

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Rural Utilities Service

#### 7 CFR Part 1755

#### Specifications and Drawings for Construction of Direct Buried Plant

**AGENCY:** Rural Utilities Service, USDA.

**ACTION:** Proposed Rule; correction.

**SUMMARY:** The Rural Utilities Service (RUS) published a document in the **Federal Register** of June 8, 2010, at 75 FR 32313 regarding the request for comments on revising RUS Bulletin 1753F-150, Specifications and Drawings for Construction of Direct Buried Plant (Form 515a). This document corrects the Docket ID number.

**FOR FURTHER INFORMATION CONTACT:** Joyce McNeil, 202-720-0812.

#### Correction

In the proposed rule document FR Doc. 2010-12830 beginning on page 32313 in the issue of June 8, 2010, make the following correction:

On page 32313, in the third column, under the heading **ADDRESSES**, in the ninth line "RUS-2010-Telecom-0003" should read "RUS-10-Telecom-0002".

Dated: June 24, 2010.

**James R. Newby,**

*Acting Administrator, Rural Utilities Service.*

[FR Doc. 2010-15943 Filed 6-30-10; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF ENERGY

### 10 CFR Part 1023

#### 48 CFR Parts 901, 902, 903, 904, 906, 907, 908, 909, 911, 914, 915, 916, 917, and 952

RIN 1991-AB81

#### (General Provisions) Contract Appeals and the Acquisition Regulation: Subchapters A—General, B—Acquisition Planning, and C—Contracting Methods and Contract Types

**AGENCY:** Department of Energy.

**ACTION:** Notice of proposed rulemaking and opportunity for comment.

**SUMMARY:** The Department of Energy (DOE) is proposing to remove its Contract Appeals regulation, which implements DOE's contract appeals procedures and amend the Department of Energy Acquisition Regulation (DEAR) Subchapters A—General, B—Acquisition Planning, and C—Contracting Methods and Contract Types, to make changes to conform to the FAR, remove out-of-date coverage, and update references. Today's proposed rule does not alter substantive rights or obligations under current law.

**DATES:** Written comments on the proposed rulemaking must be received on or before close of business August 2, 2010.

**ADDRESSES:** You may submit comments, identified by DEAR: Subchapters A, B, and C and RIN 1991-AB81, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *E-mail to:* [DEARrulemaking@hq.doe.gov](mailto:DEARrulemaking@hq.doe.gov). Include DEAR: Subchapters A, B and C and RIN 1991-AB81 in the subject line of the message.

- *Mail to:* U.S. Department of Energy, Office of Procurement and Assistance Management, MA-611, 1000 Independence Avenue, SW., Washington, DC 20585. Comments by e-mail are encouraged.

**FOR FURTHER INFORMATION CONTACT:** Barbara Binney at (202) 287-1340 or by e-mail [barbara.binney@hq.doe.gov](mailto:barbara.binney@hq.doe.gov).

#### SUPPLEMENTARY INFORMATION:

- I. Background
- II. Section-by-Section Analysis
- III. Procedural Requirements

- A. Review Under Executive Order 12866.
- B. Review Under Executive Order 12988.
- C. Review Under the Regulatory Flexibility Act.
- D. Review Under the Paperwork Reduction Act.
- E. Review Under the National Environmental Policy Act.
- F. Review Under Executive Order 13132.
- G. Review Under the Unfunded Mandates Reform Act of 1995.
- H. Review Under the Treasury and General Government Appropriations Act, 1999.
- I. Review Under Executive Order 13211.
- J. Review Under the Treasury and General Government Appropriations Act, 2001.
- K. Approval by the Office of the Secretary of Energy.

#### I. Background

The DOE regulation at 10 CFR part 1023 which implemented DOE's contract appeals procedures and the Department of Energy Acquisition Regulation (DEAR) Subchapters A, B, and C have outdated sections that need to be updated for consistency with the Civilian Board of Contract Appeals (CBCA) provisions of Section 847 of the National Defense Authorization Act for Fiscal Year 2006, Public Law 109-163, and provisions of the FAR and the Title 41, chapter 102—Federal Management Regulation, all of which DOE is implementing but are not yet reflected in the DEAR. Today's proposed rule would update these regulations.

DOE is proposing to remove regulations in 10 CFR part 1023 made obsolete by the establishment of the CBCA within the General Services Administration. DOE has already adjusted its internal procedures to address the CBCA jurisdiction.

With the proposed changes to Subchapters A, B, and C, the DEAR would conform to the FAR, the Title 41, chapter 101—Federal Property Management Regulation, and the Federal Management Regulation. The objective of this action is to update the existing DEAR to conform it to the FAR. None of these changes are substantive or of a nature to cause any significant expense for DOE or its contractors. Changes are proposed to DEAR parts 901, 902, 903, 904, 906, 907, 908, 909, 911, 914, 915, 916, 917, and 952. No changes are proposed for DEAR parts 905, 910, and 912.

#### II. Section-by-Section Analysis

1. DOE proposes removal of regulations in 10 CFR part 1023 made