

**DEPARTMENT OF DEFENSE****GENERAL SERVICES  
ADMINISTRATION****NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION****48 CFR Part 31**

[FAR Case 93-019]

RIN 9000-AG89

**Federal Acquisition Regulation;  
Contingent Fees**

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

**ACTION:** Withdrawal of proposed rule.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) have decided to withdraw FAR case 93-019, Contingent Fees, published in the Federal Register at 60 FR 54920, October 26, 1995. The rule proposed revisions to selling costs to clarify that the costs of contingent fees are allowable only when stated as a sum certain or not-to-exceed amount agreed upon between the company and its agent (i.e., employee or commercial/selling agency) in advance of the services being rendered.

As a result of the public comments received in response to the proposed rule, the Councils have determined that the current cost principles, especially FAR 31.201-3, Determining reasonableness, and 31.205-38, Selling costs, are adequate to properly assess the allowability of these costs. Therefore, the proposed rule is withdrawn.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Jeremy Olson at 202-501-3221 in reference to this FAR case. For general information, contact the FAR Secretariat, Room 4041, GS Building, Washington, DC 20405, (202) 501-4755. Please cite FAR case 93-019, withdrawal.

List of Subjects in 48 CFR Part 31

Government procurement.

Dated: October 2, 1996.

Edward C. Loeb,

*Director, Federal Acquisition Policy Division.*  
[FR Doc. 96-25724 Filed 10-8-96; 8:45 am]

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**DEPARTMENT OF DEFENSE****GENERAL SERVICES  
ADMINISTRATION****NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION****48 CFR Part 31**

[FAR Case 93-026]

RIN 9000-AG59

**Federal Acquisition Regulation;  
Business Meals**

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

**ACTION:** Withdrawal of proposed rule.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) have decided to withdraw FAR Case 93-026, Business Meals, published in the Federal Register at 60 FR 43508, August 21, 1995. The rule proposed revisions to FAR 31.205-43, Trade, business, technical and professional activity costs, and 31.205-46, Travel costs to clarify when the costs of meals for contractor employees are allowable.

The Office of Federal Procurement Policy SWAT Team on Civilian Agency Contracting in its report of December 3, 1992, entitled "Improving Contracting Practices and Management Controls on Cost-Type Federal Contracts," recommended several FAR changes, including revisions to the FAR cost principles to make them less general with regard to the allowability of costs.

One area identified for clarification was the costs of business meals of contractor employees who are not on official travel. A proposed rule was published relating to making the costs of meals for contractor employees unallowable unless the employee is on official company travel or the meals are an integral part of a bona fide business meeting.

As a result of our analysis of public comments received in response to the proposed rule, we have determined that the current cost principles, especially FAR 31.205-3, Determining reasonableness, and 31.205-43, Trade, business, technical and professional activity costs, are adequate to properly assess the allowability of these costs. Therefore, the proposed rule is withdrawn.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeremy Olson at 202-501-3221 in reference to this FAR case. For general information, contact the FAR Secretariat, Room 4041, GS Building,

Washington, DC 20405 (202) 501-4755. Please cite FAR case 93-026, withdrawal.

List of Subjects in 48 CFR Part 31

Government procurement.

Dated: October 2, 1996.

Edward C. Loeb,

*Director, Federal Acquisition Policy Division.*

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**DEPARTMENT OF DEFENSE****GENERAL SERVICES  
ADMINISTRATION****NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION****48 CFR Parts 1, 2, 14, 15, 36, 52, and  
53**

[FAR Case 95-029]

RIN 9000-AH21

**Federal Acquisition Regulation; Part 15  
Rewrite—Phase I Public Meeting**

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

**ACTION:** Proposed rule, extension of comment period and change in public meeting date.

**SUMMARY:** The public comment period for the proposed rule is extended and the public meeting date is changed to encourage increased participation by interested parties.

**DATES:** *Public Meeting:* The public meeting will be conducted at the address shown below from 10:00 a.m. to 5:00 p.m., local time, on November 8, 1996.

*Statements:* Statements from interested parties for presentation at the public meeting should be submitted to the General Services Administration (address below) on or before October 31, 1996.

*Comments:* Comments on the proposed rule should be submitted in writing to the GSA (address below) on or before November 19, 1996, to be considered in the formulation of the final rule.

**ADDRESSES:** *Public Meeting:* The location of the meeting will be: National Aeronautics and Space Administration, Headquarters Building Auditorium, 300 E Street, SW., Washington, DC 20546. Individuals wishing to attend the meeting, including individuals wishing to make presentations on the topic

scheduled for discussion, should contact the FAR Part 15 Committee Chair at the following address: Ms. Melissa Rider, DAR Council, Attn: IMD 3D139, PDUSD(A&T) DP/DAR, 3062 Defense Pentagon, Washington, DC 20301-3062, Telephone: (703) 602-0131.

*Comments:* Interested parties should submit written comments to: General Services Administration, FAR Secretariat (MVRs), Attn: Sharon Kiser, 18th & F Streets, NW., Room 4037, Washington, DC 20405. Please cite FAR case 95-029 in all correspondence related to this issue.

*Electronic Access:* This proposed rule is posted on the Acquisition Reform Network (ARNET) at [www-far.npr.gov](http://www-far.npr.gov). Comments may be submitted electronically at that address.

**FOR FURTHER INFORMATION CONTACT:** For information regarding the public meeting, contact the FAR Part 15 Rewrite Committee Chair, Ms. Melissa Rider, telephone (703) 602-0131. Fax (703) 602-0350. For general information, contact the FAR Secretariat, Attn: Victoria Moss, Room 4037, GS Building, Washington, DC 20405, telephone (202) 501-4755. Please cite FAR case 95-029.

**SUPPLEMENTARY INFORMATION:** The public comment period for the proposed rule, which was published in the Federal Register on September 12, 1996 (61 FR 48380), is extended through November 19, 1996. The public meeting date is changed from October 17, 1996, to November 8, 1996, to encourage increased participation by interested parties.

Dated: October 3, 1996.  
Edward C. Loeb,  
*Director, Federal Acquisition Policy Division.*  
[FR Doc. 96-25941 Filed 10-8-96; 8:45 am]  
BILLING CODE 6820-EP-P

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

#### 48 CFR Parts 6, 12, 15 and 52

[FAR Case 96-303]

RIN 9000-AH15

#### Federal Acquisition Regulation; Competitive Range Determinations

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

**ACTION:** Proposed rule, extension of comment period.

**SUMMARY:** The public comment period on the proposed rule which was published in the Federal Register at 61 FR 40116, July 31, 1996, is extended through November 19, 1996. The rule implements Sections 4101 and 4103 of the Federal Acquisition Reform Act of 1996 and relates to providing the contracting officer with the authority to limit the size of the competitive range, in accordance with criteria specified in the solicitation, to the greatest number that will permit an efficient competition.

The public comment period is extended to conform with the public comment period on the proposed rule for the FAR Part 15 Rewrite—Phase I,

FAR Case 95-029, which was published in the Federal Register at 61 FR 48380, September 12, 1996. Since it is important to consider the proposed rule for FAR Case 96-303, Competitive Range Determinations, in the broader context of FAR Part 15 as a whole, we encourage interested parties to express their positions on this rule as part of the public meeting on the rewrite of FAR Part 15, Phase I.

**DATES:** *Comments:* Comments on the proposed rule should be submitted in writing to the GSA on or before November 19, 1996.

*Public Meeting:* The meeting is scheduled for November 8, 1996, from 10 a.m. to 5 p.m., local time.

**ADDRESSES:** The location of the meeting will be the NASA Headquarters Building Auditorium, 300 E St., SW., Washington DC 20546. If you wish to attend the meeting, or to make presentations on competitive range determinations, please contact the FAR Part 15 Rewrite Committee Chair, Ms. Melissa Rider, DAR Council, Attn: IMD 3D139, PDUSD (A&T) DP/DAR, 3062 Defense Pentagon, Washington, D.C. 20301-3062; telephone (703) 602-0131.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ralph DeStefano at (202) 501-1758 in reference to this FAR case. For general information, contact the FAR Secretariat, Room 4037, GS Building, Washington, DC 20405 (202) 501-4755. Please cite FAR case 96-303.

List of Subjects in 48 CFR Parts 6, 12, 15 and 52

Government procurement.

Dated: October 3, 1996.  
Edward C. Loeb,  
*Director, Federal Acquisition Policy Division.*  
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