

List of Subjects in 48 CFR Part 213

Government procurement.

Jennifer D. Johnson,
Editor/Publisher, Defense Acquisition
Regulations System.

Therefore, 48 CFR part 213 is
amended as follows:

PART 213—SIMPLIFIED ACQUISITION
PROCEDURES

■ 1. The authority citation for 48 CFR
part 213 continues to read as follows:

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

■ 2. Amend section 213.301 by adding
paragraph (6) to read as follows:

213.301 Governmentwide commercial
purchase card.

* * * * *

(6) When the Governmentwide
commercial purchase card is used as a
method of payment for contracts or
orders, follow the procedures at
232.7002(a)(5) and PGI
242.302(a)(13)(B)(3).

[FR Doc. 2024-02748 Filed 2-14-24; 8:45 am]

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DEPARTMENT OF DEFENSE

Defense Acquisition Regulations
System

48 CFR Parts 245 and 225

[Docket DARS-2024-0001]

Defense Federal Acquisition
Regulation Supplement; Technical
Amendments

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

ACTION: Final rule; technical
amendment.

SUMMARY: DoD is amending the Defense
Federal Acquisition Regulation
Supplement (DFARS) to make needed
editorial changes.

DATES: Effective February 15, 2024.

FOR FURTHER INFORMATION CONTACT: Ms.
Jennifer D. Johnson, Defense
Acquisition Regulations System,
telephone 703-717-8226.

SUPPLEMENTARY INFORMATION: This final
rule amends the DFARS to make needed
editorial changes to update an outdated
office name and address at DFARS
245.102 and to correct typographical
errors at DFARS 252.223-7009.

List of Subjects in 48 CFR Parts 245 and
252

Government procurement.

Jennifer D. Johnson,
Editor/Publisher, Defense Acquisition
Regulations System.

Therefore, 48 CFR parts 245 and 252
are amended as follows:

■ 1. The authority citation for 48 CFR
parts 245 and 252 continues to read as
follows:

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

PART 245—GOVERNMENT PROPERTY

■ 2. Amend section 245.102 by revising
paragraph (4)(ii)(C)(2) to read as follows:

245.102 Policy.

* * * * *

(4) * * *

(ii) * * *

(C) * * *

(2) A copy of the executed
determination and findings shall be
provided to the Office of the Principal
Director, Defense Pricing and
Contracting (DPC) (Contracting
eBusiness) via email at
osd.pentagon.ousd-a-s.mbx.dpc-cb@
mail.mil.

PART 252—SOLICITATION
PROVISIONS AND CONTRACT
CLAUSES

■ 3. Amend section 252.223-7009 by
revising the clause title and date to read
as follows:

252.223-7009 Prohibition of Procurement
of Fluorinated Aqueous Film-Forming Foam
Fire-Fighting Agent for Use on Military
Installations.

* * * * *

Prohibition of Procurement of
Fluorinated Aqueous Film-Forming
Foam Fire-Fighting Agent for Use on
Military Installations (Feb 2024)

* * * * *

[FR Doc. 2024-01221 Filed 2-14-24; 8:45 am]

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GENERAL SERVICES
ADMINISTRATION

48 CFR Parts 519 and 570

[GSAR Case 2022-G519; Docket No. 2024-
0006; Sequence No. 1]

RIN 3090-AK78

General Services Administration
Acquisition Regulation; Removing
Small Disadvantaged Business
Program Requirements To Align With
the FAR

AGENCY: Office of Acquisition Policy,
General Services Administration (GSA).
ACTION: Final rule.

SUMMARY: The General Services
Administration is issuing a final rule
amending the General Services
Administration Acquisition Regulation
to remove Small Disadvantaged
Business Program requirements
references to align with the Federal
Acquisition Regulation for consistency.

DATES: Effective February 15, 2024.

FOR FURTHER INFORMATION CONTACT: For
clarification of content, contact Mr.
Curtis Hauschlidt, GSA Acquisition
Policy Division, at GSARPolicy@gsa.gov
or 817-253-7858. For information
pertaining to status or publication
schedules, contact the Regulatory
Secretariat at 202-501-4755 or
GSARegsec@gsa.gov. Please cite GSAR
Case 2022-G519.

SUPPLEMENTARY INFORMATION:

I. Background

Federal Acquisition Regulation (FAR)
subpart 19.12, Small Disadvantaged
Business Participation Program, and all
references to it, were removed from the
FAR on October 14, 2014 (FAR Case
2009-016, 79 FR 61746). This removal
followed a Federal court ruling that
declared 10 U.S.C. 2323
unconstitutional. FAR subpart 19.12
derived its authority solely from 10
U.S.C. 2323, thus necessitating its
removal. While removal from the FAR
was made, no conforming changes were
made to the General Services
Administration Acquisition Regulation
(GSAR). Upon routine regulatory review
of the GSAR, this discrepancy was
observed and removal was determined
necessary. This final rule aligns the
GSAR with the FAR.

To summarize, GSAR subpart 519.12
is removed and reserved for future use.
All mentions of GSAR subpart 519.12
are also removed, as well as
corresponding mentions to FAR subpart
19.12 and corresponding clauses, which
have been removed from the FAR.
Changes made are as follows:

- Removal of GSAR subpart 519.12. Reservation of GSAR subpart 519.12.
- Removal of reference to GSAR subpart 519.12 from the table at 570.101.

- Removal of reference to FAR clauses 52.219–24, 52.219–25, and 52.219–26 listed at 570.701.

- Removal of reference to FAR 19.1202–4(b) from GSAR 570.306.

II. Publication of This Final Rule for Public Comment Is Not Required

The statute that applies to the publication of the GSAR is the Office of Federal Procurement Policy statute (codified at title 41 of the United States Code). Specifically, 41 U.S.C. 1707(a)(1) requires that a procurement policy, regulation, procedure or form (including an amendment or modification thereof) must be published for public comment if it relates to the expenditure of appropriated funds, and has either a significant effect beyond the internal operating procedures of the agency issuing the policy, regulation, procedure, or form, or has a significant cost or administrative impact on contractors or offerors. This rule is not required to be published for public comment because GSA is not issuing a new regulation; rather, this rule is merely removing the Small Disadvantaged Business Program requirements from the GSAR to better align with the FAR for consistency.

III. Executive Order 12866, 13563, and 14094

Executive Order (E.O.) 12866 (Regulatory Planning and Review) directs agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety

effects, distributive impacts, and equity). E.O. 13563 (Improving Regulation and Regulatory Review) emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. E.O. 14094 (Modernizing Regulatory Review) supplements and reaffirms the principles, structures, and definitions governing contemporary regulatory review established in E.O. 12866 and E.O. 13563. The Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB) has determined that this is not a significant regulatory action and, therefore, is not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993.

IV. Congressional Review Act

OIRA has determined that this rule is not a major rule under 5 U.S.C. 804(2). Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (codified at 5 U.S.C. 801–808), also known as the Congressional Review Act or CRA, generally provides that before a “major rule” may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The General Services Administration will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States. A major rule under the CRA cannot take effect until 60 days after it is published in the **Federal Register**.

V. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) does not apply to this rule, because an opportunity for public

comment is not required to be given for this rule under 41 U.S.C. 1707(a)(1). Accordingly, no regulatory flexibility analysis is required and none has been prepared.

VI. Paperwork Reduction Act

The rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35).

List of Subjects in 48 CFR Parts 519 and 570

Government procurement.

Jeffrey A. Koses,

Senior Procurement Executive, Office of Acquisition Policy, Office of Government-wide Policy, General Services Administration.

Therefore, GSA amends 48 CFR parts 519 and 570 as set forth below:

- 1. The authority citation for 48 CFR parts 519 and 570 continues to read as follows:

Authority: 40 U.S.C. 121(c).

Subpart 519.12 [Removed and Reserved]

PART 519—SMALL BUSINESS PROGRAMS

- 2. Remove and reserve subpart 519.12, consisting of sections 519.1202 and 519.1202–2.

PART 570—ACQUIRING LEASEHOLD INTERESTS IN REAL PROPERTY

- 3. Amend section 570.101 in table 1 to paragraph (b) by revising the entry for 501 to read as follows:

570.101 Applicability.

* * * * *

(b) * * *

TABLE 1 TO PARAGRAPH (b)—GSAR RULES APPLICABLE TO ACQUISITIONS OF LEASEHOLD INTERESTS IN REAL PROPERTY

501	515.209–70	536.271
*	*	*

* * * * *

- 4. Amend section 570.306 by revising the introductory text of paragraph (d) to read as follows:

570.306 Evaluating offers.

* * * * *

(d) The contracting officer may obtain information to evaluate an offeror's past performance on subcontracting plan goals and monetary targets from the following sources:

* * * * *

570.701 [Amended]

- 5. Amend section 570.701 by:

- a. Removing paragraph (h);

- b. Redesignating paragraphs (i) through (l) as paragraphs (h) through (k); and

- c. Removing paragraph (m).

[FR Doc. 2024–02917 Filed 2–14–24; 8:45 am]

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