

paragraph (a) of this section, the contracting officer may use leasing in the acquisition of commercial vehicles and equipment whenever the contracting officer determines that leasing of such vehicles is practicable and efficient (10 U.S.C. 2401a).

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48 CFR Parts 225 and 252

[DFARS Case 96-D308]

Defense Federal Acquisition Regulation Supplement; Designation of Singapore

AGENCY: Department of Defense (DoD).
ACTION: Final rule.

SUMMARY: The Director of Defense Procurement is amending the Defense Federal Acquisition Regulation Supplement (DFARS) to add Singapore as a designated country under the Trade Agreements Act of 1979, as directed by the United States Trade Representative.

DATES: *Effective date:* April 18, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. Amy Williams, PDUSD (A&D) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301-3062. Telephone (703) 602-0131. Telefax (703) 602-0350.

SUPPLEMENTARY INFORMATION:

A. Background

This final rule amends the DFARS to add Singapore as a Designated country under the Trade Agreements Act of 1979, as directed by the United States Trade Representative (USTR) (61 FR 11233, March 19, 1996). This designation does not apply to procurements by the U.S. Army Corps of Engineers, in accordance with the USTR's direction. The USTR may revoke this designation if Singapore has not completed negotiations on its accession to the World Trade Organization Government Procurement Agreement by July 31, 1996.

The Director of Defense Procurement has authorized a class deviation from the clause at FAR 52.225-15, Buy American Act—Construction Materials under Trade Agreements Act and North American Free Trade Agreement, to add Singapore to the list of designated countries. This DFARS rule likewise amends the clause at DFARS 252.225-7007, Trade Agreement, which the Department of Defense uses instead of the clause at FAR 52.225-9, Buy American Act—Trade Agreements—

Balance of Payments Program, and adds an Alternate I to the DFARS clause for use by the U.S. Army Corps of Engineers.

B. Regulatory Flexibility Act

This final rule does not constitute a significant DFARS revision within the meaning of FAR 1.501 and Public Law 98-577 and publication for public comment is not required. Therefore, the Regulatory Flexibility Act does not apply. However, comments from small entities concerning the affected DFARS subparts will be considered in accordance with 5 U.S.C. 610. Such comments should cite DFARS Case 96-D308 in correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply. This final rule does not impose any new information collection requirements which require the approval of OMB under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 225 and 252

Government procurement.
Michele P. Peterson,
Executive Editor, Defense Acquisition Regulations Council.

Therefore, 48 CFR Parts 225 and 252 are amended as follows:

1. The authority citation for 48 CFR Parts 225 and 252 continues to read as follows:

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

PART 225—FOREIGN ACQUISITION

2. Section 225.408 is amended by revising the title and paragraph (a)(2) to read as follows:

225.408 Solicitation provisions and contract clauses.

(a) * * *

(2) Use the clause at 252.225-7007, Trade Agreements, instead of the clause at FAR 52.225-9, Buy American Act—Trade Agreements—Balance of Payments Program. The clause need not be used where purchase from foreign sources is restricted (see 225.403(d)(1)(B)). The clause may be used where the contracting officer anticipates a waiver of the restriction. For procurements by the U.S. Army Corps of Engineers, use the clause with its Alternate I.

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PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

3. Section 252.225-7007 is amended by revising the clause title, clause date, and paragraph (a)(3), and by adding Alternate I to read as follows:

252.225-7007 Trade Agreements.

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Trade Agreements (Apr 1996)

(a) *Definitions.* * * *

(3) *Designated country means:*

- Aruba
- Austria
- Bangladesh
- Belgium
- Benin
- Bhutan
- Botswana
- Burkina Faso
- Burundi
- Canada
- Cape Verde
- Central African Republic
- Chad
- Comoros
- Denmark
- Finland
- France
- Gambia
- Germany
- Greece
- Guinea
- Haiti
- Ireland
- Israel
- Italy
- Japan
- Lesotho
- Liechtenstein
- Luxembourg
- Malawi
- Maldives
- Mali
- Nepal
- Netherlands
- Niger
- Norway
- Portugal
- Republic of Korea
- Rwanda
- Singapore
- Somalia
- Spain
- Sudan
- Sweden
- Switzerland
- Tanzania U.R.
- Uganda
- United Kingdom
- Western Samoa
- Yemen

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Alternate I (Apr. 1996). As prescribed in 225.408(a)(2), delete Singapore from the list of designated countries in paragraph (a)(3) of the basic clause.

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