

52.225-5 Buy American Act—Construction Materials.**Buy American Act—Construction Materials (May 1992)**

(a) * * *

Construction material, as used in this clause, means an article, material, or supply brought to the construction site for incorporation into the building or work. Construction material also includes an item brought to the site pre-assembled from articles, materials or supplies. However, emergency life safety systems, such as emergency lighting, fire alarm, and audio evacuation systems, which are discrete systems incorporated into a public building or work and which are produced as a complete system, shall be evaluated as a single and distinct construction material regardless of when or how the individual parts or components of such systems are delivered to the construction site.

[FR Doc. 92-11013 Filed 5-11-92; 8:45 am]

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DEPARTMENT OF DEFENSE**GENERAL SERVICES ADMINISTRATION****NATIONAL AERONAUTICS AND SPACE ADMINISTRATION****48 CFR Parts 25 and 52**

RIN 9000-AE33

[FAC 90-11; FAR Case 90-66; Item III]

Federal Acquisition Regulation; South African Trade

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

ACTION: Final rule.

SUMMARY: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council have agreed on a final rule with respect to the following: FAR subpart 25.7 and the clause at 52.225-11, Restrictions on Certain Foreign Purchases, are amended to remove coverage implementing the restrictions imposed by the Comprehensive Anti-Apartheid Act of 1986 on trade with South Africa.

EFFECTIVE DATE: May 12, 1992.

FOR FURTHER INFORMATION CONTACT: Mr. Edward Loeb at (202) 501-4547 in reference to this FAR case. For general information, contact the FAR Secretariat, room 4037, GS Building, Washington, DC 20405 (202) 501-4755. Please cite FAC 90-11, FAR case 90-66.

SUPPLEMENTARY INFORMATION:

A. Background

These changes result from Executive Order 12769 dated July 10, 1991. The Order terminates sanctions imposed by title III and sections 501(c) and 504(b) of the Comprehensive Anti-Apartheid Act of 1986. Sanctions on acquiring arms, ammunition, military vehicles, or manufacturing data for such articles continue under original authority of the Arms Export Control Act (22 U.S.C. 2778).

B. Regulatory Flexibility Act

The final rule does not constitute a significant FAR revision within the meaning of FAR 1.501 and Public Law 98-577 and publication for public comments is not required. The final rule removes current FAR restrictions as required by Executive Order 12769 on acquisitions from South Africa. Therefore, the Regulatory Flexibility Act does not apply. However, comments from small entities concerning the affected subpart will be considered in accordance with 5 U.S.C. 610. Such comments must be submitted separately and cite 5 U.S.C. 601, *et seq.* (FAC 90-11, FAR case 90-66), in correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the FAR do not impose recordkeeping or information collection requirements, or collections of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 25 and 52

Government procurement.

Dated: April 30, 1992.

Albert A. Vicchiolla,

Director, Office of Federal Acquisition Policy.

Therefore, 48 CFR parts 25 and 52 are amended as set forth below:

1. The authority citation for 48 CFR parts 25 and 52 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 25—FOREIGN ACQUISITION**25.701 [Removed]**

2. Section 25.701 is removed and reserved.

25.702 [Amended]

3. Section 25.702(a)(3) is amended by revising the citation to read "(22 U.S.C. 2778)" and by removing paragraph (b) and redesignating paragraph (c) as paragraph (b).

25.703 [Amended]

4. Section 25.703 is amended by removing the paragraph designation "(a)" and removing paragraph (b).

PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

5. Section 52.225-11 is revised to read as follows:

52.225-11 Restrictions on Certain Foreign Purchases.

As prescribed in 25.704, insert the following clause in solicitations and contracts:

Restrictions on Certain Foreign Purchases (May 1992)

(a) Unless advance written approval of the Contracting Officer is obtained, the Contractor shall not acquire for use in the performance of this contract—

- (1) Any supplies or services originating from sources within the communist areas of North Korea, Vietnam, Cambodia, or Cuba;
- (2) Any supplies that are or were located in or transported from or through North Korea, Vietnam, Cambodia, or Cuba; or
- (3) Arms, ammunition, or military vehicles produced in South Africa, or manufacturing data for such articles.

(b) The Contractor shall not acquire for use in the performance of this contract supplies or services originating from sources within Iraq, any supplies that are or were located in or transported from or through Iraq, or any supplies or services from entities controlled by the Government of Iraq.

(c) The Contractor agrees to insert the provisions of this clause, including this paragraph (c), in all subcontracts hereunder.

(End of Clause)

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DEPARTMENT OF DEFENSE**GENERAL SERVICES ADMINISTRATION****NATIONAL AERONAUTICS AND SPACE ADMINISTRATION****48 CFR Parts 26, 31, and 53**

[Federal Acquisition Circular 90-11; Item IV]

Technical Amendments and Corrections

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

ACTION: Technical amendments and corrections.

SUMMARY: Technical amendments or corrections have been made to the Code

of Federal Regulations at FAR 26.103(b), 31.205-46(a)(2)(i), the undesignated paragraph following 31.205-46(a)(6), and 53.203(b) to correct inaccuracies and update information. Optional Form 333 has been approved for use and local reproduction through September 30, 1992.

EFFECTIVE DATE: May 12, 1992.

FOR FURTHER INFORMATION CONTACT:

The FAR Secretariat, room 4037, GS Building, Washington, DC 20405, (202) 501-4755. Please cite FAC 90-11.

Dated: April 30, 1992.

Albert A. Vicchiolla,

Director, Office of Federal Acquisition Policy.

Therefore, 48 CFR parts 26, 31, and 53 are amended as set forth in the technical amendments appearing below:

1. The authority citation for 48 CFR parts 26, 31, 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 26—OTHER SOCIOECONOMIC PROGRAMS

2. Section 26.103 is corrected in paragraph (b) by revising the first sentence to read as follows:

26.103 Procedures.

* * * * *

(b) In the event of a challenge to the self-certification of a subcontractor, the contracting officer shall refer the matter to the U.S. Department of the Interior, Bureau of Indian Affairs (BIA), Attn: Chief, Division of Contracting and Grants Administration, 1849 "C" Street, NW, MS-334A-SIB, Washington, DC 20240. * * *

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PART 31—CONTRACT COST PRINCIPLES AND PROCEDURES

31.205-46 [Corrected]

3. Section 31.205-46 is corrected in paragraph (a)(2)(i) and the undesignated paragraph in (a)(6) by revising the words "Federal Travel Regulations" to read "Federal Travel Regulation".

PART 53—FORMS

53.203 [Amended]

4. Section 53.203 is amended in the last sentence of paragraph (b) by removing the date "March 31, 1992" and inserting in its place "September 30, 1992."

[FR Doc. 92-11011 Filed 5-11-92; 8:45 am]

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DEPARTMENT OF DEFENSE**GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****Federal Acquisition Regulation
Availability on Electronic Bulletin
Board and CD-ROM**

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

ACTION: Notice of availability.

**FAR Changes Available on Electronic
Bulletin Boards Through AT&T and
Sprint Electronic (E-Mail)**

Changes to the Federal Acquisition Regulation (FAR) in both proposed and final form are now available on Electronic Bulletin Boards (EBB) shortly after Federal Acquisition Circulars and Proposed Rules are published in the *Federal Register*. Changes are presented both in context as well as in revised Subsections, Sections, and Clauses.

How to Order: The FAR changes are available through the EBB's to all Federal agency users of the FTS2000 telecommunications system through the FTS2000MAIL electronic mail service by

contacting their Designated Agency Representative (DAR).

Other FAR users may order the EBB service by contacting their DAR or current telecommunication supplier and asking them to arrange for access, or by requesting service from AT&T Mail at 1-800-624-5672, or service from SprintMail at 1-800-736-1130.

The EBB's are accessed through normal E-Mail procedures. Once connected to AT&T Mail, at the "Command:" prompt, the user will enter <READ IFAMR:README.1> for operating procedures. Once connected to SprintMail, at the "Command?" prompt, the user will enter <COMPOSE REGULATION> and follow menu and script instructions.

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System Requirements: Following is the minimum configuration:

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Contact for FAR: G. Doyle Dodge, GAS FAR Electronic Distribution Program, Office of Federal Acquisition Policy, 18th & F Streets, NW., room 4034, Washington, DC 20405, telephone, commercial or FTS, 202-501-2801.

For FIRMR on CD-ROM: Stewart Randall, GSA IRMS Regulations Analysis Division, 18th & F Streets, NW., room 3224, Washington, DC 20405, telephone, commercial or FTS, 202-501-4469.

Dated: April 30, 1992.

Albert C. Vicchiolla,
Director, Office of Federal Acquisition Policy.

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