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Service Telecommunications
Administration Service

Washington, DC 20405

[Redacted]

ODP

Management Staff
Room 2D00
Central Intelligence Agency
Washington, DC 20505

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Dear [Redacted]

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This letter is to notify you of our intent to return, without action, Agency Procurement Requests (APR) not submitted by a designated official.

Federal Procurement Regulation (FPR) Temporary Regulation 62, published in the July 14, 1981, Federal Register, amended FPR 1-4.1105 "to provide that agency procurement requests must be submitted by the agency designated senior official or by an official assigned by the senior official." Each Federal agency was to submit to the General Services Administration, Agency Planning Division (CPS), the names and titles of these officials, so that we may comply with the provisions of Public Law 96-511, Paperwork Reduction Act. As of this date we have not received the required names from your agency.

Therefore, be advised that on Monday, September 14, 1981, we will begin returning your APR's without action, per FPR 1-4.1104(a).

Your immediate attention to this matter would be appreciated.

Sincerely,

FRED SIMS
Acting Director,
Agency Planning Division

35142

Federal Register / Vol. 46, No. 134 / Tuesday, July 14, 1981 / Rules and Regulations

Decision

In accordance with 29 CFR 1955(b)(2), the petition for the withdrawal of the Virginia State Plan, submitted by Oil, Chemical and Atomic Workers International Union, Virginia State AFL-CIO, Building and Construction Trades Department of the AFL-CIO and Fairfax County Board of Supervisors are hereby denied. The denial of these petitions does not preclude the Assistant Secretary from taking future action on these issues or any issues regarding the Plan which may be raised by monitoring or evaluation. The denial also does not preclude the filing of future petitions by these or any other parties.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Charlottesville, Virginia this 7th day of July, 1981.

Thorne G. Auchter,

Assistant Secretary of Labor.

[FR Doc. 81-20705 Filed 7-13-81 8:45 am]

BILLING CODE 4510-25-M

DEPARTMENT OF AGRICULTURE**Forest Service****36 CFR Parts 228 and 252****Minerals**

AGENCY: USDA, Forest Service.

ACTION: Final rule.

SUMMARY: The Forest Service is amending the regulations on minerals management by creating a new Part 228, Minerals. It is transferring the verbatim text of Part 252 in its entirety to Subpart A. This change is not substantive; it is strictly editorial.

EFFECTIVE DATE: July 13, 1981.

FOR FURTHER INFORMATION CONTACT: Howard E. Banta, Director, Minerals and Geology Management, Forest Service—USDA, P.O. Box 2417, Washington, D.C. 20013; Phone (703) 235-8105.

SUPPLEMENTARY INFORMATION: The text of Part 252—Minerals, concerned with locatable minerals, is redesignated as Part 228, Subpart A, upon issuance of this rule. This rule also reserves Subparts B-D, Part 228. New regulations concerning leasable minerals will be entered in Subpart B. Forest Service regulations concerned with disposable mineral materials, now located in §§ 251.4 and 251.4(a), will be amended as necessary and redesignated to Subpart C.

Miscellaneous provisions concerning minerals now located in §§ 251.10, 251.11, 292.17, 292.18, and 293.14 will be

amended as necessary and redesignated to Subpart D.

This amendment will serve two purposes:

(1) All sections of Forest Service regulations concerning minerals will be properly consolidated into one part, achieving a more orderly and effective representation of Forest Service regulations.

(2) It will allow correlation of the numbering of regulations on minerals with the numbering scheme being used for Forest Service directives, forms, files, etc.

Redesignation to Part 228 will be made effective for all Forest Service minerals regulations as they are written or revised.

Regulations pertaining to the exercise of reserved and outstanding rights remain in § 251.15.

In accordance with exceptions to rulemaking procedures in 5 U.S.C. 553 and Department of Agriculture policy (36 FR 13804), it has been determined that advance notice and request for comments are unnecessary.

This action has been reviewed pursuant to Executive Order 12291 and it has been determined that this document is not a major rule and does not require a regulatory analysis nor does it require a regulatory flexibility analysis under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

Accordingly, 36 CFR Chapter II is amended as follows:

§§ 252.1-252.15 [Redesignated as §§ 228.1-228.15]

1. In Part 252, §§ 252.1 through 252.15 are redesignated as §§ 228.1-228.15, Subpart A of new Part 228.

2. All references in new Part 228, Subpart A, to sections and paragraphs in former Part 252 are changed to refer to the corresponding sections and paragraphs in new Part 228, Subpart A.

3. The Table of Contents for Part 228 will read as follows.

PART 228—MINERALS**Subpart A—Locatable Minerals**

- | | |
|--------|---|
| Sec. | |
| 228.1 | Purpose. |
| 228.2 | Scope. |
| 228.3 | Definitions. |
| 228.4 | Plan of operations—notice of intent—requirements. |
| 228.5 | Plan of operations—approval. |
| 228.6 | Availability of information to the public. |
| 228.7 | Inspection, noncompliance. |
| 228.8 | Requirements for environmental protection. |
| 228.9 | Maintenance during operations, public safety. |
| 228.10 | Cessation of operations, removal of structures and equipment. |

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|--------|---|
| 228.11 | Prevention and control of fire. |
| 228.12 | Access. |
| 228.13 | Bonds. |
| 228.14 | Appeals. |
| 228.15 | Operations within National Forest Wilderness. |

Subpart B—Leasable Minerals

Sec.
228.20-228.39 [Reserved]

Subpart C—Disposable Mineral Materials

Sec.
228.40-228.79 [Reserved]

Subpart D—Miscellaneous Minerals Provisions

Sec.
228.80-228.99 [Reserved]

Authority: 30 Stat. 35 and 36, as amended (16 U.S.C. 478, 551).

John R. Block,

Secretary.

June 12, 1981.

[FR Doc. 81-20626 Filed 7-13-81; 8:45 am]

BILLING CODE 3410-11-M

GENERAL SERVICES ADMINISTRATION**41 CFR Ch. I**

[FPR Temp. Reg. 62]

Agency Responsibility and Accountability for ADP Acquisitions Under GSA Delegations of Authority; Temporary Regulations

AGENCY: General Services Administration.

ACTION: Temporary regulation.

SUMMARY: This regulation recognizes agency senior officials designated pursuant to the Paperwork Reduction Act of 1980 as responsible and accountable for automatic data processing (ADP) acquisitions made under GSA delegations of procurement authority. The basis for the regulation is the July 1, 1981 effectivity of the Paperwork Reduction Act provision (44 U.S.C. 3509(c)(4)). The intended effect is to conform pertinent GSA regulations to the cited provision.

DATES: Effective date: July 1, 1981. Expiration date: This regulation expires July 1, 1983, unless earlier revised or superseded. Comments are due: On or before September 30, 1981.

ADDRESS: Comments should be addressed to: General Services Administration (CPEP), Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Philip G. Read, Director, Federal Procurement Regulations Directorate.

Office of Acquisition Policy (703) 557-8947.

(Sec. 205(c), 63 Stat. 399; 40 U.S.C. 486(c))

In 41 CFR Chapter 1, the following temporary regulation is added to the appendix of the end of the chapter to read as follows:

June 22, 1981.

To: Heads of Federal agencies

Subject: Agency responsibility for the conduct of and accountability for ADP acquisitions under GSA delegations of authority

Federal Procurement Regulations, Temporary Regulation 62

1. *Purpose.* This temporary regulation provides for the recognition of Federal agency responsibilities under Pub. L. 96-511 (the Paperwork Reduction Act of 1980) when submitting agency purchase requests and conducting automatic data processing (ADP) acquisitions made pursuant to a delegation of authority from the General Services Administration (GSA) under section 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759).

2. *Effective date.* This regulation is effective July 1, 1981.

3. *Expiration date.* This regulation expires July 1, 1983, unless earlier revised or superseded.

4. *Background.*

a. The Paperwork Reduction Act of 1980 provides that the head of each agency shall designate, by July 1, 1981, a senior official (officials in DOD) who reports directly to such agency head to carry out the responsibilities of the agency under the Act. This includes responsibility for the conduct of and accountability for any acquisitions made pursuant to a delegation of procurement authority pursuant to the Brooks Act (Pub. L. 89-306). The provisions of the Brooks Act pertinent to this action are implemented by Subpart 1-4.11 of the Federal Procurement Regulations.

b. In a memorandum dated November 14, 1980, the Administrator of General Services informed heads of departments and agencies of an alternate procedure for initiating their larger computer acquisitions (45 FR 84151, December 22, 1980). These procedures are described in GSA Bulletin FPMR F-126. Agencies were requested to advise GSA in writing of the names and titles of those officials whom the agency had authorized to sign agency submissions under this method.

c. In view of the actions to be taken by agencies in implementing the designated senior official provisions of the Paperwork Reduction Act, GSA is adjusting applicable regulations to recognize these officials in regard to

responsibility for the conduct of and accountability for ADP acquisitions under GSA delegations.

5. *Explanation of changes*

a. Section 1-4.1104 is amended by designating paragraph (a) as (a)(1) and adding subparagraphs (2) and (3) to provide for agency notification to GSA of officials who will be assigned to initiate and conduct acquisitions made under GSA delegations as follows:

§ 1-4.1104 Procurement authority.

(a)(1) To allow for the orderly implementation of a program for the economical and efficient procurement of ADPE, commercially available software, maintenance services, and related supplies, agencies are authorized to procure these items (i) in accordance with the provisions of this § 1-4.1104 provided that requirements are not fragmented in order to circumvent the established blanket delegation thresholds or (ii) when a specific delegation of procurement authority has been provided in accordance with the provisions of §§ 1-4.1105 and 1-4.1106. However, the applicable provisions of FPMR Subchapter F shall be complied with before initiating a procurement action.

(2) The provisions of Public Law 96-511 (the Paperwork Reduction Act of 1980) direct each executive agency head to designate a senior official (officials in DOD) reporting to the agency head to be responsible for implementing the Act. This designated senior official is assigned responsibility for the conduct of and accountability for any acquisitions made pursuant to a delegation of authority under section 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759) (see 44 U.S.C. 3506(c)(4)).

(3) The designated senior official in each agency shall advise GSA in writing of the names and titles of those officials whom he or she has assigned (i) to initiate acquisition actions, and (ii) to conduct authorized acquisitions (see also §§ 1-4.1105 and 1-4.1107). The designated senior official shall maintain current listings. Listings should be addressed to GSA (CPS), Washington, D.C. 20405.

b. Section 1-4.1105 is amended by revising the preamble to provide that agency procurement requests must be submitted by the agency designated senior official or by an official assigned by the senior official as follows:

§ 1-4.1105 Request for procurement action.

If an agency determines that the conditions of the contemplated

procurement are not covered by the provisions of § 1-4.1104, or if the conditions of the contemplated procurement change during the procurement process in such manner as to remove it from those provisions, four copies of the agency procurement request (APR) and other applicable documents shall be forwarded to the General Services Administration (CPS), Washington, DC 20405. The APR shall be signed by an official who has been assigned to initiate the acquisition action and shall specify the name of the official who has been assigned to conduct the procurement (see § 1-4.1104(a)). GSA will process only those submissions signed by authorized officials. Other submissions will be returned without action to the submitting office for resubmission by an authorized agency official. In addition, the APR shall contain the name and telephone number of an individual within the agency who shall act as the point of contact with GSA. The APR shall include, as applicable:

c. Section 1-4.1107 is revised to provide that GSA will consider the agency designated senior official to be responsible for the conduct of a specified procurement made under either a blanket or individual delegation of procurement authority as follows:

§ 1-4.1107 Federal agency responsibility when procurement is delegated by GSA.

When acting under a GSA delegation of procurement authority under either §§ 1-4.1104 or 1-4.1106, the agency designated senior official is responsible for compliance with applicable procurement policies, regulations, and, in particular, § 1-4.1109 and the specific terms of the delegation (see § 1-4.1104(a)).

d. With regard to the alternate information submission method authorized by the Administrator of General Services and described in GSA Bulletin FPMR F-126, the following provisions apply.

(1) The provisions set forth in subparagraphs a, b, and c of paragraph 5 of this regulation apply to submissions under the F-126 bulletin procedures.

(2) Agency listings of authorized officials submitted to GSA pursuant to paragraph 5 of the F-126 bulletin will not be honored unless submitted by the agency designated senior official.

(3) Agency submissions (F-126 bulletin, Attachment A format) dated on or after July 1, 1981, shall be signed by an official who has been assigned to initiate the acquisition action. The submission shall specify the name of the

official who has been assigned to conduct the procurement. Other submissions dated on or after July 1, 1981, will be returned, without action, to the submitting office for resubmission by an authorized official.

6. *Agency action.* Pending the issuance of a permanent amendment to the FPR, agencies shall follow the provisions in this temporary regulation. Timely agency submission of the listing of authorized officials will contribute to efficient implementation of the applicable portion of the Paperwork Reduction Act.

7. *Submission of comments.* Time does not permit the solicitation of comments prior to the issuance of this regulation. However, comments are invited concerning the effect or impact of this regulation and the policy and procedures that should be adopted in the future. Comments should be forwarded to the General Services Administration (CPEP), Washington, DC 20405, not later than September 30, 1981.
Ray Kline,
Acting Administrator of General Services.

[FR Doc. 81-20512 Filed 7-13-81; 8:45 am]
BILLING CODE 6820-81-M

DEPARTMENT OF LABOR

Office of Federal Contract Compliance Programs

41 CFR Parts 60-1, 60-2, 60-4, 60-20, 60-30, 60-50, 60-60, 60-250, and 60-741

Government Contractors; Affirmative Action Requirements; Further Deferral of Effective Date of Regulations

AGENCY: Office of Federal Contract Compliance Programs (OFCCP), Labor.

ACTION: Notice of further deferral of effective date of final rule.

SUMMARY: This notice further defers the effective date of certain OFCCP regulations regarding affirmative action requirements from July 15, 1981, until August 26, 1981.

DATES: The effective date is deferred until August 26, 1981.

FOR FURTHER INFORMATION CONTACT: James W. Cisco, Acting Director, Division of Program Policy, Office of Federal Contract Compliance Programs, Room C-3324, U.S. Department of Labor, Washington, D.C. 20210, Telephone (202) 523-9428.

SUPPLEMENTARY INFORMATION: On December 30, 1980, the Department of Labor published a final rule [see 45 FR

86215; corrected January 23, 1981, at 46 FR 7332) revising the regulations at 41 CFR Chapter 60 which implement (1) Executive Order 11246, as amended, (2) section 402 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 and (3) section 503 of the Rehabilitation Act of 1973, as amended. The rule was scheduled to take effect on January 29, 1981. On January 28, 1981, a notice was published in the Federal Register (46 FR 9084) delaying the effective date of the rule until April 29, 1981, to allow the Department of Labor to conduct a full review of the regulation. Subsequently, in separate notices in the Federal Register on April 28, 1981, (46 FR 23742) and June 26, 1981, (46 FR 33033), the effective date of the regulations was deferred up to and until July 15, 1981.

During the period that the effective date of the regulation has been deferred, the Department of Labor met with representatives of contractor groups covered by the laws administered by OFCCP, representatives of public interest groups which are interested in the protections afforded under those laws, and with representatives of organized labor. The purpose of these meetings was to share with these groups the agency's general notions as to how the regulations might be improved and to elicit any questions which the groups might have concerning the agency's approach prior to the formal submission of the regulations and commencement of formal consultations under applicable Executive Orders discussed more fully below. Several groups thereafter submitted written comments, which the Department has analyzed in the course of reviewing the rules.

The Department also conducted a preliminary regulatory impact analysis under Executive Order 12291. For the most part, the regulations reviewed and analyzed pursuant to Executive Order 12291 were those contained in the December 30, 1980, Federal Register. However, the review and analysis did include some of the regulations in 41 CFR Chapter 60 which had not been amended by the December 30, 1980, final rule.

As a result of this review and analysis described above, the Department of Labor has developed a proposed regulation. The proposed regulation has been submitted to the Office of Management and Budget pursuant to Executive Order 12291 and to the Equal Employment Opportunity Commission, pursuant to Executive Order 12067. It is now apparent, however, that the intergovernmental review and

consultation procedures required to be followed for a regulation of this type cannot be completed prior to July 15, 1981, the date on which the December 30, 1980, rule is scheduled to go into effect. Accordingly, the December 30, 1980, rule's effective date is further deferred until August 26, 1981, to allow adequate time to complete the intergovernmental consultations and review procedures mentioned above.

This document will further defer the effective date of these regulations until August 26, 1981. The time required for such consultation constitutes good cause for this deferral. For this reason and because these rules are scheduled to become effective very shortly, additional notice and public procedure on this change of effective dates is impracticable, unnecessary and contrary to the public interest and good cause exists for making this postponement effective immediately. This finding is made pursuant to 5 U.S.C. 553 (b)(3)(B).

In addition and in connection with the Department's anticipated proposed rulemaking discussed above, published elsewhere in the Federal Register today is a notice of advanced rulemaking on the following questions: (1) methods for determining the availability of minorities and women (the "eight factor" analysis prescribed by 41 CFR 60-2.11(b)); (2) whether monetary relief (back pay) should be eliminated as a remedy under Executive Order 11246 and whether back pay may be used in some special way to induce contractors to comply with the Executive Order; (3) alternative methods for setting minority and female utilization goals for construction contractors; and (4) whether the nondiscrimination and affirmative action requirements for covered construction contractors should apply only to Federal and federally assisted construction work, to all work (both Federal and non-federal) in any geographic area in which the contractor has a Federal or federally assisted construction contract, or to all Federal and non-federal projects nationwide.

Signed at Washington, D.C., this 9th day of July 1981.

Robert B. Collyer,
Deputy Under Secretary for Employment Standards.

Ellen M. Shong,
Director, OFCCP.

[FR Doc. 81-20613 Filed 7-13-81; 8:45 am]
BILLING CODE 4510-27-M

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