Sunshine Act Meetings

Federal Register
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Thursday, July 31, 1986

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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1

FEDERAL DEPOSIT INSURANCE CORPORATION

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 5:43 p.m. on Friday, July 25, 1986, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session, by telephone conference call, to:

(A) Adopt a resolution: (1) Making funds available for the payment of insured deposits made in The Bank of Park County, Bailey, Colorado, which was closed by the State Bank Commissioner for the State of Colorado on Friday, July 25, 1986; and (2) appointing Bank of Mountain Valley, National Association, Conifer, Colorado, a newly-chartered national bank subsidiary of Mountain Parks Financial Corporation, Minneapolis, Minnesota, as the transfer agent for the Corporation for the payment of insured and fully secured or preferred deposits of the closed bank; and

(B)(1) Received bids for the purchase of certain assets of and the assumption of the liability to pay deposits made in Mountain Valley Bank, Conifer, Colorado, which was closed by the State Bank Commissioner for the State of Colorado on Friday, July 25, 1986; (2) accept the bid for the transaction submitted by Bank of Mountain Valley, National Association, Conifer, Colorado, a newly-chartered national bank subsidary of Mountain Parks Financial Corporation, Minneapolis, Minnesota; and (3) provide such financial assistance, pursuant to section 13(c)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1823(c)(2)), as was necessary to facilitate the purchase and assumption transaction.

In calling the meeting, the Board determined, on motion of Director C.C. Hope, Jr. (Appointive), concurred in by Mr. Robert J. Herrmann, acting in the place and stead of Director Robert L. Clarke (Comptroller of the Currency), that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting pursuant to subsections (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

Dated: July 29, 1986.

Federal Deposit Insurance Corporation.

Margaret M. Olsen,

Deputy Executive Secretary.

[FR Doc. 86-17313 Filed 7-29-10:52 a.m.]

BILLING CODE 6714-01-M

2

FEDERAL ELECTION COMMISSION

"FEDERAL REGISTER" NO.: 86-16791.

PREVIOUSLY ANNOUNCED DATE AND TIME: Thursday, July 31, 1986, 10:00 a.m.

PURSUANT TO 11 CFR 2.7(D) (1) AND (2) THE COMMISSION HAS VOTED TO ADD THE FOLLOWING MATTER TO THE AGENDA: Request by Reagan-Bush '84 to respond to Commission's initial repayment determination.

* * * * *

DATE AND TIME: Tuesday, August 5, 1986, 10:00 a.m.

PLACE: 999 E Street, NW., Washington, DC.

STATUS: This meeting will be closed to the public.

ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. 437g
Audits conducted pursuant to 2 U.S.C. 437g, 438(b), and Title 26, U.S.C.
Matters concerning participation in civil actions or proceedings or arbitration
International personnel rules and procedures or matters affecting a particular employee

* * * * *

DATE AND TIME: Thursday, August 7, 1986, 10:00 a.m.

PLACE: 999 E Street, NW., Washington, DC (Ninth Floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Setting of dates of future meetings
Correction and approval of minutes
Draft AO 1986-23—Gary D. Lipken on behalf of The National Association of Manufacturers
Draft AO 1986-25—Benjamin A. Goldman for Public Data Access
Draft AO 1986-27—Dianna Conyers on behalf of Teamsters Local 959 Alaska Labor Independent Voter Education
Draft AO 1986-28—Bob Ryan—Nevada Legislature
Routine administrative matters

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Information Officer, 202-376-3155.

Majorie W. Emmons,

Secretary of the Commission.

[FR Doc. 86-17374 Filed 7-29-86; 3:33 pm]

BILLIND CODE 6715-01-M

3

FEDERAL RESERVE SYSTEM BOARD OF GOVERNORS:

TIME AND DATE: 10:00 a.m., Wednesday, August 6, 1986.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, NW., Washington, DC 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Federal Reserve Bank and Branch director appointments. (This item was originally announced for a closed meeting on July 30, 1986.)
2. Personnel actions, (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
3. Any item carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. You may call (202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: July 29, 1986.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 86-17384 Filed 7-29-86; 3:46 pm]

BILLING CODE 6210-01-M

4

INTERSTATE COMMERCE COMMISSION

TIME AND DATE: 10:00 a.m., Thursday, August 7, 1986.

PLACE: Hearing Room A, Interstate Commerce Commission, 12th &

Constitution Avenue, NW., Washington, DC 20423.

STATUS: Open Special Conference.

MATTERS TO BE DISCUSSED:

No. 38783—
Omaha Public Power District v. *Burlington Northern Railroad Company;*
Ex Parte No. 290 (Sub-NO. 2)—
Railroad Cost Recovery Procedures;
Ex Parte No. 328—
Investigation of Tank Car Allowance System.

CONTACT PERSON FOR MORE INFORMATION: Alvin H. Brown, Office of Legislative and Public Affairs, Telephone: (202) 275-7252.

Noreta R. McGee,
Secretary

[FR Doc. 86-17335 Filed 7-29-86; 12:37 pm]

BILLING CODE 7035-01-M

5

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 51 FR 26628 July 24, 1986.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10:00 a.m. on August 4, 1986.

CHANGES IN THE MEETING: The meeting is rescheduled at 2:00 p.m. on August 4, 1986.

CONTACT PERSON FOR MORE INFORMATION: Mrs. Mary Ann Miller (202) 634-4015.

Dated: July 29, 1986.

Earl R. Ohman, Jr.,
General Counsel.

[FR Doc. 86-17342 Filed 7-29-86; 12:37 pm]

BILLING CODE 7600-01-M

federal register

Thursday
July 31, 1986

Part II

Department of Defense
General Services Administration
National Aeronautics and Space Administration

48 CFR Parts 9, 13, 19, and 31
Federal Acquisition Regulations; Final Rule

DEPARTMENT OF DEFENSE

GENERAL SERVICE ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 9, 13, 19, and 31

[Federal Acquisition Circular 84-19]

Federal Acquisition Regulation

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

ACTION: Final rule.

SUMMARY: Federal Acquisition Circular (FAC) 84–19 amends the Federal Acquistion Regulation (FAR) with respect to the following: Small Business Size Standards, Small Business Administration (SBA) Certificate of Competency, and Travel Costs.

EFFECTIVE DATES: July 31, 1986, except for the provisions in section 19.102, which become effective August 8, 1986.

FOR FURTHER INFORMATION CONTACT: Margaret A. Willis, FAR Secretariat, Room 4041, GS Building, Washington, DC 20405, Telephone (202) 523–4755.

SUPPLEMENTARY INFORMATION:

A. Background

FAC 84–19, Item III. The revised coverage to FAR 31.109 and 31.205–46(a) is intended to comply with Title II, section 201 of the Federal Civilian Employee and Contractor Travel Expense Act of 1985 (Pub. L. 99–234). The Act specifies, ". . . costs incurred by contractor personnel for travel, including costs of lodging, other subsistence, and incidental expenses, shall be considered to be reasonable and allowable only to the extent that they do not exceed the rates and amounts set by subchapter I of Title 5, United States Code, or by the Administrator of General Services or the President (or his designee) pursuant to any provision of such subchapter." The new rule provides that costs for lodging, meals, and incidental expenses incurred by contractor personnel shall be considered to be reasonable and allowable to the extent they do not exceed on a daily basis the per diem rates set forth in the (1) Federal Travel Regulations, (2) Joint Travel Regulations, or (3) Standardized Regulations. Additionally, the new rule provides for situations where actual costs in excess of the specified per diem limits may be allowable. Minor changes to the proposed rule have been incorporated into this final rule in order to accommodate comments received. This revised cost principle is applicable to all contracts resulting from solicitations issued on or after July 31, 1986.

B. Public Comments

FAC 84–19, Items 1 and II. Public comments have not been solicited with respect to these revisions in FAC 84–19 since such revisions either (a) do not alter the substantive meaning of any coverage in the FAR having a significant impact on contractors or offerors, or (b) do not have a significant effect beyond agency internal operating procedures.

FAC 84–19, Item III. A notice of proposed rule was published in the **Federal Register** on May 30, 1986 (51 FR 19690). The Defense Acquisition Regulatory Council and the Civilian Agency Acquisition Council have considered the public comments solicited.

C. Paperwork Reduction Act

FAC 84–19, Items I and II. The Paperwork Reduction Act does not apply because these final rules do not contain information collection requirements which require the approval of OMB under 44 U.S.C. 3501, et seq.

FAC 84–19, Item III. The information collection requirements in this rule have been approved by the Office of Management and Budget as required by 44 U.S.C. 3501, et seq., and have been assigned clearance number 9000–0088 (see FAR 1.105).

D. Regulatory Flexibility Act

FAC 84–19, Items I and II. These final rules are not "significant revisions" requiring solicitation of public comment, as defined in FAR 1.501–1 and by the Regulatory Flexibility Act. Since such solicitation is not required, the Regulatory Flexibility Act does not apply.

FAC 84–19, Item III. These revisions will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601, et seq.) because most supplies and services obtained from small entities are acquired on a competitive fixed-price basis and the cost principles do not apply. For the remainder of the supplies and services that are obtained from small entities, the cost principles are primarily used to establish negotiation objectives. Moreover, the proposed coverage merely implements Pub. L. 99–234, which requires comparable treatment of the costs of lodging, meals, and incidental expenses for contractors and Government employees.

List of Subjects in 48 CFR Parts 9, 13, 19, and 31

Government procurement.

Dated: July 25, 1986.

Harry S. Rosinski,

Acting Director, Office of Federal Acquisition and Regulatory Policy.

Federal Acquisition Circular

[Number 84–19]

Except for the provisions in section 19.102, which become effective August 8, 1986, all Federal Acquisition Regulation (FAR) and other directive material contained in FAC 84–19 is effective July 31, 1986.

Eleanor Spector,

Deputy Assistant Secretary of Defense for Procurement.

T.C. Golden,

Administrator of General Services.

S. J. Evans,

Assistant Administrator for Procurement.

Federal Acquisition Circular (FAC) 84–19 amends the Federal Acquisition Regulation (FAR) as specified below.

Item I—Small Business Size Standards

The table of industry size standards in FAR 19.102 is revised to reflect amended size standards for engineering, architectural, and surveying services. These revised size standards are effective August 8, 1986.

Item II—SBA Certificate of Competency

FAR 19.601–1 is revised to require that all determinations that responsive small businesses lack certain elements of responsibility, shall be referred to SBA under the Certificate of Competency (COC) program. This revision reflects the requirements of Pub. L. 98–577 and current SBA rules. FAR 9.106–1, 13.104(h), and 19.602–1 are also revised in conjunction with this change.

Item III—Travel Costs

FAR 31–109(h)(8) and 31.205–46(a) are amended to implement the requirements of Title II, section 201 of the Federal Civilian Employee and Contractor Travel Expense Act of 1985 (Pub. L. 99–234). The Act specifies, ". . . costs incurred by contractor personnel for travel, including costs of lodging, other subsistence, and incidental expenses, shall be considered to be reasonable and allowable only to the extent that they do not exceed the rates and amounts set by subchapter I of Chapter 57 of Title 5, United States Code, or by the Administrator of General Services or the President (or his designee) pursuant to any revision of such subchapter."

The revised cost principle coverage provides that costs for lodging, meals, and incidental expenses incurred by contractor personnel shall be considered to be reasonable and allowable to the extent that they do not exceed on a daily basis the per diem rates set forth in the (1) Federal Travel Regulations, (2) Joint Travel Regulations, or (3) Standardized Regulations. Additionally, the revised rule provides for situations where contractors may be reimbursed for actual costs in excess of the per diem limits, as authorized for Federal civilian employees.

This revised cost principle is applicable to all contracts resulting from solicitations issued on or after July 31, 1986. Therefore, 48 CFR Parts 9, 13, 19, and 31 are amended as set forth below.

1. The authority citation for 48 CFR Parts 9, 13, 19, and 31 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. Chapter 137; and 42 U.S.C. 2453(c).

PART 9—CONTRACTOR QUALIFICATIONS

9.106-1 [Amended]

2. Section 9.106-1 is amended in paragraph (a)(2) by inserting a period following the word "cost", and deleting the remainder of the sentence.

PART 13—SMALL PURCHASE AND OTHER SIMPLIFIED PURCHASE PROCEDURES

3. Section 13.104 is amended by adding paragraph (h) to read as follows:

13.104 Procedures.

* * * * *

(h) When a quotation, oral or written, is to be rejected because a small business firm is determined to be not responsible (see Subpart 9.1), see 19.6 with respect to Certificates of Competency.

PART 19—SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS CONCERNS

19.102 [Amended]

4. Section 19.102 is amended in Major Group 89 by removing in SIC Code 8911 the figures "$7.5" and "$3.5" and inserting in each place the figure "$2.5".

5. Section 19.602-1 is amended by revising paragraphs (a)(2) and (c)(2) to read as follows:

19.602-1 Referral.

(a) * * *

(2) Refer the matter to the cognizant SBA Regional Office in accordance with agency procedures, except that referral is not necessary if the small business concern—

* * * * *

(c) * * *

(2) If applicable, a copy of the solicitation, drawings and specifications, preaward survey findings, pertinent technical and financial information, abstract of bids (if available) and any other pertinent information that supports the contracting officer's determination.

* * * * *

PART 31—CONTRACT COST PRINCIPLES AND PROCEDURES

6. Section 31.109 is amended by revising paragraph (h)(8) to read as follows:

31.109 Advance agreements.

* * * * *

(h)* * *

(8) Travel and relocation costs, as related to special or mass personnel movements, as related to travel via contractor-owned, -leased, or -chartered aircraft, or as related to maximum per diem rates;

* * * * *

7. Section 31.205-46 is amended by revising paragraph (a) to read as follows:

31.205-46 Travel costs.

(a)(1) Costs for transportation, lodging, meals, and incidental expenses incurred by contractor personnel on official company business are allowable subject to paragraphs (b) through (f) of this subsection. Costs for transportation may be based on mileage rates, actual costs incurred, or on a combination thereof, provided the method used results in a reasonable charge. Costs for lodging, meals, and incidental expenses may be based on per diem, actual expenses, or a combination thereof, provided the method used results in a reasonable charge.

(2) Except as provided in subparagraph (a)(3) of this subsection, costs incurred for lodging, meals, and incidental expenses (as defined in the regulations cited in (a)(2) (i) through (iii) of this subparagraph) shall be considered to be reasonable and allowable only to the extent that they do not exceed on a daily basis the maximum per diem rates in effect at the time of travel as set forth in the—

(i) Federal Travel Regulations, prescribed by the General Services Administration, for travel in the conterminous 48 United States, available on a subscription basis from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, Stock No. 022-001-81003-7;

(ii) Joint Travel Regulations, Volume 2, DoD Civilian Personnel, Appendix A, prescribed by the Department of Defense, for travel in Alaska, Hawaii, The Commonwealth of Puerto Rico, and territories and possessions of the United States, available on a subscription basis from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, Stock No. 906-010-00000-1; or

(iii) Standarized Regulations (Government Civilians, Foreign Areas), section 925, "Maximum Travel Per Diem Allowances of Foreign Areas," prescribed by the Department of State, for travel in areas not covered in (a)(2) (i) and (ii) of this paragraph, available on a subscription basis from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, Stock No. 744-088-00000-0.

(3) In special or unusual situations, actual costs in excess of the above-referenced maximum per diem rates are allowable provided that such amounts do not exceed the higher amounts authorized for Federal civilian employees as permitted in the regulations referenced in (a)(2) (i), (ii), or (iii) or this subsection. For such higher amounts to be allowable, all of the following conditions must be met:

(i) One of the conditions warranting approval of the actual expense method, as set forth in the regulations referred in (a)(2) (i), (ii), or (iii) of this subsection, must exist.

(ii) A written justification for use of the higher amounts must be approved by an officer of the contractor's organization or designee to ensure that the authority is properly administered and controlled to prevent abuse.

(iii) If it becomes necessary to exercise the authority to use the higher actual expense method repetitively or on a continuing basis in a particular area, the contractor must obtain advance approval from the contracting officer.

(iv) Documentation to support actual costs incurred shall be in accordance with the contractor's established practices provided that a receipt is required for each expenditure in excess of $25.00. The approved justification required by (a)(3)(ii) and, if applicable, (a)(3)(iii) of this subparagraph must be retained.

(4) Subparagraphs (a)(2) and (a)(3) of this subsection do not incorporate the regulations cited in (a)(2) (i), (ii), and (iii) in their entirety. Only the coverage in the referenced regulations dealing with

special or unusual situations, the maximum per diem rates, and definitions of lodging, meals and incidental expenses are incorporated herein.

(5) An advance agreement (see 31.109) with respect to compliance with subparagraphs (a)(2) and (a)(3) of this subsection may be useful and desirable.

* * * * *

[FR Doc. 86-17141 Filed 7-30-86; 8:45 am]
BILLING CODE 6820-61-M