 31, 32, 38, 42, 45, 46, 50, 51, 52, and 53

**Federal Acquisition Regulation;  
Editorial and Technical Changes To  
Conform the CFR to the Looseleaf  
Edition**

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

**ACTION:** Final rule.

**SUMMARY:** Editorial and technical changes are being made to the Federal Acquisition Regulation (FAR) to make it more accurate.

These changes to the Code of Federal Regulations have already been incorporated into the 1997 looseleaf edition of the FAR, which is scheduled for release through the Superintendent of Documents, Government Printing Office, in July.

**EFFECTIVE DATE:** June 30, 1997.

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

**List of Subjects in 48 CFR Parts 1, 4, 5, 7, 8, 9, 11, 12, 15, 19, 26, 27, 29, 30, 31, 32, 38, 42, 45, 46, 50, 51, 52, and 53**

Government Procurement.

**Editorial and Technical Amendments**

For the reason set forth above 48 CFR Parts 1, 4, 5, 7, 8, 9, 11, 12, 15, 19, 26, 27, 29, 30, 31, 32, 38, 42, 45, 46, 50, 51, 52, and 53 are amended as set forth below.

The authority citation for 48 CFR 1, 4, 5, 7, 8, 9, 11, 12, 15, 19, 26, 27, 29, 30, 31, 32, 38, 42, 45, 46, 50, 51, 52, and 53 continues to read as follows:

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

**PART 1—FEDERAL ACQUISITION  
REGULATION SYSTEM**

**1.105-3 [Amended]**

1. At 1.105-3 add "CD-ROM," following "loose-leaf,".

**1.201-2 [Amended]**

2. At 1.201-2 remove paragraph (b)(2) and redesignate paragraphs (b)(3) through (5) as (b)(2) through (4).

**PART 4—ADMINISTRATIVE MATTERS**

**4.602 [Amended]**

3. At 4.602, in paragraph (b), remove the phrase "FTS 441-1529,".

**PART 5—PUBLICIZING CONTRACT  
ACTIONS**

**5.201 [Amended]**

4. 5.201 is amended in paragraph (d) by revising the telephone number at the end of the paragraph to read "Telephone (202) 512-1800."

**5.207 [Amended]**

5. 5.207(a)(2) is amended by revising the address which follows "to:" to read: "Commerce Business Daily, U.S. Government Printing Office, P.O. Box 77880, Washington, DC 20013-8880."

**PART 7—ACQUISITION PLANNING**

**7.103 [Amended]**

6. In 7.103(m) revise the reference to "11.001(b)" to read "11.002(b)".

**7.105 [Amended]**

7. 7.105 is amended at the end of paragraph (b)(13)(ii) by removing "and" at the end of the paragraph; and at the end of paragraph (b)(13)(iii) by removing the period and inserting "; and".

**7.307 [Amended]**

8. At 7.307, amend paragraph (b) by removing "as prescribed in 14.408-8, Protests against award." and inserting "as prescribed in subpart 33.1, Protests."

9. 7.403(b)(2) is revised to read as follows:

**7.403 General Services Administration  
assistance.**

\* \* \* \* \*

(b) \* \* \*

(2) Federal Supply Service, Office of Acquisition (FC), Washington, DC 20406, for information on other types of equipment.

**7.503 [Amended]**

10. In 7.503(d)(11) "Defense Industrial Security Program" is revised to read "National Industrial Security Program".

**PART 8—REQUIRED SOURCES OF  
SUPPLIES AND SERVICES**

**8.501 [Amended]**

11. At 8.501, the definitions "Bureau helium distributor" and "Bureau of Mines" are amended by revising "Bureau of Mines" to read "Bureau of Land Management" (3 times).

**8.502 [Amended]**

12. 8.502 is amended in the introductory text, (b)(1)(i) and (b)(2) by

revising "Bureau of Mines" to read "Bureau of Land Management".

**8.504 [Amended]**

13. 8.504(a) and (b) are amended by revising "Bureau of Mines" to read "Bureau of Land Management" each time it appears.

**8.901 [Amended]**

14. At 8.901 in paragraph (b) "(KRB), FMSS Contracting Officer, 18th and F Streets NW, Washington, DC 20405" is revised to read "(TFB), FMSS Contracting Officer, 5203 Leesburg Pike, Suite 1100, Falls Church, VA 22041."

**PART 9—CONTRACTOR  
QUALIFICATIONS**

**9.404 [Amended]**

15. At 9.404(d)(1)(ii) the telephone number is revised to read "(202) 512-1800".

**PART 11—DESCRIBING AGENCY  
NEEDS**

**11.201 [Amended]**

16. At 11.201(d) remove the word "Bureau" following "Federal Supply Service" and revise the telephone number following "(202)" to read "619-8925".

**11.701 [Amended]**

17. At 11.701(c) introductory text, the reference to "52.212-10" is revised to read "52.211-17".

**PART 12—ACQUISITION OF  
COMMERCIAL ITEMS**

**12.214 [Amended]**

18. At 12.214 revise the reference to "Appendix B" to read "Appendix".

**PART 15—CONTRACTING BY  
NEGOTIATION**

19. At 15.804-6, in Table 15-2, under item 8B, at the entry "Under Column 6" revise the last sentence to read "Column (5) less Column (4) = Column (6)"

**PART 19—SMALL BUSINESS  
PROGRAMS**

**19.702 [Amended]**

20. At 19.702(d), in the second sentence the telephone number is revised to read "(703) 695-1536".

**PART 26—OTHER SOCIOECONOMIC  
PROGRAMS**

**26.103 [Amended]**

21. At 26.103(b), the phrase "MS-334A-SIB, Washington, DC 20245" is revised to read "MS-2626-MIB, Washington, DC 20240-4000".

**PART 27—PATENTS, DATA, AND COPYRIGHTS****27.302 [Amended]**

22. At 27.302, at the beginning of paragraph (a), remove the “(1)” which follows the word “Introduction”.

**PART 29—OTHER SOCIOECONOMIC PROGRAMS****29.304 [Amended]**

23. At 29.304(d)(3), in the last sentence, the address is revised to read: “State of North Carolina, Department of Revenue, P.O. Box 25000, Raleigh NC 27640.”

**PART 30—COST ACCOUNTING STANDARDS ADMINISTRATION**

24. Part 30 is amended by revising the phrase “Appendix B” to read “Appendix” at:

*Section and Paragraph*

30.000 (2 times)  
 30.101(c)  
 30.201 (2 times)  
 30.201-1  
 30.201-2  
 30.201-3 (a) and (b) (2 times)  
 30.201-4 (a)(1) (2 times) and (a)(2),  
 (b)(1) & (2), (c), (e)(1) (3 times) (e)(2)  
 (2 times)  
 30.201-5  
 30.201-6  
 30.201-7  
 30.202-1  
 30.202-2  
 30.202-3  
 30.202-4  
 30.202-5  
 30.202-6(a)  
 30.202-7(a)  
 30.202-8(b)  
 Subpart 30.3 Note  
 Subpart 30.4 Note  
 Subpart 30.5 Note  
 30.602 introductory text

**30.102 [Amended]**

25. 30.102 is amended by revising the telephone number at the end of the section to read “(202) 512-1800”.

**PART 31—CONTRACT COST PRINCIPLES AND PROCEDURES****31.205-46 [Amended]**

26. At 31.205-46(a)(2)(i) the stock number at the end of the paragraph is revised to read “922-002-00000-2”.

**PART 32—CONTRACT FINANCING****32.503-7 [Amended]**

27. 32.503-7 is amended in the introductory text by removing the phrase “Appendix B” and inserting “Appendix”.

28. 32.907-1 is amended by revising paragraph (g)(3)(i) as follows:

**32.907-1 Late invoice payment.**

\* \* \* \* \*

(g) \* \* \*

(3)(i) The additional penalty shall be equal to 100 percent of any original late payment interest penalty, except—

(A) The additional penalty shall not exceed \$5,000;

(B) The additional penalty shall never be less than \$25; and

(C) No additional penalty is owed if the amount of the underlying interest penalty is less than \$1.

\* \* \* \* \*

**PART 38—FEDERAL SUPPLY SCHEDULE CONTRACTING****38.101 [Amended]**

29. 38.101 is amended in the second sentence of paragraph (a) by removing “possible” and inserting “possibly”.

**38.201 [Amended]**

30. 38.201(b) “Office of Commodity Management (FC)” is revised to read “Office of Acquisition (FC)”.

**PART 42—CONTRACT ADMINISTRATION**

31. In 42.102(a) the second and third sentences are revised to read as follows:

**42.102 Procedures.**

(a) \* \* \* Questions regarding contract administration offices may be referred to: HQ Defense Logistics Agency, ATTN: DLA: DASC-WP, 8725 John J Kingman Road, Fort Belvoir, VA 22060. Questions regarding audit offices may be referred to the: Defense Contract Audit Agency, ATTN: CMO Publications Officer, 8725 John J. Kingman Road, Suite 2135, Fort Belvoir, VA 22060-6219. \* \* \*

**42.302 [Amended]**

32. At 42.302(a)(11) introductory text the reference to “Appendix B” is revised to read “Appendix”.

**PART 45—GOVERNMENT PROPERTY****45.607-2 [Amended]**

33. 45.607-2(b), in the last sentence, beginning with “DOD Precious Metals Recovery Program” the address is revised to read: “Defense Logistics Agency, ATTN: DLA: SIP, 8725 John J Kingman Road, Fort Belvoir, VA 22060.”

**45.608-6 [Amended]**

34. At 45.608-6, in paragraph (b), “the Administrator, General Services Administration” is removed and the following address is inserted in its place as follows: “General Services Administration, Office of

Governmentwide Policy, Office of Transportation and Personal Property (MT), 1800 F Street NW., Washington, DC 20405”.

**PART 46—QUALITY ASSURANCE****46.601 General.**

35. Under Subpart 46.6—Material Inspection and Receiving Reports, a section heading is added to the text to read as set forth above.

**PART 50—EXTRAORDINARY CONTRACTUAL ACTIONS****50.104 [Amended]**

36. At 50.104(b), in the first sentence of the introductory text, revise the internal references “(1)” and “(2)” to read “(b)(1)” and “(b)(2)”.

**PART 51—USE OF GOVERNMENT SOURCES BY CONTRACTORS****51.102 [Amended]**

37. At 51.102(c)(1) remove “FSR” and insert “FCSI”; at paragraph (c)(4) the address is revised to read as follows: “Department of the Interior, Bureau of Land Management, Helium Field Operations, 801 S. Fillmore Street, Amarillo, TX 79101-3545 and at (e)(3)(iii) remove “Bureau of Mines” and insert “Bureau of Land Management”.

**52.204-3** [Amended]

44. At 52.204-3 revise the clause date

**52.301 Solicitation provisions and contract clauses (Matrix).**

**Note:** The FAR matrix is not carried in the CFR. It is available in the loose-leaf edition.

**PART 53—FORMS**

**53.103 [Amended]**

63. At 53.103(b) remove the parenthetical at the end of the paragraph.

53.301-25 Performance Bond.

DATE BOND EXECUTED (Must be same or later than date of )



**CORPORATE SURETY(IES) (Continued)**

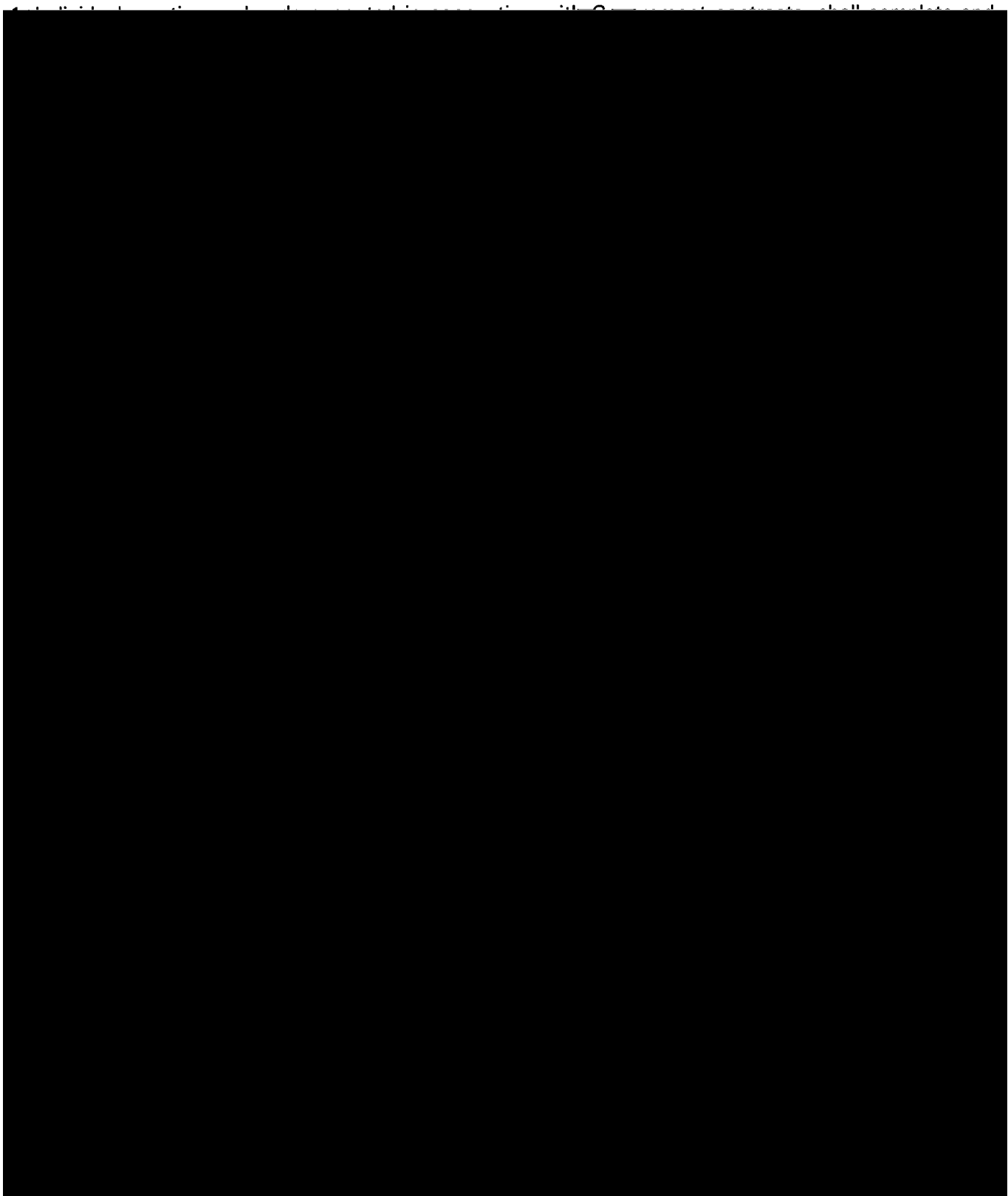
STATE OF INC. LIABILITY LIMIT

53.301–28 Affidavit of Individual Surety.

|   |   |
|---|---|
| <b>AFFIDAVIT OF INDIVIDUAL SURETY</b><br><i>(See instructions on reverse)</i> | OMB No.: 9000-0001<br>Expires: 09/30/98 |
|---|---|

Public reporting burden for this collection of information is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other

INSTRUCTIONS





BILLING CODE 6820-EP-C-A

**53.301-281 Standard Form 281, FPDS—  
Summary Contract Action (\$25,000 or Less).**

65. The heading of section 53.301-281 is revised to read as set forth above.

**53.301-1408 Preaward Survey of  
Prospective Contractor—Accounting  
System.**

66. For 53.301-1408 the heading is revised to read as set forth above.

**53.301-1412 [Removed]**

67. 53.301-1412 is removed.

**53.301-1419 [Removed]**

68. 53.301-1419 is removed.

69. At 53.302-336 remove the text preceding Optional Form 336. The text to be removed reads as follows:

“FAC 84-18 July 30, 1986”

“Part 53—Forms”

“53.302-336”

\* \* \* \* \*

70. 53.302-336 is further amended by removing the citation “53-150.1”, which follows the Optional Form 336.

Signed: June 26, 1997.

**Edward C. Loeb,**

*Director, Federal Acquisition Policy Division.*

[FR Doc. 97-19384 Filed 7-24-97; 8:45 am]

BILLING CODE 6820-EP-P