

FEHBP CLAUSE MATRIX—Continued

Clause No.	Text Reference	Title	Use status	Use with contracts based on	
				Cost analysis	Price analysis
FAR 52.229-3	FAR 29.401-3	Federal, State and Local Taxes	M	T	T
FAR 52.229-4	FAR 29.401-4	Federal, State and Local Taxes (Noncompetitive Contract)	M	T	
FAR 52.229-5	FAR 29.401-5	Taxes—Contracts Performed in U.S. Possessions or Puerto Rico.	A	T	T
FAR 52.229-6	FAR 29.402-1(a) ..	Taxes—Foreign Fixed Price Contracts	A	T	T
FAR 52.230-2	FAR 30.201-4(a)(1) ..	Cost Accounting Standards	A	T	T
FAR 52.230-3	FAR 30.201-4(b)(1) ..	Disclosure and Consistency of Cost Accounting Practices	A	T	T
FAR 52.230-5	FAR 30.201-4(d)(1) ..	Administration of Cost Accounting Standards	A	T	T
FAR 52.232-8	FAR 32.111(c)(1) ..	Discounts for Prompt Payment	M	T	T
FAR 52.232-17	FAR 32.617(a)	Interest	M	T	T
	Modification:				
	1632.617				
FAR 52.232-23	FAR 32.806(a)(1) ..	Assignment of Claims	A	T	T
FAR 52.232-28	FAR 32.908(d)	Electronic Funds Transfer Payment Methods	M	T	T
1652.232-70	1632.171	Payments—Contracts Without Letter of Credit Payment Arrangements.	A		T
1652.232-71	1632.172	Payments—Contracts With Letter of Credit Payment Arrangements.	A	T	
1652.232-72	1632.772	Non-Commingling of FEHBP Funds	M	T	
1652.232-73	1632.806-70	Approval for Assignment of Claims	M	T	T
FAR 52.233-1	FAR 33.215	Disputes	M	T	T
FAR 52.242-1	FAR 42.802	Notice of Intent to Disallow Costs	M	T	
FAR 52.242-3	FAR 42.709-6	Penalties for Unallowable Costs	M	T	
FAR 52.242-13	FAR 42.903	Bankruptcy	M	T	T
FAR 52.243-1	FAR 43.205(a)(1) ..	Changes—Fixed Price—Alternate I	M	T	T
FAR 52.244-5	FAR 44.204(e)	Competition in Subcontracting	M	T	
1652.244-70	1644.270	Subcontracts	M	T	
FAR 52.245-2	FAR 45.106(b)(1) ..	Government Property (Fixed Price Contracts)	M	T	T
FAR 52.246-25	FAR 46.805(a)(4) ..	Limitation of Liability—Services	M	T	
1652.246-70	1646.301	FEHBP Inspection	M	T	T
FAR 52.247-63	FAR 47.405	Preference for U.S.-Flag Air Carriers	M	T	T
FAR 52.249-2	FAR 49.502(b)(1)(i) ..	Termination for Convenience of the Government—Fixed Price	M	T	T
FAR 52.249-8	FAR 49.504(a)(1) ..	Default (Fixed-Price Supply and Service)	M	T	T
1652.249-70	1649.101-70	Renewal and Withdrawal of Approval	M	T	T
FAR 52.251-1	FAR 51.107	Government Supply Sources	A	T	
FAR 52.252-2	FAR 52.107(b)	Clauses Incorporated by Reference	M	T	T
FAR 52.252-4	FAR 52.107(d)	Alterations in Contract	M	T	T
FAR 52.252-6	FAR 52.107(f)	Authorized Deviations in Clauses	M	T	T

PART 1653—FORMS [AMENDED]

23. Part 1653 is amended by removing all references to § 53.215-2(b), § 53.301-1412, and SF-1412 in the chart.

[FR Doc. 96-15403 Filed 6-21-96; 8:45 am]

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GENERAL SERVICES ADMINISTRATION

48 CFR Part 6101

RIN 3090-AF99

Board of Contract Appeals; Procedure Rules

AGENCY: Board of Contract Appeals, General Services Administration.

ACTION: Proposed rule.

SUMMARY: This document announces the intention of the General Services Administration Board of Contract

Appeals (the Board) to issue proposed rules to implement section 5101 of the National Defense Authorization Act for Fiscal Year 1996 (Pub. L. 104-106) (the Act). Section 5101 of the Act, which becomes effective August 8, 1996, eliminates the Board's jurisdiction to hear and decide bid protests regarding procurements of automatic data processing (ADP) equipment and services. The proposed amendments to the Board's rules of procedure, when final, will implement section 5101 by eliminating all references to bid protests in those rules.

The proposed rules also described the techniques intended to shorten and simplify, when appropriate, the formal proceedings normally used by the Board to resolve contract disputes, and support the use of alternative dispute resolution (ADR) in appropriate circumstances by providing that the Board will make a Board Neutral

available for an ADR proceeding either before or after the issuance of a decision by a contracting officer of any Government agency if a joint written request is submitted to the Board by the parties.

The Board intends to issue final, revised rules after considering all comments to the proposed amendments. The Board anticipates that, in issuing revised rules, it will provide that the revisions do not apply to protests pending on August 8, 1996, or to any motions or applications resulting from such protests. Such cases would be governed by the rules in effect at the time the underlying protests were filed.

DATES: Written comments must be submitted on or before July 24, 1996.

ADDRESSES: Copies of the proposed rules may be obtained from the Office of the Clerk of the Board, GSA Board of Contract Appeals, 18th & F Streets, N.W., Washington, DC 20405, (202)

500001-0116. Additionally, an electronic version of the text may be obtained from <http://www.gsa.gov/gsbca>. Written comments may be mailed to Margaret S. Pfunder, GSA Board of Contract Appeals, 18th & F Streets, N.W., Washington, DC 20405, or sent electronically by using the following Internet address:

Margaret.Pfunder@gsa.gov.

FOR FURTHER INFORMATION CONTACT: Margaret S. Pfunder, Deputy Chief Counsel, GSA Board of Contract Appeals, telephone (202) 501-0272, facsimile machine (202) 501-3510.

Dated: June 18, 1996.

Stephen M. Daniels,

Chairman.

[FR Doc. 96-15839 Filed 6-21-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 594

[Docket No. 89-8; Notice 9]

RIN 2127-AG43

Schedule of Fees Authorized by 49 U.S.C. 30141

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes fees for Fiscal Year 1997 as authorized by 49 U.S.C. 30141 relating to the registration of importers and the importation of motor vehicles not certified as conforming to the Federal motor vehicle safety standards (FMVSS).

NHTSA proposes that the annual fee for the registration of a new importer be increased from \$456 to \$501, and the annual fee for renewal of registration be increased from \$240 to \$332. The fee required to reimburse the U.S. Customs Service for bond processing costs would increase by \$0.20, from \$4.95 to \$5.15 per bond.

The fee payable for a determination that nonconforming vehicles are capable of conversion to meet the FMVSS would be increased from \$104 to \$199 if the determination results from a petition arguing that the nonconforming vehicle is substantially similar to conforming vehicles. With respect to vehicles that have no substantially similar counterpart, the fee rises from \$520 to \$721. In addition, the fee payable by the importer of each vehicle that benefits by a determination will be increased from

\$93 to \$134, regardless of whether the determination is made pursuant to a petition or by NHTSA on its own initiative.

DATES: Comments are due August 8, 1996. The effective date of the final rule would be October 1, 1996.

ADDRESSES: Comments should refer to Docket No. 89-8; Notice x, and be submitted to: Docket Section, NHTSA, room 5109, 400 Seventh St., SW, Washington, D.C. 10590. Docket hours are from 9:30 a.m. to 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: George Entwistle, Office of Vehicle Safety Compliance, Office of Safety Assurance, NHTSA (202-366-5306).

SUPPLEMENTARY INFORMATION:

Introduction

On September 29, 1989, NHTSA issued 49 CFR part 594, establishing the initial fees authorized by section 108 of the National Traffic and Motor Vehicle Safety Act, as amended by the Imported Vehicle Safety Compliance Act of 1988, Pub. L. 100-562 (54 FR 40100). These fees were applicable in Fiscal Year 1990 (FY90). 49 U.S.C. 30141(e) (formerly 15 U.S.C. 1397(c)(3)(B)) provides that the amount or rate of fees shall be reviewed and, if appropriate, adjusted at least every 2 years. Further, the fees applicable in any fiscal year shall be established before the beginning of such year. The statute authorizes an annual fee to cover the costs of the importer registration program, an annual fee or fees to cover the cost of making import eligibility determinations, and an annual fee or fees to cover the cost of processing the bond furnished to the Customs Service.

In accordance with the statutory requirements, NHTSA reviewed and adjusted fees for FY91 (55 FR 40664), for FY92-93 (56 FR 49427), and FY 94-96 (58 FR 51021).

As a general statement applicable to consideration of all fees, there has been a slight increase in hourly costs in the past three fiscal years attributable to the approximately 2 percent raise in salaries of employees on the General Schedule that became effective on January 1 in the years 1995, and 1996 (there was a locality raise only in 1994).

Requirements of the Fee Regulation

Section 594.6—Annual Fee for Administration of the Importer Registration Program

Section 30141(a)(3) of Title 49 U.S.C. provides that registered importers must pay "the annual fee the Secretary of Transportation establishes * * * to pay for the costs of carrying out the

registration program for importers * * *." The annual fee attributable to the registration program is payable both by new applicants and by registered importers seeking to renew their registration. The reader is referred to the notice of September 29, 1989, for a fuller discussion of the fee and its components.

In accordance with the statutory directive, NHTSA reviewed the existing fees and their bases in an attempt to establish appropriate fees for at least the next fiscal year which would be sufficient to recover the costs of carrying out the registration program for importers. The initial component of the Registration Program Fee is the portion of the fee attributable to processing and action upon registration applications. The agency has determined that this portion of the fee should be decreased from \$356 to \$301 for new applications, and increased from \$100 to \$132 for renewals. The higher initial cost is warranted because the average cost of processing a new application is substantially greater than that of its renewal.

Other costs attributable to maintenance of the registration program arise from reviewing a registrant's annual statement and verifying the continuing validity of information already submitted. These costs also include costs attributable to revocation or suspension of a registration.

The total portion of the fee attributable to maintenance of the registration program as estimated by NHTSA is approximately \$200, an increase of \$100. This reflects the fact that costs have been incurred for processing suspensions or revocations. When this \$200 is added to the \$301 representing the registration application component, the cost to an applicant equals \$501, and is the fee proposed by NHTSA. It represents an increase of \$45. When the \$200 is added to the \$132 representing the renewal component, the cost to a renewing registered importer would be \$332. This fee increase is also proposed. It represents an increase of \$92.

Sec. 564.6(h) recounts indirect costs that have been estimated at \$6.71 per man-hour. This would be raised to \$7.07 under the proposal.

Sections 594.7, 594.8—Fees to Cover Agency Costs in Making Importation Eligibility Determinations

Section 30141(a)(3) also requires registered importers to pay "other fees the Secretary of Transportation establishes to pay for the costs of * * * (B) making the decisions under this subchapter." Pursuant to part 593, these