effort to ensure that the regulation specifies clearly any preemptive effect, effect on existing Federal law or regulation, and retroactive effect; describes any administrative proceedings to be available prior to judicial review and any provisions for the exhaustion of such administrative proceedings; and defines key terms. DOE certifies that this proposed rule meets the requirements of sections 2(a) and (b) of Executive Order 12778.

C. Review Under the Regulatory Flexibility Act

This proposed rule was reviewed under the Regulatory Flexibility Act of 1980, Pub. L. 96-354, which requires preparation of a regulatory flexibility analysis for any rule that is likely to have a significant economic impact on a substantial number of small entities. This proposed rule will have no impact on interest rates, tax policies or liabilities, the cost of goods or services, or other direct economic factors. It will also not have any indirect economic consequences such as changed construction rates. DOE certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities and, therefore, no regulatory flexibility analysis has been prepared.

D. Review Under the Paperwork Reduction Act

No new information collection or recordkeeping requirements are imposed by this proposed rule. Accordingly, no OMB clearance is required under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501, et seq.).

E. Review Under Executive Order 12612

Executive Order 12612, entitled "Federalism," 52 FR 41685 (October 30, 1987), requires that regulations, rules, legislation, and any other policy actions be reviewed for any substantial direct effects on States, on the relationship between the Federal Government and the States, or in the distribution of power and responsibilities among various levels of government. If there are sufficient substantial direct effects, then the Executive Order requires preparation of a federalism assessment to be used in all decisions involved in promulgating and implementing a policy action. DOE has determined that this proposed rule will not have a substantial direct effect on the institutional interests or traditional functions of States.

F. Review Under the National Environmental Policy Act

Pursuant to the Council on Environmental Quality Regulations (40 CFR 1500–1508), the Department has established guidelines for its compliance with the provisions of the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321, et seq.). Pursuant to Appendix A of Subpart D of 10 CFR 1021, National Environmental Policy Act Implementing Procedures (Categorical Exclusion A6), DOE has determined that this proposed rule is categorically excluded from the need to prepare an environmental impact statement or environmental assessment.

G. Public Hearing Determination

DOE has concluded that this proposed rule does not involve any significant issues of law or fact. Therefore, consistent with 5 U.S.C. 553, DOE has not scheduled a public hearing.

List of Subjects in 48 CFR Parts 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 912, 913, 914, 915, 916, 919, 920, 922, 924, 925, 928, 933, 935, 936, 937, 942, 943, 944, 945, 947, 949, 951, and 971

Government procurement.

Issued in Washington, D.C., on June 1, 1995.

Richard H. Hopf,

Deputy Assistant Secretary for Procurement and Assistance Management.

For the reasons set out in the preamble, Chapter 9 of Title 48 of the Code of Federal Regulations is proposed to be amended as set forth below.

1. The authority citation for Parts 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 912, 913, 914, 915, 916, 919, 920, 922, 924, 925, 928, 933, 935, 936, 937, 942, 943, 944, 945, 947, 949, 951, and 971 continues to read as follows:

Authority: 42 U.S.C. 7254; 40 U.S.C. 486(c).

PART 901—FEDERAL ACQUISITION REGULATIONS SYSTEM

901.103 [Amended]

2. Section 901.103 is amended by removing the second sentence.

901.103-70 [Removed]

3. Subsection 901.103-70 is removed.

901.104-3 [Amended]

4. Subsection 901.104–3 is amended by removing the third sentence of paragraph (a), and by removing paragraph (b).

901.170 [Removed]

5. Section 901.170 is removed.

901.301–71 [Removed] 6. Subsection 901.301–71 is removed.

901.301-72 [Amended]

7. Subsection 901.301–72 is amended by removing paragraphs (a), (b), and (c).

901.601-70 [Removed]

8. Subsection 901.601–70 is removed.

901.603-70 [Removed]

9. Subsection 901.603–70 is removed.

901.603-71 [Removed]

10. Subsection 901.603–71 is removed.

901.603-72 [Amended]

11. Subsection 901.603–72 is amended by removing paragraph (b).

PART 902—DEFINITIONS OF WORDS AND TERMS

902.1 [Removed]

12. Subpart 902.1 is removed.

PART 903—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

903.101-3 [Amended]

13. Subsection 903.101–3 is amended by removing the second through fifth sentences.

PART 904—ADMINISTRATIVE MATTERS

904.402 [Amended]

14. Section 904.402 is amended in paragraph (b) by removing the second and third sentences, and by removing paragraphs (c), (d), and (k).

904.403 [Removed]

15. Section 904.403 is removed.

904.601 [Removed]

16. Section 904.601 is removed.

904.601-70 [Removed]

17. Subsection 904.601–70 is removed.

904.601-71 [Amended]

18. Subsection 904.601–71 is amended by removing paragraphs (a) and (b).

904.702 [Amended]

19. Section 904.702 is amended in paragraph (b) by removing the second sentence.

PART 905—PUBLICIZING CONTRACT ACTIONS

905.2 [Removed]

20. Subpart 905.2 is removed.

905.3 [Removed]

21. Subpart 905.3 is removed.