

(b) Follow the procedures at PGI 217.7103-3 when preparing solicitations for job orders.

217.7103-4 [Removed]

- 8. Section 217.7103-4 is removed.

217.7103-5 through 217.7103-7 [Redesignated]

- 9. Sections 217.7103-5 through 217.7103-7 are redesignated as sections 217.7103-4 through 217.7103-6, respectively.

- 10. Newly designated section 217.7103-4 is amended by revising paragraph (b) and removing paragraph (c). The revised text reads as follows:

217.7103-4 Emergency work.

* * * * *

(b) Follow the procedures at PGI 217.7103-4 when processing this type of undefinitized contract action.

- 11. Newly designated section 217.7103-5 is revised to read as follows:

217.7103-5 Repair costs not readily ascertainable.

Follow the procedures at PGI 217.7103-5 if the nature of any repairs is such that their extent and probable cost cannot be ascertained readily.

Subpart 217.72 [Removed and Reserved]

- 12. Subpart 217.72 is removed and reserved.

- 13. Section 217.7404-5 is amended by revising paragraphs (b)(1) and (2) to read as follows:

217.7404-5 Exceptions.

* * * * *

(b) * * *

- (1) A contingency operation; or
- (2) A humanitarian or peacekeeping operation.

217.7404-6 [Amended]

- 14. Section 217.7404-6 is amended in the introductory text by removing “agency” and adding in its place “contracting activity”.

217.7405 [Removed]

- 15. Section 217.7405 is removed.

217.7406 [Redesignated]

- 16. Section 217.7406 is redesignated as section 217.7405.

217.7500 [Amended]

- 17. Section 217.7500 is amended by removing the parenthetical “(as defined in appendix E)”.

217.7501 through 217.7504 [Redesignated]

- 18. Sections 217.7501 through 217.7504 are redesignated as sections 217.7502 through 217.7505, respectively.

- 19. A new section 217.7501 is added to read as follows:

217.7501 Definition.

Replenishment parts, as used in this subpart, means repairable or consumable parts acquired after the initial provisioning process.

217.7502 [Amended]

- 20. Newly designated section 217.7502 is amended as follows:

- a. In paragraph (b)(1) by removing “217.7503” and adding in its place “PGI 217.7504”; and

- b. In paragraph (c) by removing “217.7504” and adding in its place “217.7505”.

- 21. Newly designated sections 217.7503 and 217.7504 are revised to read as follows:

217.7503 Spares acquisition integrated with production.

Follow the procedures at PGI 217.7503 for acquiring spare parts concurrently with the end item.

217.7504 Acquisition of parts when data is not available.

Follow the procedures at PGI 217.7504 when acquiring parts for which the Government does not have the necessary data.

- 22. Section 217.7506 is added to read as follows:

217.7506 Spare parts breakout program.

See PGI 217.7506 and DoD 4140.1-R, DoD Supply Chain Materiel Management Regulation, Chapter 8, Section C8.3, for spare parts breakout requirements.

217.7600 [Removed]

- 23. Section 217.7600 is removed.

- 24. Section 217.7601 is revised to read as follows:

217.7601 Provisioning.

(a) Follow the procedures at PGI 217.7601 for contracts with provisioning requirements.

(b) For technical requirements of provisioning, see DoD 4140.1-R, DoD Supply Chain Materiel Management Regulation, Chapter 2, Section C2.2.

217.7602 through 217.7603-3 [Removed]

- 25. Sections 217.7602 through 217.7603-3 are removed.

217.7700 [Removed]

- 26. Section 217.7700 is removed.

- 27. Section 217.7701 is revised to read as follows:

217.7701 Procedures.

Follow the procedures at PGI 217.7701 when acquiring over and above work.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

252.217-7004 [Amended]

- 28. Section 252.217-7004 is amended as follows:

- a. By revising the clause date to read “(MAY 2006)”; and

- b. In paragraph (a), in the first sentence, by removing “in accordance with FAR part 14 or 15, as applicable”.

252.217-7017 through 252.217-7025 [Removed and Reserved]

- 29. Sections 252.217-7017 through 252.217-7025 are removed and reserved.

252.217-7027 [Amended]

- 30. Section 252.217-7027 is amended in the introductory text by removing “217.7406” and adding in its place “217.7405”.

Appendix E to Chapter 2 [Removed and Reserved]

- 31. Appendix E to Chapter 2 is removed and reserved.

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DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 222, 232, and 252

Defense Federal Acquisition Regulation Supplement; Technical Amendments

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

ACTION: Final rule.

SUMMARY: DoD is making technical amendments to the Defense Federal Acquisition Regulation Supplement (DFARS) to update section headings, Internet addresses, and cross-references.

DATES: *Effective Date:* May 12, 2006.

FOR FURTHER INFORMATION CONTACT: Ms. Michele Peterson, Defense Acquisition Regulations System, OUSD(AT&L)DPAP(DARS), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-0311; facsimile (703) 602-0350.

SUPPLEMENTARY INFORMATION:

This final rule amends DFARS text as follows:

- *Section 222.101-3.* Corrects a typographical error in the final rule published at 71 FR 18669 on April 12, 2006, under DFARS Case 2003-D019.
- *Sections 232.7003 and 252.232-7003.* Updates the Internet address for locating electronic data interchange implementation guides. A corresponding change is made to the clause at 252.212-7001.
- *Section 252.232-7007.* Updates cross-references to a paragraph that was redesignated in the final rule published at 71 FR 18671 on April 12, 2006, under DFARS Case 1990-037.

List of Subjects in 48 CFR Parts 222, 232, and 252

Government procurement.

Michele P. Peterson,

Editor, Defense Acquisition Regulations System.

■ Therefore, 48 CFR Parts 222, 232, and 252 are amended as follows:

■ 1. The authority citation for 48 CFR Parts 222, 232, and 252 continues to read as follows:

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

PART 222—LABOR LAWS

222.101-3 Reporting labor disputes.

■ 2. The heading of section 222.101-3 is revised to read as set forth above.

PART 232—CONTRACT FINANCING

232.7003 [Amended]

■ 3. Section 232.7003 is amended in paragraph (a)(3) by removing “<http://www.dfas.mil/ecedi>” and adding in its place “<http://www.dod.mil/dfas/>”.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

252.212-7001 [Amended]

■ 4. Section 252.212-7001 is amended as follows:

- a. By revising the clause date to read “(MAY 2006)”; and
- b. In paragraph (b), in entry 252.232-7003, by removing “(JAN 2004)” and adding in its place “(MAY 2006)”.

252.232-7003 [Amended]

■ 5. Section 252.232-7003 is amended as follows:

- a. By revising the clause date to read “(MAY 2006)”; and
- b. In paragraph (b)(3)(ii) by removing “<http://www.dfas.mil/ecedi>” and adding in its place “<http://www.dod.mil/dfas/>”.

252.232-7007 [Amended]

■ 6. Section 252.232-7007 is amended by revising the clause date and Alternate I date to read “(MAY 2006)”; and by removing “paragraph (i)” and adding in its place “paragraph (j)”, in the following locations:

- a. Paragraph (a), last sentence;
- b. Paragraph (c), first, second, and third sentences; and
- c. Alternate I, paragraph (a), last sentence.

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DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 225 and 249

[DFARS Case 2003-D046]

Defense Federal Acquisition Regulation Supplement; Contract Termination

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 pertaining to termination of contracts. This rule is a result of a transformation initiative undertaken by DoD to dramatically change the purpose and content of the DFARS.

EFFECTIVE DATE: May 12, 2006.

FOR FURTHER INFORMATION CONTACT: Ms. Deborah Tronic, Defense Acquisition Regulations System, OUSD(AT&L)DPAP(DARS), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-0289; facsimile (703) 602-0350. Please cite DFARS Case 2003-D046.

SUPPLEMENTARY INFORMATION:

A. Background

DFARS Transformation is a major DoD initiative to dramatically change the purpose and content of the DFARS. The objective is to improve the efficiency and effectiveness of the

acquisition process, while allowing the acquisition workforce the flexibility to innovate. The transformed DFARS will contain only requirements of law, DoD-wide policies, delegations of FAR authorities, deviations from FAR requirements, and policies/procedures that have a significant effect beyond the internal operating procedures of DoD or a significant cost or administrative impact on contractors or offerors. Additional information on the DFARS Transformation initiative is available at <http://www.acq.osd.mil/dpap/dars/dfars/transformation/index.htm>.

This final rule is a result of the DFARS Transformation initiative. The DFARS changes—

- Relocate text on termination of Canadian Commercial Corporation contracts, from part 225, Foreign Acquisition, to a more appropriate location in part 249, Termination of Contracts;
- Delete unnecessary cross-references; and
- Delete text on preparation of contract termination status reports, completion of forms to document termination settlements, preparation of settlement negotiation memoranda, and congressional notification of significant contract terminations. Text on these subjects has been relocated to the new DFARS companion resource, Procedures, Guidance, and Information (PGI), available at <http://www.acq.osd.mil/dpap/dars/pgi>.

DoD published a proposed rule at 70 FR 39980 on July 12, 2005. DoD received no comments on the proposed rule. Therefore, DoD has adopted the proposed 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 updates and streamlines DFARS text, but makes no significant change to DoD policy regarding termination of contracts.

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.*