



Federal Register

**Monday,
December 20, 2010**

Part XVI

General Services Administration

Semiannual Regulatory Agenda

GENERAL SERVICES ADMINISTRATION (GSA)

GENERAL SERVICES ADMINISTRATION

41 CFR Chs. 101, 102, 105, 300, 301, and 302

48 CFR Chs. 5 and 61

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: General Services Administration (GSA).

ACTION: Semiannual Regulatory Agenda.

SUMMARY: This agenda announces the proposed regulatory actions that GSA plans for the next 12 months and those that were completed since the spring 2010 edition. This agenda was developed under the guidelines of Executive Order 12866 “Regulatory Planning and Review.” GSA’s purpose in publishing this agenda is to allow interested persons an opportunity to participate in the rulemaking process. GSA also invites interested persons to recommend existing significant regulations for review to determine whether they should be modified or

eliminated. Proposed rules may be reviewed in their entirety at the Government’s rulemaking website at <http://www.regulations.gov>.

Since the fall 2007 edition, the Internet has been the basic means for disseminating the Unified Agenda. The complete Unified Agenda will be available online at www.reginfo.gov, in a format that offers users a greatly enhanced ability to obtain information from the Agenda database.

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), GSA’s printed agenda entries include only:

(1) Rules that are in the Agency’s regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and

(2) Any rules that the Agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act’s Agenda requirements. Additional information on these entries is available in the Unified Agenda published on the Internet. In addition, for fall editions of the Agenda, the entire Regulatory Plan will continue to be printed in the **Federal Register**, as in past years, including GSA’s regulatory plan.

FOR FURTHER INFORMATION CONTACT: Hada Flowers, Supervisor, Regulatory Secretariat Branch at (202) 208-7282.

Dated: September 16, 2010.

Kathleen M. Turco,
Associate Administrator, Office of Governmentwide Policy.

Dated: September 3, 2010.

Edward Loeb,
Director, Acquisition Policy Division.

Dated: September 8, 2010.

Sloan W. Farrell,
Division Director, External Programs, Office of Civil Rights.

Dated: September 8, 2010.

Chris Giavis,
Office of Real Property Asset Management.

General Services Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
461	Cooperative Purchasing—Acquisition of Security and Law Enforcement Related Goods and Services (Schedule 84) by State and Local Governments Through Federal Supply Schedules	3090-A168

General Services Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
462	General Services Administration Acquisition Regulation; GSAR Case 2006-G507, Rewrite of Part 538, Federal Supply Schedule Contracting	3090-A177

General Services Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
463	General Services Administration Acquisition Regulation; GSAR Case 2005-G501; Federal Agency Retail Pharmacy Program	3090-A106
464	General Services Administration Acquisition Regulation; GSAR Case 2006-G522, Federal Supply Schedule Contracts—Recovery Purchasing by State and Local Governments Through Federal Supply Schedules	3090-A132

General Services Administration (GSA)

Final Rule Stage

OFFICE OF ACQUISITION POLICY

461. COOPERATIVE PURCHASING—ACQUISITION OF SECURITY AND LAW ENFORCEMENT RELATED GOODS AND SERVICES (SCHEDULE 84) BY STATE AND LOCAL GOVERNMENTS THROUGH FEDERAL SUPPLY SCHEDULES

Legal Authority: 40 USC 121(c); 40 USC 502(c)(1)(B)

Abstract: The General Services Administration (GSA) is amending the General Services Administration Acquisition Regulation (GSAR) to implement Public Law 110-248, The Local Preparedness Acquisition Act.

The Act authorizes the Administrator of General Services to provide for the use by State or local governments of Federal Supply Schedules of the General Services Administration (GSA) for alarm and signal systems, facility management systems, firefighting and rescue equipment, law enforcement and security equipment, marine craft and related equipment, special purpose clothing, and related services (as contained in Federal supply classification code group 84 or any amended or subsequent version of that Federal supply classification group).

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/19/08	73 FR 54334
Interim Final Rule Comment Period End	11/18/08	
Final Rule	03/00/11	

Regulatory Flexibility Analysis Required: Yes

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RIN: 3090-AI68

General Services Administration (GSA)

Long-Term Actions

OFFICE OF ACQUISITION POLICY

462. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION; GSAR CASE 2006-G507, REWRITE OF PART 538, FEDERAL SUPPLY SCHEDULE CONTRACTING

Legal Authority: 40 USC 121(c)

Abstract: The General Services Administration (GSA) is amending the General Services Administration Acquisition Regulation (GSAR) to revise sections of GSAR part 538 that

provide requirements for Federal Supply Schedule Contracting actions. This is a significant regulatory action and, therefore, was subject to review under section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

Timetable:

Action	Date	FR Cite
NPRM	01/26/09	74 FR 4596
NPRM Comment Period End	03/27/09	
Final Rule	12/00/11	

Regulatory Flexibility Analysis Required: Yes

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General Services Administration (GSA)

Completed Actions

463. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION; GSAR CASE 2005-G501; FEDERAL AGENCY RETAIL PHARMACY PROGRAM

Legal Authority: 40 USC 121(c)

Abstract: The General Services Administration (GSA) is amending the General Services Administration Acquisition Regulation (GSAR) to add a new subpart and clause required by the Department of Veterans Affairs (VA), consistent with congressional intent under section 603 of the Veterans Health Care Act of 1992 (VHCA) and 38 U.S.C. 8126, that

certain Federal agencies (i.e., VA, Department of Defense (DoD), Public Health Service (including the Indian Health Service), and the Coast Guard) have access to Federal pricing for pharmaceuticals purchased for their beneficiaries.

GSA is responsible for the schedules program and rules related to its operation. Under GSA's delegation of authority, the VA procures medical supplies under the VA Federal Supply Schedule program. VA and DoD seek this amendment. This new subpart adds a clause unique to the virtual depot system established by a Federal

Agency Retail Pharmacy Program utilizing contracted retail pharmacies as part of a centralized pharmaceutical commodity management program. At this time, only DoD has a program in place, and the rule would facilitate DoD's access to Federal pricing on Federal Supply Schedule (FSS) pharmaceutical contracts for covered drugs purchased by DoD and dispensed to TRICARE beneficiaries through retail pharmacies in the TRICARE network.

Completed:

Reason	Date	FR Cite
Withdrawn	09/03/10	

GSA

Completed Actions

Regulatory Flexibility Analysis**Required:** Yes**Agency Contact:** Clare McFadden

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RIN: 3090-AI06

**464. GENERAL SERVICES
ADMINISTRATION ACQUISITION
REGULATION; GSAR CASE
2006-G522, FEDERAL SUPPLY
SCHEDULE CONTRACTS—
RECOVERY PURCHASING BY STATE
AND LOCAL GOVERNMENTS
THROUGH FEDERAL SUPPLY
SCHEDULES**

Legal Authority: 40 USC 121(c); 40
USC 502(d)

Abstract: The rule is amending the General Services Administration Acquisition Regulation (GSAR) to implement section 833 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Pub. L. 109-364). Section 833 amends 40 U.S.C. 502 to authorize the Administrator of General Services to provide to State and local governments the use of Federal Supply Schedules of the GSA for purchase of products and services to be used to facilitate recovery from a major disaster declared by the President or to facilitate recovery from terrorism, or nuclear, biological, chemical, or radiological attack.

Completed:

Reason	Date	FR Cite
Withdrawn	09/03/10	

Regulatory Flexibility Analysis**Required:** Yes**Agency Contact:** William Clark

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am]**BILLING CODE** 6820-34-S