At the public meeting, attention focused on the application of this requirement to domestic vessels, especially vessels operating in protected and partially-protected waters. Comments indicated that unexpected difficulties were being experienced by some designers in complying with the new standard. These problems were discovered as new vessel designs began to be reviewed. Due to requests to reconsider the specific criteria to be applied in various waters and based on the information received at the public meeting, the Coast Guard on August 27, 1993 (58 FR 45264), published a notice temporarily suspending the application of § 171.080(e) for all vessels not carrying a SOLAS Passenger Ship Certificate until February 23, 1994.

The Coast Guard also reopened the comment period for 90 days to allow further input from the public, and received twenty-one additional comments. The majority of the comments came from naval architects and shipyards, and two comments were from the Society of Naval Architects and Marine Engineers (SNAME) technical panels. In general, the comments indicated that the regulations adopted seemed overly severe, especially for vessels operating on protected or partially-protected waters.

Reason for Extension of the Suspension of Effective Date

Based on a preliminary evaluation of the comments received, including those made at the August 5, 1993 public hearing and those received following the initial suspension, the Coast Guard expects to publish a notice of proposed rulemaking proposing amendments to the damage stability standards for passenger vessels on domestic routes. The Coast Guard believes the development of improved damage stability regulations requiring minimal design changes are necessary and achievable, particularly in view of the dramatic increase in the number of high density passenger vessels on inland waters and the potential for loss of life if a casualty occurs. The work of SNAME in this matter is considered especially important and indicative of the need for damage stability standards for passenger vessels. The Coast Guard is considering adopting a tiered approach, in which a vessel operating on exposed routes would be required to meet a stricter stability standard than a vessel operating on protected or partially-protected routes. The Coast Guard expects to publish the proposed revision by mid-1994.

Dated: February 15, 1994.

A.E. Henn,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Safety, Security and Environmental Protection.

[FR Doc. 94–4203 Filed 2–24–94; 8:45 am]

BILLING CODE 4910–14–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 21, 22, 90, 94, and 95

[PP Docket No. 93–253; FCC 94–32]

Implementation of Section 309(j) of the Communications Act—Competitive Bidding

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission has adopted a First Report and Order (Order) that proposes to implement recent statutory change to the Communications Act of 1934, as amended (Communications Act). The Order is necessary in order to comply with the Congressional directive contained in the Omnibus Budget Reconciliation Act of 1993 (Budget Act) to consider regulations to deter unjust enrichment by lottery winners. The Order adopts a rule requiring disclosure of transfer prices by an applicant for voluntary transfer of control or assignment where the subject license was acquired by the transferor through a Commission lottery.

EFFECTIVE DATE: May 26, 1994.

FOR FURTHER INFORMATION CONTACT: Marc Martin or Kent Nakamura, Office of Plans and Policy, Federal Communications Commission, at (202) 653–5940.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order, FCC 94–32, adopted February 3, 1994; and released February 4, 1994. The full text of this Order is available for inspection and copying during normal business hours in the FCC Reference Center, room 230, 1919 M Street, NW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, 1919 M Street, room 236, Washington, DC 20554, telephone (202) 857–3800.

Summary of Order

1. The First Report and Order (Order) in PP Docket 93–253 implements a provision of the Budget Act that requires the Commission to prescribe, as necessary, regulations to deter unjust enrichment in the lottery context within 180 days of the Budget Act's enactment, i.e., February 6, 1994. The Commission has adopted a transfer disclosure rule that applies to applicants for voluntary transfer of control or assignment where the transferor or assignor acquired the subject license through a Commission lottery.

2. This Order responds to Congress's directive. The Commission concludes that, in addition to the requirements that already apply to licenses acquired pursuant to lotteries, certain transfer disclosure rules are necessary to prevent unjust enrichment with respect to licenses that the Commission issues by lottery.

3. By this action, the Commission adopts a rule requiring disclosure of the consideration that would be received by prospective transferor of licenses they have acquired through Commission lotteries. These requirements will enable the Commission to monitor the operation and effect of lotteries closely over the next several years as it gains experience with the competitive bidding process and the new regulatory environment for mobile service providers, thus enabling the Commission to determine whether additional safeguards are necessary.

4. As required by section 603 of the Regulatory Flexibility Act, the Commission prepared an Initial Regulatory Flexibility Analysis (IRFA) of the expected impact of the proposals contained in the Notice of Proposed Rule Making, PP Docket No. 93–253, 58 FR 53489 (October 15, 1993), on small entities. By this Order, the Commission responds to a Congressional directive contained in the Budget Act to consider measures to deter unjust enrichment in the lottery context. The Commission received no comments in response to the IRFA concerning unjust enrichment in the lottery context. As noted in the text of the Order, we considered and rejected more burdensome requirements designed to deter unjust enrichment, such as additional transfer restrictions for licensees that acquire their license by lottery. Rather, we adopted the less onerous transfer disclosure requirement that is expressly recommended in the Budget Act. In the case of some spectrum-based services, such as Low Power Television, entities that file transfer of control applications with the Commission are currently required to submit information similar to what the Commission explicitly requires by this Order: Copies of documents that reveal the transfer price for a license. Further, in other services, applicants for voluntary transfer of control or assignment are currently required to submit information in support of their

request. Inasmuch as any contracts, purchase agreements, or similar legal documents detailing the consideration received by the transferor will presumably already have been prepared by the parties to the transaction for their own purposes, attaching a copy of such documents to the application(s) submitted to the Commission should not prove onerous. Accordingly, the Commission does not believe this limited disclosure requirement adds a significant economic burden on small entities.

5. The proposal contained herein has been analyzed with respect to the Paperwork Reduction Act of 1980, 44 U.S.C. 3501–3520, and found to contain, in new or modified form, information collection and/or record retention requirements, that would not substantially increase burden hours imposed on the public. Further, the Commission has examined the relevant data and determined that the universe of affected parties to be fewer than ten annually. Therefore, the Paperwork Reduction Act does not apply to this action.

List of Subjects in 47 CFR Parts 1, 21, 22, 90, 94, and 95

Radio.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

Final Rules

Parts 1, 21, 22, 90, 94 and 95 of chapter I of title 47 of the Code of Federal Regulations are amended as follows:

PART 1—PRACTICE AND PROCEDURE

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

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303: Implement 5 U.S.C. 552 and 21 U.S.C. 853(a), unless otherwise noted.

2. Section 1.924 is amended by adding a new paragraph (d) to read as follows:

§ 1.924 Assignment or transfer of control, voluntary and involuntary.

* * * * *

(d) An applicant for voluntary transfer of control or assignment under this section where the subject license was acquired by the transferor or assignor through a system of random selection shall, together with its application for transfer of control or assignment, file with the Commission the associated contracts for sale, option agreements, management agreements, or other documents disclosing the total consideration that the applicant would receive in return for the transfer or assignment of its license. This information should include not only a monetary purchase price, but also any future, contingent, in-kind, or other consideration (e.g., management or consulting contracts either with or without an option to purchase; below-market financing).

PART 21—DOMESTIC PUBLIC FIXED RADIO SERVICES

3. The authority citation for part 21 continues to read as follows:

Authority: Secs. 1, 2, 4, 201–205, 208, 215, 218, 303, 307, 313, 314, 403, 404, 410, 610; 48 Stat. as amended, 1064, 1066, 1070–1073, 1076, 1077, 1080, 1082, 1083, 1087, 1094, 1098, 1102; 47 U.S.C. 151, 154, 201–205, 208, 215, 218, 303, 307, 313, 314, 403, 404, 602; 47 U.S.C. 552.

4. Section 21.38 is amended by adding a new paragraph (g) to read as follows:

§ 21.38 Assignment or transfer of station authorization.

* * * * *

(g) An applicant for voluntary transfer of control or assignment under this section where the subject license was acquired by the transferor or assignor through a system of random selection shall, together with its application for transfer of control or assignment, file with the Commission the associated contracts for sale, option agreements, management agreements, or other documents disclosing the total consideration that the applicant would receive in return for the transfer or assignment of its license. This information should include not only a monetary purchase price, but also any future, contingent, in-kind, or other consideration (e.g., management or consulting contracts either with or without an option to purchase; below-market financing).

PART 22—PUBLIC MOBILE SERVICE

5. The authority citation for part 22 continues to read as follows:

Authority: 47 U.S.C. 154, 303, unless otherwise noted.

6. Section 22.39 is amended by adding a new paragraph (d) to read as follows:

§ 22.39 Transfer of control or assignment of station authorization.

* * * * *

(d) An applicant for voluntary transfer of control or assignment under this section where the subject license was acquired by the transferor or assignor through a system of random selection shall, together with its application for transfer of control or assignment, file with the Commission the associated contracts for sale, option agreements, management agreements, or other documents disclosing the total consideration that the applicant would receive in return for the transfer or assignment of its license. This information should include not only a monetary purchase price, but also any future, contingent, in-kind, or other consideration (e.g., management or consulting contracts either with or without an option to purchase; below-market financing).

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

7. The authority citation for part 90 continues to read as follows:

Authority: Sections 4, 303, and 332, 48, Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303 and 332, unless otherwise noted.

8. Section 90.153 is amended by adding two new sentences at the end of the existing sentence to read as follows:

§ 90.153 Transfer or assignment of station authorization.

* * * An applicant for voluntary transfer of control or assignment under this section where the subject license was acquired by the transferor or assignor through a system of random selection shall, together with its application for transfer of control or assignment, file with the Commission the associated contracts for sale, option agreements, management agreements, or other documents disclosing the total consideration that the applicant would receive in return for the transfer or assignment of its license. This information should include not only a monetary purchase price, but also any future, contingent, in-kind, or other consideration (e.g., management or consulting contracts either with or without an option to purchase; below-market financing).

PART 94—PRIVATE OPERATIONAL FIXED MICROWAVE SERVICE

9. The authority citation for part 94 continues to read as follows:

Authority: Sections 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted.

10. Section 94.47 is amended by adding a new paragraph (c) to read as follows:

§ 94.47 Transfer and assignment of station authorization.

* * * * *

(c) An applicant for voluntary transfer of control or assignment under this section where the subject license was acquired by the transferor or assignor through a system of random selection shall, together with its application for transfer of control or assignment, file with the Commission the associated contracts for sale, option agreements, management agreements, or other documents disclosing the total consideration that the applicant would receive in return for the transfer or assignment of its license. This information should include not only a monetary purchase price, but also any future, contingent, in-kind, or other consideration (e.g., management or consulting contracts either with or without an option to purchase; below-market financing).

PART 95—PERSONAL RADIO SERVICES

11. The authority citation for part 95 continues to read as follows:

Authority: Sections 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted.

12. Section 95.821 is amended by adding two new sentences at the end of the paragraph to read as follows:

§ 95.821 Application for transfer of control.

* * * An applicant for voluntary transfer of control or assignment under this section where the subject license was acquired by the transferor or assignor through a system of random selection shall, together with its application for transfer of control or assignment, file with the Commission the associated contracts for sale, option agreements, management agreements, or other documents disclosing the total consideration that the applicant would receive in return for the transfer or assignment of its license. This information should include not only a monetary purchase price, but also any future, contingent, in-kind, or other consideration (e.g., management or consulting contracts either with or without an option to purchase; below-market financing).

[FR Doc. 94–4292 Filed 2–24–94; 8:45 am]
BILLING CODE 6712–01–M

DEPARTMENT OF ENERGY

48 CFR Chapter 9

[RIN 1991–AB01]

Acquisition Regulation; Technical Amendments

AGENCY: Department of Energy (DOE).

ACTION: Final rule; technical amendments.

SUMMARY: The Department is amending the Department of Energy Acquisition Regulation (DEAR) to perform "housekeeping" duties such as updating references, correcting spelling and editorial errors, and clarifying certain language. This rule falls under the exceptions to the usual proposed rulemaking and public procedure requirements. These corrections and changes are all technical and administrative in nature, and none of them raises substantive issues. For this reason, the Department is not requesting public comments.

Any comments may be addressed to the individual identified below.

EFFECTIVE DATE: This rule will be effective April 26, 1994.

FOR FURTHER INFORMATION CONTACT: Richard Langston, Office of Procurement and Assistance Management (HR–521.1), Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586–8247.

SUPPLEMENTARY INFORMATION:

I. Explanation of Selected Revisions
II. Procedural Requirements
A. Regulatory Review
B. Review Under the Regulatory Flexibility Act
C. Review Under the Paperwork Reduction Act
D. Review Under Executive Order 12612
E. National Environmental Policy Act
F. Review Under Executive Order 12778

I. Explanation of Selected Revisions

None of the revisions in this rule are substantive but the reader may benefit from an explanation of some of the revisions. Readers are reminded that this regulation implements and supplements the Federal Acquisition Regulation (FAR), which is the regulation primarily applicable to the acquisition activities of all Federal agencies. Some revisions being made here are for the purpose of ensuring that our regulation conforms to FAR requirements.

A new 901.170, Organizational references, is added. It explains our practice of using second level organizational names along with the phrase "within the Headquarters procurement organization" when referring to various Headquarters procurement offices. It is hoped that this will minimize the obsolescence of the text as the organization continues to change.

At 908.802, in paragraph (b), a new final sentence has been added to explain Government printing regulations. The text is not new to the regulation; it was previously located in the introductory text of 952.208–70.

At 916.207–3(d), we have added "(but no lower than the chief of the contracting office)" after the word "designee". This will bring this section into conformance with FAR 16.207–3(d) which requires approval by the chief of the procurement office.

At 919.501, in paragraph (c), we have revised "$10,000" to read "the small purchase limitation" to recognize that the Federal small purchase limitation was increased to $25,000 and may be revised upward again.

At 937.205, we have deleted paragraph (b)(7) based on the observation that it duplicates FAR 37.206(c) and we have redesignated the remaining part as 937.207.

At 970.5204–30, we have deleted the clause entitled "Notice of labor disputes". It is duplicative of FAR 52.222–1, which will be used in its place.

At 970.5204–34, we have inserted the full text of a clause entitled "Sensitive Foreign Nations Controls". The clause is not new as the clause is also located at 952.204. This is being done for the convenience of the readers.

At 970.5204–41, we have included the full text of a clause entitled "Preservation of Individual Occupational Radiation Exposure Records." This is not a new requirement, as the clause is also contained at 952.223–75. This is being done for the convenience of our readers.

At 970.5204–50, we have included the full text of a clause entitled "Cost and Schedule Control Systems." This is not a new requirement, as the clause is also contained at 952.212–73. This is being done for the convenience of our readers.

At 970.5204–52, we have included the full text of a clause entitled "Foreign Travel." This is not a new requirement as the clause is also contained at 952.247–70. This is being done for the convenience of our readers.

II. Procedural Requirements

A. Regulatory Review

Today's regulatory action has been determined not to be a "significant regulatory action" under Executive Order 12866, Regulatory Planning and Review," (58 FR 51735, October 4, 1993). Accordingly, today's action was not subject to review, under the Executive Order, by the Office of Information and Regulatory Affairs.

B. Review Under the Regulatory Flexibility Act

This rule was reviewed under the Regulatory Flexibility Act of 1980,

Public Law 96–354, which requires preparation of a regulatory flexibility analysis for any rule that is likely to have a significant economic impact on a substantial number of small entities. This rule will have no impact on interest rates, tax policies or liabilities, the cost of goods or services, or other direct economic factors. It will also not have any indirect economic consequences such as changed construction rates. DOE certifies that this rule will not have a significant economic impact on a substantial number of small entities and, therefore, no regulatory flexibility analysis has been prepared.

C. Review Under the Paperwork Reduction Act

No new information collection or recordkeeping requirements are imposed by this rule. Accordingly, no OMB clearance is required under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501, *et seq.*).

D. Review Under Executive Order 12612

Executive Order 12612, entitled "Federalism," 52 FR 41685 (October 30, 1987), requires that regulations, rules, legislation, and any other policy actions be reviewed for any substantial direct effects on states, on the relationship between the Federal government and the states, or in the distribution of power and responsibilities among various levels of government. If there are sufficient substantial direct effects, then the Executive Order requires preparation of a federalism assessment to be used in all decisions involved in promulgating and implementing a policy action. This rule will apply to states that contract with DOE; however, none of the revisions is substantive in nature.

E. National Environmental Policy Act

DOE has concluded that this rule would not represent a major Federal action having significant impact on the human environment under the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321, *et seq.*) (1976) or the Council on Environmental Quality Regulations (40 CFR parts 1500–1508) and, therefore, does not require an environmental impact statement or an environmental assessment pursuant to NEPA.

F. Review Under Executive Order 12778

Section 2 of Executive Order 12778 instructs each agency to adhere to certain requirements in promulgating new regulations and reviewing existing regulations. These requirements, set forth in sections 2 (a) and (b), include eliminating drafting errors and needless ambiguity, drafting the regulations to minimize litigation, providing clear and certain legal standards for affected conduct, and promoting simplification and burden reduction. Agencies are also instructed to make every reasonable effort to ensure that the regulation specifies clearly any preemptive effect, any effect on existing Federal law or regulation, and any retroactive effect; describes any administrative proceedings to be available prior to judicial review and any provisions for the exhaustion of such administrative proceedings; and defines key terms. DOE certifies that today's rule meets the requirements of sections 2 (a) and (b) of Executive Order 12778.

List of Subjects in 48 CFR Chapter 9

Government procurement.

Issued in Washington, DC, on February 4, 1994.

G. L. Allen,

Acting Deputy Assistant Secretary for Procurement and Assistance Management.

For the reasons set out in the preamble, chapter 9 of title 48 of the Code of Federal Regulations is amended as set forth below. The authority citation for chapter 9 continues to read as follows:

Authority: 42 U.S.C. 7254; 40 U.S.C. 486(c).

PART 901—FEDERAL ACQUISITION REGULATIONS SYSTEM

901.103–70 [Amended]

1. At paragraph (a) of 901.103–70, remove "FAR 4.402" and insert in its place "904.4".

901.104–1 [Amended]

2. At paragraph (a)(2) of 901.104–1, revise "of" to read "in" after "form".

3. Section 901.170 is added as follows:

901.170 Organizational references.

Wherever an office within the DOE Headquarters procurement organization is identified in the DEAR (48 CFR chapter 9) only the title of the subordinate organization is used, along with the phrase "within the Headquarters procurement organization"; for example, "the Office of Policy, within the Headquarters procurement organization".

901.201–1 [Amended]

4. At 901.201–1, in paragraph (b), remove "Policy Office, Procurement and Assistance Management Directorate, Headquarters" and insert "Office of Policy, within the Headquarters procurement organization," and in paragraph (d), remove "Policy Office" and insert "Office of Policy, within the Headquarters procurement organization "

901.301 [Amended]

5. At 901.301, at paragraph (b) introductory text, remove "the" before "Contracting".

901.57 [Amended]

6. At 901.570, in paragraph (b), remove "Policy Office, Procurement and Assistance Management Directorate, Headquarters" and insert "Office of Policy, within the Headquarters procurement organization,".

901.601–1 [Amended]

7. At 901.601, remove "the" preceding "Contracting" in the third sentence.

901.602–3 [Amended]

8. At 901.602–3, at paragraph (b)(3), revise "Heads" to "Head," add "the" between the words "of" and "Contracting", and revise "Activities" to "Activity"; at paragraph (c)(7) insert "any" before "unauthorized" and revise "commitments" to "commitment"; at paragraph (c)(7)(ii), correct the spelling of the word "furnished" in the first sentence; at paragraph (c)(7)(iv) remove "Business Clearance Division, MA–441, Headquarters" and insert "Office of Clearance and Support, within the Headquarters procurement organization".

901.603–1 [Amended]

9. At 901.603–1, add the words "(See current version.)" after "4200.4".

901.603–71 [Amended]

10. In the second sentence of paragraph (a) of 901.603–71, revise "contracting activity" to read "contracting personnel".

901.603–72 [Amended]

11. At 901.603–72, in paragraph (a), in the second sentence, revise "as to" to read "regarding the" and revise "hot" to read "not".

PART 902—DEFINITIONS OF WORDS AND TERMS

12. At 902.101, add the words ", or supplement," after the words "in addition to" in the introductory sentence and revise the definition of *Acquisition Executive*, to read as follows:

902.101 Definitions.

* * * * *

Acquisition Executive, as that term is used in OMB Circular A–109, means the Secretary or individuals designated by

the Secretary to make key decisions on major systems acquisitions. The Acquisition Executive, as contrasted to the Procurement Executive, is involved in approving and monitoring the development of major systems acquisitions and the review of their progress as they evolve through the major system acquisition process. Details regarding internal major systems acquisition procedures may be found in the DOE directives.

* * * * *

At 902.101, at the definition of *Procurement Executive*, remove "Procurement and Assistance Management Directorate" and insert "of the Headquarters procurement organization"; and, at the definition of *Senior Program Official*, delete the parenthetical expression at the end of the definition.

PART 903—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

903.203 [Amended]

13. At 903.203, in paragraph (a), remove the words "and if the allegations appear to support a violation" and insert ", and, if the report appears to substantiate the allegations,".

903.303 [Amended]

14. At 903.303, in the final sentence of paragraph (a), insert a comma following the second occurrence of the word "General".

903.603 [Amended]

15. At 903.603, in paragraph (a), remove the word "shall" and insert in its place the words ", in accordance with FAR 48 CFR 3.602, may".

PART 904—ADMINISTRATIVE MATTERS

904.401 [Amended]

16. At 904.401, remove the roman numeral "II" and insert an arabic numeral "11" at the definition of *Restricted Data.*

904.403 [Amended]

17. At 904.403(a), add the words "(See current version.)" after "5631.2" in (a) and "5632.2" in (c).

904.601 [Amended]

18. At 904.601, in paragraph (c), remove the words "Office of Management Review and Assistance, Headquarters" and insert "Office of Management Review and Analysis, within the Headquarters procurement organization".

904.601–70 [Amended]

19. At 904.601–70, in paragraph (b) introductory test, revise "(latest version)" to "(See current version.)" following "1331.1", and remove the words "Requirements and Procedures for the"; and, remove paragraph (b)(4).

20. At 904.601–71, in paragraph (a), remove the acronym "(URS)"; at paragraph (b) remove the first sentence and insert in its place the following: "Instructions for use of the uniform reporting system may be found in DOE Order 1332.1 (See current version.)."; and in paragraph (b), remove the acronym "URS" and insert in its place "uniform reporting system" where it appears three times

21. At 904.702, in paragraph (b), remove ", and any pertinent superseding provisions" and insert "(See current version.)".

22. At 904.805, add "(See current version.)" after 1324.2.

23. At subpart 904.70, remove the terms "offeror/bidder" and "offerors/bidders" and insert in their place the term "offeror(s)" where the terms appear at 904.7000 (twice); 904.7001; 904.7002; definition of *Foreign ownership, control, or influence;* 970.7003(c); and at 904.7004 (six times).

24. At 904.7000, at the end of the final sentence, remove the words "FOCI over the offeror/bidder or contractor/subcontractor" and insert the words "the foreign influence".

25. At 904.7002, place the definition of *Contracting officer* so it appears first in the alphabetic list of definitions and revise "Officer" to read "officer".

PART 905—PUBLICIZING CONTRACT ACTIONS

26. At 905.403(a), revise "Office of Congressional and Intergovernmental Affairs" to read "Office of Congressional, Intergovernmental and International Affairs".

27. At 905.403–70 introductory text, remove the word "Headquarters" and revise "Office of Congressional and Intergovernmental Affairs" to read "Office of Congressional, Intergovernmental and International Affairs" where it appears three times.

28. At 905.404–1, revise "Office of Procurement Support, Procurement and Assistance Management Directorate, Headquarters" to read "Office of Clearance and Support, within the Headquarters procurement organization".

PART 906—COMPETITION REQUIREMENTS

29. At 906.303–1, in paragraph (a), insert a comma after the phrase "For small purchases" at the beginning of the final sentence

PART 907—ACQUISITION PLANNING

30. At 907.102, revise the number "5700" to read "4700".

31. At 907.401, in paragraph (f), revise "it it" to read "it is" in the second sentence and correct the spelling of the word "circumstances" in the final sentence

32. At 907.402–70, revise "controller and finance divisions" to read "Headquarters and field Chief Financial Officers" in the introductory text of paragraph (b); at paragraph (b)(3) revise "Controller and Finance Divisions" to read "Headquarters and field Chief Financial Officers"; correct the spelling of the word "Transfer" at paragraph (c)(1)(iv); and correct the spelling of the word "penalties" at the next to the last sentence of paragraph (c)(4).

PART 908—REQUIRED SOURCES OF SUPPLIES AND SERVICES

33. At 908.307, in paragraph (b), remove "Business Clearance Division" and insert "Office of Clearance and Support, within the Headquarters procurement organization" and remove the word "usually" from the final sentence of the undesignated paragraph following paragraph (b).

34. At 908.802, in paragraph (b), in the second sentence revise "1340.1A" to "1340.1" and add "(See current version.)" after "1340.1", and add a new final sentence to read "When appropriate, contracting officers shall furnish the necessary forms and instructions to contractors as described in the current version of DOE Order 1340.1."

35. At 908.1170, in paragraph (a), insert "the" before "Heads" and in paragraphs (a) and (b), revise "Property and Equipment Management Division, Office of Policy, Procurement and Assistance Management Directorate, Headquarters" to read "Office of Property Management, within the Headquarters procurement organization".

36. At 908.7101, revise "Property and Equipment Management Division, Office of Policy, Procurement and Assistance Management Directorate, Headquarters" to read "Office of Property Management, within the Headquarters procurement organization" where it appears at 908.7101–3, 908.7101–6(a), and 908.7101–7(b); and insert "the" before "Heads" at 908.7101–2(c), 908.7101–4(b), 908.7101–5, and 908.7101–6(a).

37. At 908.7101–7(b), revise "is" to read "are" in the second sentence.

38. At 908.7107(i), revise "101–43.4" to read "101–48.1".

39. At 908.7108, in paragraph (b), revise "helium act" to read "Helium Act".

40. At 908.7112, add "The" before "Heads" at the second sentence.

41. At 908.7115, in paragraph (a), revise "1322.2A" to read "1322.2", remove the words "Forms Management." and insert "(See current version.),".

42. At 908.7116, in paragraph (b), insert "the" before "Heads".

43. At 908.7121, in paragraph (b), remove "Westinghouse Materials Company of Ohio (WMCO), P.O. Box 398704, Cincinnati, Ohio 45239" and insert "Martin Marietta Energy Systems, Inc., MS8207, P.O. Box 2009, Oak Ridge, Tn. 37831" in the third sentence and revise "WMCO" to read "the operating contractor" in the fourth sentence.

PART 912—CONTRACT DELIVERY OR PERFORMANCE

44. At 912.300, revise the parenthetical cross reference to read "(See 15 CFR part 700)".

45. At 912.302(e), add "The" before "Heads".

46. At 912.304, in paragraph (c), revise "$1,000" to read "$5,000".

PART 913—SMALL PURCHASE AND OTHER SIMPLIFIED PURCHASE PROCEDURES

47. At the part heading, revise "PURCHASES" to read "PURCHASE".

48. At 913.505–1, in paragraph (b)(2), remove ", including DOE Clause Set 319 which"; and remove "by the Office of Policy, Procurement and Assistance Management Directorate" and insert the phrase "from the Office of Policy, within the Headquarters procurement organization".

49. At 913.505–3, in paragraph (d)(1), insert the word "the" before the words "control of forms".

PART 914—SEALED BIDDING

50. At 914.201–5, in paragraph (a)(1), remove "Office of Policy, Office of Procurement, Assistance and Program Management" and insert "Office of Policy, within the Headquarters procurement organization".

51. At 914.406–3, in paragraph (e), insert "the" before "Heads".

52. Remove 914.407–8.

53. Remove 914.407–70.

54. At 914.408–2, revise "10 CFR part 795" to read "10 CFR part 1016".

PART 915—CONTRACTING BY NEGOTIATION

55. At 915.406–5, in paragraph (a)(1), revise "Office of Policy, Office of Procurement, Assistance and Program Management" to read "Office of Policy, within the Headquarters procurement organization"; and correct the spelling of the word "period", at its second usage, at paragraph (a)(2)(iv),.

56. At 915.502, correct the spelling of the word "expeditious" at paragraph (a)(iv); and revise "943.107" to read "943.170" at paragraph (b).

57. At 915.504, in paragraph (b)(6)(ii), revise "Advisor" to read "advisor" and revise "Office of Procurement Support, Headquarters" to read "Office of Clearance and Support, within the Headquarters procurement organization"; and at paragraphs (b)(6)(iv) and (b)(6)(vi), revise "Unsolicited Proposal Management Officer" to read "unsolicited proposal coordinator".

58. At 915.506, in paragraph (b), revise "Procurement and Assistance Management Directorate, U.S. DOE, Attn: Unsolicited Proposals Management Officer, MA432" to read "Unsolicited Proposal Coordinator, Office of Procurement and Assistance Management," in the first sentence, and in the third sentence revise "Unsolicited Proposal Management Officer" to read "unsolicited proposal coordinator".

59. At 915.506–2, correct the spelling of the word "assignment" in paragraph (a); and correct the spelling of the words "justifications" and "recommendation" in paragraph (e).

60. At 915.801, revise "Department of Energy" to read "DOE".

61. At 915.804–3, add "The" before "Heads" at paragraph (b)(2)(iii), (c)(8), (g), and (i).

62. At 915.804–6, add "The" before "Heads" at paragraphs (e) and (i).

63. At 915.805–5, in paragraph (c)(1), remove "Directorate of Procurement and Assistance Management, Office of Policy, Policy and Procedures Division" and insert "Office of Policy, within the Headquarters procurement organization".

64. At 915.807, in paragraph (d)(5)(h), correct the spelling of the word "maximum".

65. At 915.903, in paragraph (f), correct the spelling of "comparison".

66. At 915.970–4, in paragraph (c), correct the spelling of "documentation".

67. At 915.970–8, in paragraph (b)(1), remove the "a in" appearing after the word "accomplish" in the second sentence and revise the paragraph designation "(b)(2)(iv)(C)" to read "(c)" before the heading *"Contract risk."*.

68. At 915.970–8, in paragraph (h)(1), correct the spelling of the word "awarded" in the third sentence.

69. At 915.971–4, in paragraph (h), correct the spelling of the word "positive".

70. At 915.1003, in paragraph (a), remove the comma following "officer" and insert a comma following the word "may" in the next to the last sentence.

PART 916—TYPES OF CONTRACTS

71. At 916.203–4, in paragraph (d)(2), revise the FAR reference at the end of the paragraph to read "(FAR) 48 CFR 16.203–4".

72. At 916.207–3, in paragraph (d), following the word "designee", add the phrase "(but no lower than the chief of the contracting office)".

73. At 916.306, in paragraph (c)(2), revise "head" to read "Head".

74. At 916.404–2, in the third sentence of paragraph (d), correct the spelling of the word "determined".

75. At 916.405, in paragraph (e), remove "Office of Policy, Headquarters" and insert "Office of Policy, within the Headquarters procurement organization"; and revise "Contracting Officer" to read "contracting officer" where it appears, once each, in the paragraphs titled "Base Fee" and "Award Fee" of the article entitled "Payment of Base and Award Fee".

PART 917—SPECIAL CONTRACTING METHODS

76. At 917.504, in paragraph (b)(9)(i), correct the spelling of the word "estimated".

77. At 917.7003, correct the spelling of the word "commercially" in paragraph (b)(3) and add a comma following the word "important" in the second sentence of paragraph (e).

78. At 917.7006, remove "Controller" and insert "Chief Financial Officer, Headquarters,".

79. At 917.7200, in paragraph (b), remove the fourth sentence.

80. At 917.7300, in paragraph (b), remove the fourth sentence.

81. At 917.7301–4, in paragraph (a)(9), correct the spelling of the word "announcement".

82. At 917.7303, in paragraph (b), correct the spelling of the word "ex officio" in the third sentence.

83. At 917.7401, insert the word "may" before the word "arise" in the second sentence.

84. At 917.7402, in paragraph (c)(3), correct the spelling of the word "cancellation" where it precedes the word "date".

85. At 917.7403, in paragraph (b), correct the spelling of the word "responsibility".

86. At 917.7502, in paragraph (b), at the fifth sentence, revise "multiphase" to read "multiple phase" and revise "timeframe" to read "time frame".

PART 919—SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS

87. At 919.201(c), add ", Headquarters, is responsible for the administration of the DOE small" between "Utilization" and "and" in the first sentence, and add "The" before "Heads" in the final sentence.

88. At 919.501, in paragraph (c), remove "$10,000" and insert in its place "the small purchase limitation".

89. At 919.705–6, remove "OSDBU" and insert in its place "Office of Small and Disadvantaged Business Utilization".

90. At 919.708, in paragraph (c), correct the spelling of the word "disadvantaged".

PART 920—LABOR SURPLUS AREA CONCERNS

91. At 920.102, correct the spelling of the word "Acquisitions".

92. 920.106 is revised to read as follows: 920.106 Records and reports.

Set-aside awards shall be reported as described in the Handbook for Preparation of Individual Procurement Action Reports.

PART 922—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITION

93. At 922.103–4, in the second sentence of paragraph (d)(1), add "the" before "Heads"; and, in the second sentence of paragraph (d)(1)(i), remove the phrase "By casual overtime is meant" and insert in its place "Casual overtime means".

94. At 922.470, in paragraph (a), revise the reference "FAR 22.400" to read "(FAR) 48 CFR part 22, subpart 22.4".

95. At 922.471, correct the spelling of the word "rehabilitation" at paragraph (e) in the first sentence; and at paragraph (g)(2)(iii) remove "uninterruption of continuing" and insert "continuity of" before the word "construction".

96 and 97. At 922.473, in paragraph (a), revise the reference "FAR 22.400" to read "(FAR) 48 CFR part 22, subpart 22.4" and add "the" before "Heads"; and at paragraph (b) add "The" before "Heads", insert ", within the Headquarters procurement organization" following "Management" and revise "FAR 22.400 and 922.400" to read "(FAR) 48 CFR part 22, subpart 22.4" and "48 CFR part 922, subpart 922.4".

98. At 922.608–5, revise the FAR reference to read "(FAR) 48 CFR 22.608–5".

99. At 922.800, revise "(FAR 22.800" to read "(FAR) 48 CFR part 22, subpart 22.8".

100. At 922.804–2, correct the spelling of "provisions" in the first sentence of paragraph (a)(1).

PART 923—ENVIRONMENT, CONSERVATION, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE

101. Revise the title of part 123 to read as above.

102. At 923.7001, in paragraph (a), correct the spelling of "producing".

103. At 923.7002, revise "(a)" to read "(b)" in the reference at the end of the introductory text of paragraph (b) and at the fourth sentence of paragraph (d) revise "Deputy Assistant Secretary" to read "Principal Deputy Assistant Secretary".

PART 924—PROTECTION OF PRIVACY AND FREEDOM OF INFORMATION

104. At 924.103, in paragraph (b)(2), revise "maintained" to read "Maintained", revise "order" to "Order", and add "(See current version.)" after "1800.1".

105. At 924.202, in paragraph (b), add "and DOE Order 1700.1 (See current version.) for related internal procedures" following the word "regulations" at the first sentence; and at the second sentence, remove the words "Public" and "Records" and insert "Requests" following "Information and".

PART 925—FOREIGN ACQUISITION

106. At 925.108, in paragraph (b), revise the FAR reference to read "(FAR) 48 CFR 25.108(d)(1)".

107. At 925.204, remove the paragraph designation "(d)".

108. Subpart 925.9 is revised to read as follows:

Subpart 925.9—Additional Foreign Acquisition Clauses

925.901 Omission of the examination of records clause.

(c) Conditions for omission.

Any proposed determinations and any reports mentioned at (FAR) 48 CFR 25.903 shall be forwarded to the Director, Office of Clearance and Support, within the Headquarters procurement organization.

PART 928—BONDS

109. At 928.202–70, revise the FAR reference to read "(FAR) 48 CFR 28.202".

PART 932—CONTRACT FINANCING

110. At 932.501–2, in paragraph (a)(3), revise "Controller" to read "Chief Financial Officer, Headquarters".

111. At 932.803, in the last sentence of paragraph (d), revise "Controller" to read "Chief Financial Officer, Headquarters".

112. At 932.970, remove the word "basic" preceding the words "Prompt Payment" and remove the words "and (a)(2)(i)(B) of its Alternate I" at paragraph (a)(1); remove the word "basic" preceding the words "Prompt Payment" and remove the words "and (a)(5)(i) of its Alternate I" at paragraph (a)(2); correct the spelling of "Financing" at the heading of (b), remove the word "basic" preceding the words "Prompt Payment" and remove the words "and its Alternate I" at paragraph (b)(1); and add a period at the end of the final sentence of paragraph (b)(2).

113. At 932.7003, in paragraph (a), remove the word "of" between the words "or" and "class" at the end of the first sentence.

114. At 932.7004–2, in paragraph (d), correct the spelling of "repaid".

115. At 932.7004–3, in paragraph (b), remove the word "Controller's" and insert "Chief Financial Officer's".

PART 933—PROTESTS, DISPUTES, AND APPEALS

116. At 933.103, in paragraph (a), insert the words "at least" between the words "that" and "one" in the second sentence; and, remove "Business Clearance Division, Headquarters" and "Business Clearance Division" and insert "Office of Clearance and Support, within the Headquarters procurement organization" where it appears once in paragraph (d)(5) and three times in paragraph (e).

117. At 933.104, at paragraph (a)(3) and in the mailing address at paragraph (a)(4)(iii), remove "Business Clearance Division (MA–441)" and insert "Office of Procurement and Assistance Management, Office of Clearance and Support,"; revise "Business Clearance Division" and "Business Clearance Division, Headquarters" to read "Office of Clearance and Support" at paragraphs (a)(4)(iii), 2 times; the undesignated paragraph following the address in paragraph (a)(4)(iii), 2 times; (a)(5)(i), (a)(6), paragraph (b), and at paragraph (c)(2), 2 times; and by capitalizing

"Head of the Contracting Activity" where it appears twice in (b)(1).

118. At 933.105, remove "Business Clearance Division, Headquarters" at paragraphs (a)(1)(ii) and (g) and insert in both places "Office of Clearance and Support, within the Headquarters procurement organization"; and, at paragraph (h), remove "Business Clearance Division" and insert "Office of Clearance and Support, within the Headquarters procurement organization".

119. At 933.170, at paragraph (b) remove "Headquarters Business Clearance Division," at paragraph (c), remove "Business Clearance Division Headquarters," and at paragraphs (d) and (e) remove "Business Clearance Division" and insert in each place "Office of Clearance and Support, within the Headquarters procurement organization".

PART 935—RESEARCH AND DEVELOPMENT CONTRACTING

120. At 935.016–3, in the definitions of *Awarding Contracting Activity* and *Cognizant Contracting Activity* revise the terms "Contracting Activity", "Cognizant Contracting Activity", "Awarding Contracting Activity", and "Awarding Contracting Activities", to read "contracting activity", "cognizant contracting activity", "awarding contracting activity", and "awarding contracting activities", except in the definition headings.

121. At 935.016–4, correct the spelling of "proposals", at its second appearance, at paragraph (b)(5); revise the terms "Contracting Officer" and "Cognizant Contracting Activity" from upper case to lower case at paragraph (c); and revise the term "Contracting Activity" from upper case to lower case at paragraph (d).

122. At 935.016–5, in paragraph (b)(1)(ii), correct the spelling of the word "intended" where it is first used.

123. At 935.016–6, in paragraph (a), revise "Contracting Officer" from upper to lower case.

124. At 935.016–7, in paragraph (d)(4), revise from upper case to lower case the terms "Contracting Officer" and "Contracting Officer's Representative".

125. At 935.016–8, revise the following from upper case to lower case: "Program Office" at paragraphs (a)(5) and (e)(10); "Procurement Request" at paragraph (e)(1); and, "Contracting Activity" at paragraph (e)(11).

126. At 935.016–9, in the introductory text, revise "Procurement Request" and "Contracting Activity" to read "procurement request" and "contracting activity".

127. At 935.070, revise "Research and Development" to read "research and development".

PART 936—CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

128. At the table of contents; correct the spelling of "Evaluation" at 936.602–2.

129. At 936.202, in paragraph (a), revise the FAR reference to read "910.004(f)."

130. At 936.601, revise the reference "FAR 5.205(c)" to read "(FAR) 48 CFR 5.205(d)".

131. At 936.602–3, in paragraph (c)(5), revise the reference "FAR 5.207(d)" to read "(FAR) 48 CFR 5.207(e)".

132. At 936.602–4, in paragraph (b), insert the word "the" after the words "retained in" in the second sentence.

133. At 936.603, remove the word "of" following the word "Collecting" in the heading.

134. At 936.605, at paragraph (c)(1), add the term "and/or" after the term "program need"; revise the colon to a semicolon after the word "risks"; revise the comma to a semicolon after the word "disciplines"; revise "Develop" to read "develop" after the word "risks"; and, at paragraph (c)(3), remove the word "and" preceding the words "assist in securing".

135. At 936.606, in paragraph (f), revise "percentum" to read "per centum" in the final sentence.

136. At subpart 936.7, revise the heading to read "Standard and Optional Forms for Contracting for Construction, Architect-Engineer Services, and Dismantling, Demolition, or Removal of Improvements".

137. At 936.7002–3(a), add "the" before "Heads" which appears twice and remove "the" where it precedes "Contracting".

138. At 936.7003–1, add "The" before "Heads".

PART 937—SERVICE CONTRACTING

139. Revise the heading of subpart 937.2 to read "Advisory and Assistance Services"; redesignate 937.205 as 937.207, revise its heading to read "Contracting officer responsibilities."; remove the paragraph "(b)" designation and remove the second paragraph designated "(7)".

PART 942—CONTRACT ADMINISTRATION

140. At 942.003, in paragraph (b), revise "cognization" to read "cognizant" in the last sentence.

141. At 942.101, in paragraph (b), remove "Branch, Office of Policy, Procurement and Assistance Management Directorate, Headquarters" and insert "Division, Office of Policy, within the Headquarters procurement organization,".

142. At subpart 942.7, remove "Branch, Office of Policy, Procurement and Assistance Management Directorate, Headquarters" and insert "Division, Office of Policy, within the Headquarters procurement organization," at 942.705–1(a)(3), 942.705–3, 942.705–4, and 942.705–5; and, at 942.708, insert "(b)" before the undesignated paragraph beginning "The contracting officer shall".

143. At 942.803, in paragraph (c)(3)(vii), revise "followup" to read "follow-up".

144. At subpart 942.14, add "(See current version.)" following "1540.1" in 942.1401, and insert ", Safeguards, and Emergency" between the words "Transportation" and "Management" at 942.1401, 942.1402(a)(2), 942.1403–1(a), 942.1403–1(c)(1) and 942.1403–2(a).

PART 943—CONTRACT MODIFICATIONS

145. At 943.170, in paragraph (g), in the introductory text, insert the word "the" before "extension"; revise the reference from "915.570–2" to read "915.506–2" at paragraph (g)(1); and correct the spelling of the word "initial" at paragraph (g)(3).

PART 944—SUBCONTRACTING POLICIES AND PROCEDURES

146. At 944.302, add the word "The" before "Heads" in the first sentence of paragraph (a) and revise "followup" to read "follow-up" at paragraph (c).

147. At 944.305–1, in paragraph (a), add the word "the" before "Contracting Activity".

148. At 944.307, in paragraph (b), remove "Procurement Management Review Division, Procurement and Assistance Management Directorate, Headquarters" and insert "Office of Contractor Management and Administration, within the Headquarters procurement organization".

PART 945—GOVERNMENT PROPERTY

149. At the table of contents, correct the spelling of "management" at 945.570.

150. At 945.102–70, in the introductory text, remove "Property and Equipment Management Division, Procurement and Assistance Management Directorate, Headquarters" and insert "Office of Property Management, within the Headquarters

procurement organization", and at paragraph (c) remove "Administration Service" and insert "Management Command".

151. At 945.104–70, in paragraph (a)(5), revise "Worksheets" to read "Work sheets" at the final sentence, correct "exist" to read "exit" at paragraphs (a)(6) and (a)(7), and remove "Property and Equipment Management Division, Headquarters" and insert "Office of Property Management, within the Headquarters procurement organization" at paragraph (a)(11).

152. At 945.303–1, revise the second sentence of the introductory text to read as follows: *Special nuclear material* means uranium enriched in the isotopes U233, and U235, and/or plutonium, other than PU238."

153. At 945.304, remove "Acquisition of" and revise "motor" to read "Motor" in paragraph (c), and, in paragraph (d), remove "GSA Interagency Motor Pool System" and insert "Contractor Use of Interagency Fleet Management System (IFMS)".

154. In the table at 945.505–14, at the entry for asset type code number 490, remove "includable" and insert "included" and at the entry for 655, revise "powerplant" to read "power plants".

155. At 945.570–2, remove "Motor Pool" and insert "Fleet Management" at paragraph (a); remove "IMPS" and insert "IFMS" at paragraphs (a), (b)(1) and (b)(2); and, at paragraph (g) introductory text remove "Property and Equipment Management Division, Headquarters, Procurement and Assistance Management Directorate, (MA–422)" and insert "Office of Property Management, within the Headquarters procurement organization".

156. At 945.607–2, in paragraph (b), remove "Westinghouse Materials Company of Ohio (WMCO), P.O. Box 398704, Cincinnati, Ohio 45239" and insert "Martin Marietta Energy Systems, M.S. 8207, P.O. Box 2009, Oak Ridge, Tn. 37831".

157. At 945.608–2, in paragraph (b)(1)(ii), remove "Property and Supply Division, REAPS, Office of Policy, Procurement and Assistance Directorate, Headquarters" and insert ", Office of Property Management, within the Headquarters procurement organization".

158. At 945.608–6, in paragraph (a), remove "of the Office of Review and Analysis, Procurement and Assistance Management" and insert "Office of Property Management, within the Headquarters procurement organization", and at paragraph (b) remove "Office of Review and Analysis" and insert "Office of Property Management, within the Headquarters procurement organization".

PART 949—TERMINATION OF CONTRACTS

159. At 949.111, insert "The" before "Heads" at paragraph (a) and insert "the" before "Heads" at paragraph (c).

160. At 949.501, remove the word "following" and the colon following it in the introductory text; remove the designation "(a)" before the second paragraph and revise "Cost" to read "cost"; and combine the remaining text into 1 sentence.

PART 950—EXTRAORDINARY CONTRACTUAL ACTIONS

161. At 950.104, remove "Contract Business Clearance Division, Headquarters" and insert "Office of Clearance and Support, within the Headquarters procurement organization" twice.

162. At 950.7003(b), add "The" before "Heads".

163. At 950.7006, in paragraph (a), remove the two "§ " symbols.

164. At 950.7101, correct the spelling of "contractors" in the first sentence of paragraph (a); revise "Avoidable Costs" to read "avoidable costs" at paragraph (c)(2); revise "Contracting Officer" to read "contracting officer" in paragraph (c)(2) where it appears twice; correct the spelling of the word "responsibility" at paragraph (d); correct the spelling of the word "commercial" at paragraph (e); and correct the spelling of the word "provisions" at paragraph (g).

PART 951—USE OF GOVERNMENT SOURCES BY CONTRACTORS

165. At 951.102, revise "contracts" to read "subcontracts" immediately before the word "where" at paragraph (a), and remove "Property and Equipment Management Division, Office of Policy, Procurement and Assistance Management Directorate, Headquarters" and insert "Office of Property Management, within the Headquarters procurement organization" at paragraph (c)(1).

PART 952—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

166. At the table of contents, correct the spelling of the word "termination" at 952.249.

167. At subpart 952.1, correct the spelling of the word "Subpart" in the heading.

168. At 952.102–1, in paragraph (a), remove "Office of Policy" and insert "Office of Policy, within the Headquarters procurement organization"; remove the phrase "during the initial Federal Acquisition Regulations System familiarization period" at the end of the first sentence; and revise the final sentence to read "This practice eliminates the confusion and expense which would be caused the Department's contractors if each contracting activity pursued its own approach regarding contract clauses."

169. At 952.202–1(a), add the following sentence as the first sentence of that paragraph "As prescribed in (FAR) 48 CFR 902.200, insert the clause at (FAR) 48 CFR 52.202 in all contracts."; remove the words "at FAR 52.202–1" from the second sentence of the first paragraph (a); remove "The term" in the beginning of the second paragraph (a); and, correct the spelling of the word "Federal" in paragraph (d) of the clause.

170. At 952.204–2, insert the phrase "As prescribed in 904.404(d)(1)," before the first word of introductory text; and at paragraph (g) of the clause revise "Plutonium" to "plutonium".

171. At 952.204–70, insert the words "As prescribed in 904.404(d)(2)," before the introductory text and revise the colon to a period at the end of the introductory text.

172. At 952.204–71, revise the colon to a period at the end of introductory text and revise "effecting" to "impacting" in the second sentence of paragraph (a) of the clause.

173. At 952.204–72, add the phrase "As prescribed in 904.404(d)(4)" at the beginning of the introductory text and revise the colon to a period at the end of introductory text.

174. At 952.204–73, revise the term "offeror/bidder" to read "offeror" where it appears at paragraph (c), at the certification following question 11 (three times), at paragraph (d) (three times), and at paragraphs (e) and (f).

175. At 952.208–7, insert the phrase "As prescribed in 908.7101–7," before the word "insert" at the beginning of the introductory text.

176. At 952.208–70, remove the introductory text and insert instead "As prescribed in 908.802, insert the following clause."

177. At 952.209–70, in the first sentence of paragraph (a), correct the spelling of the word "contractual", and at paragraph (c), in the second sentence place a period after "conflict of interest" and add the words "If a conflict" immediately before the words "is found".

178. At 952.209–71, in paragraph (b), revise "Contracting Officer" to "contracting officer".

179. At 952.212–70, in the introductory text, revise the colon to a period at the end of the introductory text and revise "350" to read "700" and insert a period after the word "box" in the clause following the introductory text.

180. At 952.212–71, in the introductory text, revise the colon to a period at the end of introductory text and revise "350" to read "700" in the clause following the introductory text.

181. At 952.212–72, remove the first sentence of the undesignated introductory paragraph; in the second sentence remove the words "As discussed in DEAR" and insert the words "As prescribed in"; revise the colon to a period at the end of the introductory text; and, in the second sentence of the clause remove "A, or any later" and add a comma in its place.

182. At 952.212–73, revise the colon to a period at the end of the introductory text.

183. At 952.215–22, remove "certified" and insert "a certificate of current".

184. At 952.215–70, insert the date "(OCT 1984)" at the end of the clause heading.

185. At 952.216–15, correct the spelling of "Subpart" before the reference "31.6".

186. At 952.223–71, insert "As prescribed in 923.7002," at the beginning of the text.

187. At 952.223–72, insert "As prescribed in 923.7002," at the beginning of the text.

188. At 952.223–75, insert "(Government-owned or leased facility)" after "Safety and Health" in the clause introductory text.

189. At 952.224–70, revise "Federal Reports Act" to read "Paperwork Reduction Act" in paragraph (a) of the clause.

190. At 952.227–71, revise "(MAR 1982)" to read "(APR 1984)" in the clause heading; correct the spelling of "extension" at paragraph (c)(4); insert the word "to" after "convey" at paragraph (d)(1); correct the spelling of "countries" at paragraph (d)(1)(ii); correct the spelling of "Government" at paragraph (f)(1)(i); correct the spelling of "maintenance" at paragraph (f)(3); correct the spelling of "privileged" at the last sentence of paragraph (h); revise "non profit" to "nonprofit" at paragraph (k) introductory text; and correct the spelling of "applications" at paragraph (k)(2).

191. At 952.227–75, revise "Contracting Officer" to "contracting officer" at paragraphs (b)(2)(ii), (c)(2), (d)(1), (d)(2) and (f); insert the word "other" between the words "unless" and "use" at paragraph (b)(2)(ii); at the introductory text of Alternate I, revise "(d)" to "(g)" following "paragraph"; revise "Contracting Officer" to "contracting officer" at the first sentence of paragraph (g) of Alternate I; at Alternate II, revise "(b)" to "(h)" following "paragraph" in the introductory text and correct the spelling of "satisfaction" in paragraph (h) introductory text.

192. At 952.227–76, in paragraph (b), revise "Contracting Officer" to read "contracting officer":

193. At 952.227–77, insert "other" between "unless" and "use" at paragraph (b)(2).

194. At 952.227–78, at the end of paragraph (b)(1)(iv), revise "optional paragraph (e) hereof—'Limited Rights in Proprietary Data' " to read "paragraph (e), 'Limited Rights in Proprietary Data,' hereof, if a part of this clause".

195. At 952.227–79, correct the spelling of "proprietary" in the introductory text.

196. At 952.227–80, correct the spelling of "solicitations" in the introductory text.

197. At 952.227–82, correct the spelling of "whatsoever" in the final sentence of the clause.

198. At 952.233–2, designate the first paragraph beginning "Another copy" as (c); remove "Business Clearance Division (MA–441) Forrestal Building, Room 1I030" and insert "Office of Clearance and Support, Office of Procurement and Assistance Management"; and, designate the second paragraph beginning "Another copy" as (d).

199. At 952.235–70, revise "this" to "the following" in the introductory text and revise "Contracting Officer" to "contracting officer" where it appears four times in the text of the clause.

200. At 952.236–70, revise "Contracting Officer" to "contracting officer" at paragraph (1) of Title I and paragraph (6) of Title III.

201. At 952.236–71, correct the spelling of "performed" in the first sentence of the clause.

202. At 952.236–72, revise 936.202" to read "936.202(j)".

203. At 952.249–70, revise "Contracting Officer" to read "contracting officer" at paragraph (a).

204. At 952.251–70, remove the word "on" following the word "terms" in paragraph (c).

PART 970—DOE MANAGEMENT AND OPERATING CONTRACTS

205. At 970.0000, revise "Secretary, Deputy or Under Secretary" to read Secretary, Deputy Secretary or Under Secretary" in the second sentence. Revise the words "Small Business" to read "small business" and "Contract Clauses" to read "contract clauses" in the fourth sentence. Revise "Titles" to read "titles" in the fifth sentence. Revise "difference" to read "differences" in the sixth sentence.

206. At 970.0001, in paragraph (b) introductory text, revise "effect" to "determine", and correct the spelling of the word "competed".

207. At 970.0404–1, place a comma after the word "defined" in the second paragraph and revise the section number "II" to read "11".

208. At 970.0404–2, at paragraph (b) remove "and Orders" in the second sentence and revise "and" to read "is" in the third sentence. Revise "Production" to read "production" at paragraph (d)(2)(i) and correct the spelling of "facilities" at paragraph (d)(2)(ii).

209. At 970.0404–3, place a comma after "contract" in paragraph (a) and, in paragraph (b) insert "(See current versions.)" after the word "Orders".

210. At 970.0406, revise "5700.7B" to read "5700.7" and add "(See current version.)" following "5700.7".

211. At 970.0803, in paragraph (b), remove "Office of Project and Facilities Management (OPFM), at Headquarters" and insert "Public Utilities Branch, Headquarters" and remove ", OPFM", where it is used the second time and insert "of that office".

212. At 970.0905, revise "intercorporate" to read "intracorporate".

213. At 970.1001, revise "operation" to read "operating".

214. At 970.1509–1, correct the spelling of "particularly" at paragraph (b).

215. At 970.1509–2, correct the spelling of "Special" and "educational" in the heading.

216. At 970.1509–4, at paragraph (b)(6), revise "operation" to "operations" the second time it appears.

217. At 970.1509–6, correct the spelling of "similar" at paragraph (b)(1)(iii) and insert "the" before "Contracting" in paragraph (e).

218. At 970.1509–8, in paragraph (d), in the Narrative Description of Performance Adjectives table, correct the spelling of "deficiencies" at its first use in the category entitled "Good"; in paragraph (e) revise the two references from "paragraph (d)" to "paragraph (c)"; and, in paragraph (g), correct the spelling of "performance" at its first use.

219. At 970.2201, revise "management" to read "administration" at its first use in paragraph (a) and

correct the spelling of "commercial" at paragraph (b)(3).

220. At 970.2271, in paragraph (b)(1), delete "Headquarters'"; add ", within the Headquarters procurement organization" following "Resource Management"; add "the" before "Heads"; in paragraph (b)(2) insert "the" before "Heads"; and, in paragraphs (b)(2)(iv) and (b)(3), delete "Headquarters" and add ", within the Headquarters procurement organization" following "Resource Management".

221. At 970.2272, in paragraph (b)(2), revise "Contracting Officer" to read "contracting officer".

222. At 970.2273, correct the spelling of "integral" at paragraph (a)(7), correct the spelling of "example" at paragraph (a)(8), insert the word "the" before the word "Heads" in the second sentence of (b) introductory text, correct the spelling of "Contracting" in the final sentence of paragraph (b)(3), correct the spelling of "Assembly" at paragraph (c)(1)(iv), correct the spelling of "identified" in the fourth sentence of paragraph (c)(2), and correct the spelling of "embraces" (first sentence) and "commercial" (next to the last sentence) of paragraph (d).

223. At 970.2303–2, in paragraph (d), insert "(Government-owned or leased)" immediately following "Safety and Health" and revise "Nuclear Facility Safety Applicability" to read "Nuclear Safety".

224. At 970.2901, in paragraph (b), remove "Controller" and insert "Chief Financial Officer, Headquarters".

225. In the undesignated introductory paragraph of 970.2902, insert the word "the" before the word "Heads".

226. At 970.3001–2, revise the reference "970.3102–10" to read "970.3102–3".

227. At 970.3101–1, in paragraph (c), revise "appendices" to read "appendix".

228. At 970.3101–2, in paragraph (b)(1), correct the spelling of "manufacturing" in the fourth sentence.

229. At 970.3102–1, revise "or" to read "of" following the word "representative" in the next to the last sentence of paragraph (b), and correct the spelling of "adequately" in the first sentence of paragraph (c).

230. At 970.3102–2, correct the spelling of "forfeited" at paragraph (h)(2)(ii), correct the spelling of "accordance" at paragraph (l)(2)(iv), revise "(vi)" to read "(iv)" in paragraph (l)(6)(iv), correct the spelling of "ownership" in the heading at paragraph (l)(7), correct the spelling of "participating" at paragraph (l)(7)(i)(A), and remove the acronym "—TRASOP's" at paragraph (l)(7)(ii).

231. At 970.3102–5, in paragraph (a), correct the spelling of "activities".

232. At 970.3102–9, correct the spelling of "services" the second time it appears in the next to the last sentence.

233. At 970.3102–17, revise "Contracting Officer" to read "contracting officer" in the fourth sentence of (a)(1), and correct the spelling of "vehicles" in the heading of paragraph (b) introductory text.

234. At 970.3102–18, correct the spelling of "except".

235. At 970.3102–19, revise "Contracting Officer" to read "contracting officer" at the introductory text of paragraph (d), at the undesignated paragraph following paragraph (d)(5), and at paragraph (e)(1); and revise "closings" to "closures" at paragraph (e)(2)(iii).

236. At 970.3102–20, in paragraph (d), revise "Contracting Officer" to read "contracting officer" where it appears twice.

237. At 970.3102–21, in paragraph (b)(3) introductory text and the undesignated paragraph following paragraph (b)(3)(ii), revise "Contracting Officer" to read "contracting officer".

238. At 970.3102–22, revise "Contracting Officer" to read 'contracting officer" where it appears six times, and revise "Avoidable Cost" and "Avoidable Costs" to "avoidable cost" and "avoidable costs" at the introductory text, at paragraph (d), at paragraph (e), and the undesignated paragraph following paragraph (e).

239. At 970.3201, remove "Office of Controller" and insert "Chief Financial Officer, Headquarters".

240. At 970.3271, under the heading "Covenants", revise "Contracting Officer" to read "contracting officer" where it appears two times in paragraph 2, and insert "the" before "Contracting" in paragraph (4).

241. At 970.5101, in paragraph (c), add "the" before "Heads".

242. At 970.5203–1, remove "See FAR 52.203–5." and the "Note" and add "Insert the clause at (FAR) 48 CFR 52.203–5 with the addition of the following paragraph."; and in paragraph (c) revise "Contracting Officer" to read "contracting officer".

243. At 970.5203–2, remove "See FAR 52.215–1." and the word "NOTE:" and revise "Office of the Controller" to "Chief Financial Officer, Headquarters".

244. At 970.5203–3, remove "See FAR 52.225–3." and the word "NOTE:", and insert in its place "Insert the clause at (FAR) 48 CFR 52.225–3 but".

245. At 970.5204–1, insert "As prescribed in 970.0404–4," before the existing text.

246. At 970.5204–2, add the following introductory text immediately before the clause "As prescribed in 970.2303–2(a), insert the following clause."

247. At 970.5204–4, remove "See FAR 52.229–10." and the word "Note" and insert the following introductory text "As prescribed in (FAR) 48 CFR 29.401–6(b), insert the clause at (FAR) 48 CFR 52.229–10, as modified by the following." and correct the spelling of "Fee" in the text of the note.

248. At 970.5204–5, remove the existing text and insert "As prescribed in 970.0404–4(b), insert the clause at 952.204–72.".

249. At 970.5204–6, remove "See 952.250–70" and insert "As prescribed in 950.7006(a), insert the clause at 952.250–70, when appropriate.".

250. At 970.5204–8, remove "See 952.250–72." and insert "As prescribed in 950.7006(a), insert the clause at 952.250–70, when appropriate.".

251. At 970.5204–9, add the following introductory text immediately before the clause: "As prescribed in 970.0407, insert the following clause."; revise "of unit-piece" in paragraph (g) to read "or unit price"; remove the second use of the phrase "advisable by the Head of the Contracting Activity" in the Note following paragraph (h); and correct the spelling of "contractor" in the Note following paragraph (h).

252. At 970.5204–11, add introductory text immediately before the clause to read "Insert the following clause.".

253. At 970.5204–12, add introductory text immediately before the clause to read "As prescribed in 970.2272(b)(2), insert the following clause.".

254. At 970.5204–13, insert introductory text immediately before the clause to read "As prescribed in 970.3103(a), insert the following clause, when appropriate."; revise "Contracting Officer" to read "contracting officer" where it appears at paragraph (d)(8)(v), (e)(1)(ii), (e)(11), (e)(32) and (e)(36)(i); correct the spelling of "originated" at paragraphs (e)(1)(iii); at paragraph (e)(17)(iv), remove the paragraph designation "(iv)" from the NOTE and insert the designation "(iv)" immediately before "are direct costs"; correct the spelling of "excess" at paragraph (e)(24); and, at paragraph (e)(36), remove the paragraph designation "(36)" from the NOTE and revise the paragraph designation "(i)" to read "(36)(i)"; and revise "clauses" to read "paragraphs" in the NOTE preceding paragraph (36)(i).

255. At 970.5204–14, insert introductory text preceding the clause to read "As prescribed in 970.3103(a),

insert the following clause."; correct the spelling of "performance" the second time it appears in paragraph (b); revise "Contracting Officer" to read "contracting officer" where it appears at paragraph (d)(5), (d)(14), (e)(1), (e)(9), and (e)(34)(i); revise "clauses" to read "paragraphs" at paragraph (e)(10) Note 1; revise "clause" to read "paragraph" at paragraph (e)(10) Note 2; at paragraph (e)(15)(iv), remove the paragraph designation from the NOTE and insert the designation "(iv)" immediately before the phrase "are direct costs"; at paragraph (e)(34), remove the paragraph designation "(34)" from the NOTE and revise the paragraph designation "(i)" to read "(34)(i)"; and revise "clauses" to read "paragraphs" in the Note preceding paragraph (34)(i).

256. At 970.5204–15, add introductory text preceding the clause to read "As prescribed in 970.1508(c), insert the following clause.", and correct the spelling of "contractor" in the last sentence of paragraph (a).

257. At 970.5204–16, add introductory text preceding the clause to read "As prescribed in 970.3270, insert the following clause.".

258. At 970.5204–19, add introductory text preceding the clause to read "As prescribed in 970.5101, insert the following clause."

259. At 970.5204–21, insert introductory text preceding the clause to read "As prescribed in 970.7104–43, insert the following clause." and, at paragraph (j) revise "Avoidable Costs" to read "avoidable costs".

260. At 970.5204–22, add introductory text preceding the clause to read "As prescribed in 970.7103, insert the following clause.".

261. At 970.5204–17, add introductory text preceding the clause to read "As prescribed in 970.3103(b), insert the following clause.", correct the spelling of "technical" at paragraph (b)(1), and revise "Contracting Officer" to read "contracting officer" at paragraph (b)(2).

262. At 970.5204–18, add introductory text preceding the clause to read "Insert the following clause."; add a heading and date to the clause to read "Definition of Nonprofit and Profit Making Management and Operating Contractors and Subcontractors (JUL 1991); and revise "Contracting Officer" to read "contracting officer" where it appears twice.

261. At 970.5204–23, add introductory text preceding the clause to read "As prescribed in 970.2902, insert the following clause.".

262. At 970.5204–24, add introductory text preceding the clause to read "As prescribed in 970.7104–11, insert the following clause.", and revise "a" to read "the" in paragraph (c) following the NOTE.

263. At 970.5204–25, add introductory text preceding the clause to read "Insert the following clause.".

264. At 970.5204–26, in the introductory text, revise "In accordance with the provisions at" to read "As prescribed in"; revise the reference "970.2303" to read "970.2303–2(c)"; insert "following" before "clause"; and remove "below in management and operating contracts".

265. At 970.5204–28, add introductory text preceding the clause to read "Insert the following clause.".

266. At 970.5204–29, add introductory text preceding the clause to read "Insert the following clause.".

267. At 970.5204–30, remove the existing text, including its heading and date and insert the following in its place "As prescribed in 970.2201(b)(5)(ii), insert the clause at (FAR) 48 CFR 52.222–1."

268. At 970.5204–31, add introductory text preceding the clause to read "Insert the following clause."; add a heading and date after the introductory text to read "Litigation and Claims (JUL 1991); and revise "Contracting Officer" to read "contracting officer" wherever it appears in the text of the clause; revise "clause" to read "paragraph" in the introductory text of "NOTE 1"; and, revise "clause" to read "paragraphs" in the introductory text of "NOTE 2".

269. At 970.5204–32, remove "**Note** 1:" and insert "(a)"; add a heading and date following the new designator "(a)" to read "Required Bond and Insurance-Exclusive of Government Property (Nonprofit) (Jul 1991)"; remove "**Note** 2:" and insert "(b)"; add a heading and date to read "Required Bond and Insurance-Exclusive of Government Property (Profit-Making) (Jul 1991); and revise "Contracting Officer" to read "contracting officer" where it appears four times.

270. At 970.5204–33, revise "15 CFR Part 350" to read "15 CFR Part 700" in the clause following paragraph (a), and correct the spelling of "decision" at its second appearance in the clause following paragraph (b).

271. At 970.5204–34, remove "See 952.204–71." and insert introductory text to read "As prescribed in 970.0404–4(a)(3), insert the following clause."; and add the clause as follows:

Sensitive Foreign Nations Controls (Apr 1984)

(a) In connection with any activities in the performance of this contract, the contractor agrees to comply with the "Sensitive Foreign Nations Controls" requirements attached to this contract, relating to those countries, which may from time to time, be identified to the contractor by written notice as sensitive foreign nations. The contractor shall have the right to terminate its performance under this contract upon at least 60 days prior written notice to the contracting officer if the contractor determines that it is unable, without substantially interfering with its polices or without adversely affecting its performance to continue performance of the work under this contract as a result of such notification. If the contractor elects to terminate performance, the provisions of this contract regarding termination for the convenience of the Government shall apply.

(b) The provisions of this clause shall be included in any subcontracts.

272. At 970.5204–35, remove "(unclassified contracts with educational institutions)" from the heading and insert introductory text, to read "Insert the following clause in contracts with educational institutions involving unclassified work.".

273. At 970.5204–36, remove "(contracts with universities where DOE has major investments in facilities but does not own or lease the land)" from the heading and add introductory text to read "Insert the following clause in contracts with universities where DOE has major investments in facilities but does not own or lease the land."

274. At 970.5204–37, revise the reference to read "See 970.1002.".

275. At 970.5204–38; in the introductory text, remove "In accordance with" and insert "As prescribed in"; revise the reference "970.2273" to read "970.1002(c) and 970.3601"; remove "the following clause shall be used" and insert "insert the following clause"; revise "operating and management" to read "management and operating"; and, in the final sentence of the clause, revise "on" to read "of" before "a public building".

276. At 970.5204–41, remove "See 952.223–75." and insert "As prescribed in 970.2303–2(d), insert the following clause.", and add the clause as follows:

Preservation of Individual Occupational Radiation Exposure Records (Apr 1984)

Individual occupational radiation exposure records generated in the performance of work under this contract shall be subject to inspection by DOE and shall be preserved by the contractor until disposal is authorized by DOE or at the option of the contractor delivered to DOE upon completion or termination of the contract. If the contractor exercises the foregoing option, title to such records shall vest in DOE upon delivery.

277. At 970.5204–42, insert introductory text preceding the clause to read "As prescribed in 970.2201(b)(1), insert the following clause."

278. At 970.5204–43, insert introductory text preceding the clause to read "Insert the following clause, when appropriate."; and, in the first sentence of the clause insert "other" before "contracts" and "additional" before "work".

279. At 970.5204–45, revise the introductory text to read "As prescribed in 970.7104–30, insert the following clause."; and revise "or" to read "of" following the second use of "contracting officer" in paragraph (a)(1)(i) of the clause.

280. At 970.5204–50, remove "See 952.212–73." and add introductory text to read "As prescribed in 970.7104–40, insert the following clause."; and add the clause as follows:

Cost and Schedule Control Systems (Apr 1984)

(a) In the performance of this contract, the contractor shall establish, maintain, and use cost and schedule control systems (management control systems) meeting the criteria set forth in the contract and as described in detail in "Cost and Schedule Control Systems Criteria for Contract Performance Measurement—Implementation Guide," annexed hereto and hereinafter referred to as the "Guide." Prior to acceptance by the contracting officer and within _____ calendar days after contract award, the contractor shall be prepared to demonstrate systems operation to the Government to verify that the proposed systems meet the designated criteria. As a part of the review procedures, the contractor shall furnish the Government a description of the cost and schedule control systems applicable to this contract in such form and detail as indicated by the Guide, or as required by the contracting officer. The contractor agrees to provide access to all pertinent records, data, and plans as requested by representatives of the Government for the conduct of systems review.

(b) The description of the management control systems accepted by the contracting officer, identified by title and date, shall be referenced in the contract. Such systems shall be maintained and used by the contractor in the performance of this contract.

(c) Contractor revises to the reviewed systems shall be submitted for review and approval as required by the contracting officer. When contracting officer approval is required, the contracting officer shall advise the contractor of the acceptability of such revises within sixty (60) days after receipt from the contractor. When systems existing at the time of contract award do not comply with the designated criteria, adjustments necessary to assure compliance will be made at no change in contract price or fee.

(d) The contractor agrees to provide access to all pertinent records and data requested by the contracting officer, or duly authorized representative, for the purpose of permitting Government surveillance to insure continuing application of the accepted systems to this contract. Deviations from the systems description identified during contract performance shall be corrected as directed by the contracting officer.

(e) The contractor shall require that each selected subcontractor, as mutually agreed to between the Government and the contractor and as set forth in the schedule of this contract, meet the criteria for cost and schedule control systems as set forth in subcontract and shall incorporate in all such subcontracts adequate provisions for review and surveillance of subcontractor's systems to be carried out by the prime contractor, or by the Government when requested by either the prime or subcontractor.

281. At 970.5204–52, remove "See 952.247–70" and add introductory text to read "Insert the following clause when foreign travel may be required under the contract."; and add the clause as follows:

Foreign Travel (Apr 1984)

(a) Foreign travel, when charged directly, shall be subject to the prior approval of the contracting officer for each separate trip regardless of whether funds for such travel are contained in an approved budget. Foreign travel is defined as any travel outside of Canada and the United States and its territories and possessions.

(b) Request for approval shall be submitted at least 45 days prior to the planned departure date, be on a Request for Approval of Foreign Travel form, and when applicable, include a notification of proposed soviet-bloc travel.

282. At 970.5204–54, insert introductory text to read "As prescribed in 970.1509–8(d), insert this clause in cost plus award fee management and operating contracts." and insert the clause heading and date to read "Basic Fee and Award Fee (Jul 1991)".

283. At 970.5204–55, insert introductory text to read "Insert the following clause in management and operating contracts with profit making contractors."; insert the clause heading and date to read "Ceiling on Certain Liabilities for Profit Making Contractors (Jul 1991)"; revise "Contracting Officer" to read "contracting officer" at paragraph (b)(1) twice and at paragraph (c) four times; and revise "Avoidable Costs" to "avoidable costs" three times in paragraph (a), three times in paragraph (b)(1), six times in paragraph (b)(3), and once in paragraph (b)(4).

284. At 970.5204–56, insert introductory text to read "Insert this clause in management and operating contracts with profit making contractors."; add a clause heading and date to read "Determining Avoidable Costs (Jul 1991)"; revise "Contracting Officer" to read "contracting officer" at paragraph (a)(2); and, revise "Avoidable Costs" to read "avoidable costs" once each at paragraphs (a)(1), (a)(2), and (c).

285. At 970.5204–57, revise "offeror/bidder" to read "offeror" at paragraphs (b) and (c).

286. At 970.5204–58, in the introductory text, correct the reference "970.5204–4(b)" to read "970.2305–4(b)".

287. At paragraph (a) of the clause at 970.5204–60, revise "4320.1B" to read "4320.1 (See current version.)".

288. At 970.5204–61, insert introductory text to read "Insert the following clause as specified in 970.3103(c)." and add a clause heading and date as follows: Cost Prohibitions Related to Legal and Other Proceedings (Dec 1993).

289. At 970.7102, insert "the" before "Contracting" in the first sentence of paragraph (a); insert "the" before "Head" and "Contracting" in the third sentence of paragraph (a); and revise "system" to read "systems" at paragraph (b)(1).

290. At 970.7104–7, correct the spelling of "Replacement" at item (12) of the table, and correct the spelling of "wiretapping" at item (14) of the table.

291. At 970.7104–9, at paragraph (b), insert "The" before "Heads".

292. At 970.7104–12, revise "subpart" to read "subparts" where it first appears in paragraph (a).

293. At 970.7104–19, at paragraph (b), remove "in FPR Temporary Regulation No. 76 or successor FAR coverage" and insert ", (FAR) 48 CFR 52.222–40 or (FAR) 48 CFR 52.222–41,".

294. At 970.7104–22, remove the word "prescribed", and revise the reference "970.7103–3 and 970.7103–5" to read "970.5203–3" in paragraph (a).

295. At 970.7104–24, in the first paragraph, revise "FAR Subpart 28.3" to read "28.102–2" and revise "DEAR Subpart 928.3" to read "928.1."

296. At 970.7104–25, remove "paragraphs (f) and (g) of".

297. At 970.7104–27, revise "Audits" to read "audits" at paragraph (a)(2).

298. At 970.7104–28, remove, in paragraph (c), the words "dated December 12, 1983," and revise the reference "936.7102" to read "936.73" at paragraph (d).

299. At 970.7107, revise "Business Clearance Division, Headquarters" to read "Office of Clearance and Support, in the Headquarters procurement organization" at paragraphs (e), (f), and (g).

300. At 970.7108, insert "The" before "Heads" in the first sentence of paragraph (a); insert "The" before "Heads" at paragraph (c); and, insert "The" before "Heads" in paragraph (h).

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301. At 971.101, add "the" before "Heads" and revise "of" to read "or" between the words "settlements" and "terminations".

302. At 971.102, insert "The" before "Heads" and revise "Controller" to read "Chief Financial Officer, Headquarters".

303. At 971.103, revise "Business Clearance Division, Headquarters" to read "Office of Clearance and Support, within the Headquarters procurement organization" at paragraph (a) introductory text and (b).

304. At 971.202, revise "Each Head of Contracting Activity" to read "The Head of the Contracting Activity, at each DOE contracting activity,".

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