

that are making purchases on behalf of activities located outside the United States. Section 8118 of Public Law 108–287 established a permanent requirement for the acquisition of domestic fish, shellfish, and seafood, including fish, shellfish, and seafood contained in foods manufactured or processed in the United States. This requirement previously had been included in Defense Appropriations Acts on an annual basis.

DoD received no comments on the interim rule. Therefore, DoD has adopted the interim rule as a final rule without change.

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

### B. Regulatory Flexibility Act

DoD certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule applies only to: (1) The acquisition of perishable foods for DoD activities located outside the United States, and (2) continuation of the existing requirement for the acquisition of domestic fish, shellfish, and seafood.

### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply, because the rule does not impose any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

#### List of Subjects in 48 CFR Part 225

Government procurement.

**Michele P. Peterson,**

*Editor, Defense Acquisition Regulations System.*

### Interim Rule Adopted as Final Without Change

■ Accordingly, the interim rule amending 48 CFR Part 225, which was published at 71 FR 34832 on June 16, 2006, is adopted as a final rule without change.

[FR Doc. E7–2206 Filed 2–9–07; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Defense Acquisition Regulations System

#### 48 CFR Part 233

RIN 0750–AE01

### Defense Federal Acquisition Regulation Supplement; Protests, Disputes, and Appeals (DFARS Case 2003–D010)

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD has issued a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to update text addressing procedures for processing of contractor claims submitted under DoD contracts. The rule removes obsolete text and relocates text to the DFARS companion resource, Procedures, Guidance, and Information.

**EFFECTIVE DATE:** February 12, 2007.

**FOR FURTHER INFORMATION CONTACT:** Ms. Felisha Hitt, Defense Acquisition Regulations System, OUSD(AT&L)DPAP(DARS), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301–3062. Telephone (703) 602–0310; facsimile (703) 602–0350. Please cite DFARS Case 2003–D010.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

This final rule—

- Removes text at DFARS 233.204 regarding research of a contractor's history of filing claims during a contracting officer's review of a current claim. Text on this subject has been relocated to the DFARS companion resource, Procedures, Guidance, and Information (PGI) at <http://www.acq.osd.mil/dpap/dars/pgi>; and
- Revises DFARS 233.210 to remove an obsolete cross-reference and to add a reference to the guidance added to PGI regarding review of a contractor's claim.

DoD published a proposed rule at 71 FR 34867 on June 16, 2006. The proposed rule had provided for total elimination of the text at DFARS 233.204 and 233.210. One source submitted comments on the proposed rule, recommending that, instead of total elimination, the text at DFARS 233.204 should be relocated to PGI. DoD has adopted this recommendation and has included the corresponding changes in the final rule.

This rule was not subject to Office of Management and Budget review under

Executive Order 12866, dated September 30, 1993.

### B. Regulatory Flexibility Act

DoD certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the rule makes no significant change to DoD policy regarding consideration of claims submitted by contractors.

### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply, because the rule does not impose any information collection requirements that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

#### List of Subjects in 48 CFR Part 233

Government procurement.

**Michele P. Peterson,**

*Editor, Defense Acquisition Regulations System.*

■ Therefore, 48 CFR Part 233 is amended as follows:

#### PART 233—PROTESTS, DISPUTES, AND APPEALS

■ 1. The authority citation for 48 CFR Part 233 continues to read as follows:

**Authority:** 41 U.S.C. 421 and 48 CFR Chapter 1.

##### 233.204 [Removed]

■ 2. Section 233.204 is removed.

■ 3. Section 233.210 is revised to read as follows:

##### 233.210 Contracting officer's authority.

See PGI 233.210 for guidance on reviewing a contractor's claim.

[FR Doc. E7–2211 Filed 2–9–07; 8:45 am]

BILLING CODE 5001–08–P

## DEPARTMENT OF DEFENSE

### Defense Acquisition Regulations System

#### 48 CFR Part 237

RIN 0750–AF37

### Defense Federal Acquisition Regulation Supplement; Security-Guard Services Contracts (DFARS Case 2006–D011)

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD has adopted as final, without change, an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement Section 344 of the National Defense Authorization Act for Fiscal Year 2006. Section 344 extends, through September 30, 2007, the period during which contractor performance of security-guard functions at military installations or facilities is authorized to fulfill additional requirements resulting from the terrorist attacks on the United States on September 11, 2001.

**EFFECTIVE DATE:** February 12, 2007.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gary Delaney, Defense Acquisition Regulations System, OUSD(AT&L)DPAP(DARS), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-8384; facsimile (703) 602-0350. Please cite DFARS Case 2006-D011.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

DoD published an interim rule at 71 FR 34833 on June 16, 2006, to implement Section 344 of the National Defense Authorization Act for Fiscal Year 2006 (Pub. L. 109-163). Section 344 extends, through September 30, 2007, the period during which contractor performance of security-guard functions at military installations or facilities is authorized to fulfill additional requirements resulting from the terrorist attacks on the United States on September 11, 2001.

DoD received no comments on the interim rule. Therefore, DoD has adopted the interim rule as a final rule without change.

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

**B. Regulatory Flexibility Act**

DoD certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* Although the rule may provide opportunities for small business concerns to receive contracts for the performance of security-guard functions at military installations or facilities, the economic impact is not expected to be substantial.

**C. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply, because the rule does not impose any information collection requirements that require the approval

of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

**List of Subjects in 48 CFR Part 237**

Government procurement.

**Michele P. Peterson,**

*Editor, Defense Acquisition Regulations System.*

**Interim Rule Adopted as Final Without Change**

■ Accordingly, the interim rule amending 48 CFR Part 237, which was published at 71 FR 34833 on June 16, 2006, is adopted as a final rule without change.

[FR Doc. E7-2208 Filed 2-9-07; 8:45 am]

**BILLING CODE 5001-08-P**

**DEPARTMENT OF DEFENSE**

**Defense Acquisition Regulations System**

**48 CFR Part 252**

**RIN 0750-AF43**

**Defense Federal Acquisition Regulation Supplement; Free Trade Agreement—El Salvador, Honduras, and Nicaragua DFARS Case 2006-D019**

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD has adopted as final, without change, an interim rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement the Dominican Republic-Central America-United States Free Trade Agreement with respect to El Salvador, Honduras, and Nicaragua. The Free Trade Agreement waives the applicability of the Buy American Act for some foreign supplies and construction materials and specifies procurement procedures designed to ensure fairness.

**EFFECTIVE DATE:** February 12, 2007.

**FOR FURTHER INFORMATION CONTACT:** Ms. Amy Williams, Defense Acquisition Regulations System, OUSD(AT&L)DPAP(DARS), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-0328; facsimile (703) 602-0350. Please cite DFARS Case 2006-D019.

**SUPPLEMENTARY INFORMATION:**

**A. Background**

DoD published an interim rule at 71 FR 34834 on June 16, 2006, to implement the Dominican Republic-

Central America-United States Free Trade Agreement with respect to El Salvador, Honduras, and Nicaragua. The rule amended the appropriate DFARS provisions and clauses to reflect the addition of El Salvador, Honduras, and Nicaragua as Free Trade Agreement countries.

DoD received no comments on the interim rule. Therefore, DoD has adopted the interim rule as a final rule without change.

This rule was not subject to Office of Management and Budget review under Executive Order 12866, dated September 30, 1993.

**B. Regulatory Flexibility Act**

DoD certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* Although the rule opens up DoD procurement to the products of El Salvador, Honduras, and Nicaragua, DoD does not believe there will be a significant economic impact on U.S. small businesses. DoD applies the trade agreements to only those non-defense items listed at DFARS 225.401-70, and procurements that are set aside for small businesses are exempt from application of the trade agreements.

**C. Paperwork Reduction Act**

This rule affects the certification and information collection requirements in the provisions at DFARS 252.225-7020 and 252.225-7035, currently approved under Office of Management and Budget Control Number 0704-0229. The impact, however, is negligible.

**List of Subjects in 48 CFR Part 252**

Government procurement.

**Michele P. Peterson,**

*Editor, Defense Acquisition Regulations System.*

**Interim Rule Adopted as Final Without Change**

■ Accordingly, the interim rule amending 48 CFR Part 252, which was published at 71 FR 34834 on June 16, 2006, is adopted as a final rule without change.

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