

DEPARTMENT OF DEFENSE**GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****48 CFR Part 6**

[FAR Case 2007–008; Docket 2007–0001;
Sequence 14]

RIN 9000–AK90

**Federal Acquisition Regulation; FAR
Case 2007–008, Limiting Length of
Noncompetitive Contracts in “Unusual
and Compelling Urgency”
Circumstances**

AGENCIES: Department of Defense (DoD),
General Services Administration (GSA),
and National Aeronautics and Space
Administration (NASA).

ACTION: Proposed rule.

SUMMARY: The Civilian Agency
Acquisition Council and the Defense
Acquisition Regulations Council
(Councils) are proposing to amend the
Federal Acquisition Regulation (FAR) to
limit the length of contracts awarded
noncompetitively under unusual and
compelling urgency circumstances to
the minimum contract period necessary
to meet the requirements, and no longer
than one year, unless approved by the
head of the contracting activity.

DATES: Interested parties should submit
comments in writing on or before March
31, 2008 to be considered in the
formulation of a final rule.

ADDRESSES: Submit comments
identified by FAR Case 2007–008 by any
of the following methods:

- Regulations.gov: <http://www.regulations.gov>. Submit comments
via the Federal eRulemaking portal by
inputting “FAR Case 2007–008” under
the heading “Comment or Submission”.
Select the link “Send a Comment or
Submission” that corresponds with FAR
Case 2007–008. Follow the instructions
provided to complete the “Public
Comment and Submission Form”.
Please include your name, company
name (if any), and “FAR Case 2007–
008” on your attached document.

- Fax: 202–501–4067.

- Mail: General Services
Administration, Regulatory Secretariat
(VPR), 1800 F Street, NW., Room 4035,
ATTN: Diedra Wingate, Washington, DC
20405.

Instructions: Please submit comments
only and cite FAR Case 2007–008 in all
correspondence related to this case. All
comments received will be posted
without change to [http://](http://www.regulations.gov)

www.regulations.gov, including any
personal and/or business confidential
information provided.

FOR FURTHER INFORMATION CONTACT: Mr.
Ernest Woodson, Procurement Analyst,
at (202) 501–3775, for clarification of
content. For information pertaining to
status or publication schedules, contact
the FAR Secretariat at (202) 501–4755.
Please cite FAR Case 2007–008.

SUPPLEMENTARY INFORMATION:

A. Background

The Administrator of the Office of
Federal Procurement Policy (OFPP)
issued a memorandum on enhancing
competition in Federal acquisition,
dated May 31, 2007, to executive agency
chief acquisition officers and senior
procurement executives. One of the
initiatives identified by the
Administrator for strengthening
competitive policies was limiting the
length of contracts awarded
noncompetitively under the authority in
FAR Part 6.302–2, unusual and
compelling urgency, to the minimum
period necessary for meeting the
requirements, and no longer than one
year unless approved by the head of the
contracting activity. This rule
implements a contract period limitation
under FAR Part 6.302–2.

This is not a significant regulatory
action and, therefore, was not 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.

B. Regulatory Flexibility Act

The Councils do not expect this
proposed rule to have a significant
economic impact on a substantial
number of small entities within the
meaning of the Regulatory Flexibility
Act, 5 U.S.C. 601, *et seq.*, because the
rule addresses internal agency
procedures and will benefit small
entities by encouraging competition
after a one year contract period, except
when a longer contract period is
properly approved. Therefore, an Initial
Regulatory Flexibility Analysis has not
been performed. The Councils will
consider comments from small entities
concerning the affected FAR Part 6.303–
2 in accordance with 5 U.S.C. 610.
Interested parties must submit such
comments separately and should cite 5
U.S.C. 601, *et seq.* (FAR case 2007–008),
in correspondence.

C. Paperwork Reduction Act

The Paperwork Reduction Act (Pub.
L. 96–511) does not apply because the
changes to the FAR do not contain any
information collection requirements that

require the approval of the Office of
Management and Budget under 44
U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Part 6

Government procurement.

Dated: January 15, 2008.

Al Matera,

Director, Office of Acquisition Policy.

Therefore, DoD, GSA, and NASA
propose amending 48 CFR part 6 as set
forth below:

**PART 6—COMPETITION
REQUIREMENTS**

1. The authority citation for 48 CFR
part 6 continues to read as follows:

Authority: 40 U.S.C. 121(c); 10 U.S.C.
chapter 137; and 42 U.S.C. 2473(c).

2. Amend section 6.302–2 by adding
paragraph (d) to read as follows:

6.302–2 Unusual and compelling urgency.

(d) *Period of Performance.* The total
period of performance of a contract
awarded using this authority shall not
exceed the minimum period necessary
for meeting the unusual and compelling
urgency requirements, but no longer
than one year unless a longer period of
performance is approved by the head of
the contracting activity. Approval of a
longer contract period of performance is
in addition to the justification approval
of requirements in 6.304.

[FR Doc. E8–1681 Filed 1–30–08; 8:45 am]

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DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 16**

[FWS–R9–FHC–2008–0015; 94410–1342–
0000–N3]

RIN 1018–AV68

**Injurious Wildlife Species; Review of
Information Concerning Constrictor
Snakes From Python, Boa, and
Eunectes genera**

AGENCY: Fish and Wildlife Service,
Interior.

ACTION: Notice of inquiry.

SUMMARY: We, the U.S. Fish and
Wildlife Service (Service or We), are
reviewing available biological and
economic information on constrictor
snakes in the *Python*, *Boa* and *Eunectes*
genera for possible addition to the list
of injurious wildlife under the Lacey
Act. The importation and introduction
of constrictor snakes into the natural
ecosystems of the United States may

pose a threat to the interests of agriculture, horticulture, forestry; to the health and welfare of human beings; and to the welfare and survival of wildlife and wildlife resources in the United States. An injurious wildlife listing would prohibit the importation into, or transportation between, States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States by any means, without a permit. Permits may be issued for scientific, medical, educational, or zoological purposes. This document seeks comments from the public to aid in determining if a proposed rule is warranted.

DATES: We will accept comments received or postmarked on or before April 30, 2008.

ADDRESSES: You may submit comments by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *U.S. mail or hand-delivery:* Public Comments Processing, Attn: RIN 1018-AV68, Division of Policy and Directives Management, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Suite 222, Arlington, VA 22203.

Instructions: We will not accept e-mail or faxes. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Public Comments section below for more information).

FOR FURTHER INFORMATION CONTACT: Erin Williams, Branch of Invasive Species at (703) 358-2034 or erin_williams@fws.gov.

SUPPLEMENTARY INFORMATION: On September 21, 2006, we received a petition from the South Florida Water Management District (SFWMD) requesting that Burmese pythons be considered for inclusion in the injurious wildlife regulations pursuant to the Lacey Act (18 U.S.C. 42). SFWMD is concerned about the number of Burmese pythons found in Florida, particularly in the Everglades National Park. We are looking at obtaining information on constrictor species in the *Python*, *Boa* and *Eunectes* genera for possible addition to the injurious wildlife list under the Lacey Act.

The regulations contained in 50 CFR part 16 implement the Lacey Act, as amended. Under the terms of the injurious wildlife provisions of the Lacey Act, the Secretary of the Interior is authorized to prohibit the importation and interstate transportation of species

designated by the Secretary as injurious. Injurious wildlife are those species, offspring, and eggs that are injurious or potentially injurious to wildlife and wildlife resources, to human beings, and to the interests of forestry, horticulture, or agriculture of the United States. Wild mammals, wild birds, fish, mollusks, crustaceans, amphibians, and reptiles are the only organisms that can be added to the injurious wildlife list. The lists of injurious wildlife are at 50 CFR 16.11–16.15. If the process initiated by this notice results in the addition of a species to the list of injurious wildlife contained in 50 CFR part 16, their importation into or transportation between States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States would be prohibited, except by permit for zoological, educational, medical, or scientific purposes (in accordance with permit regulations at 50 CFR 16.22), or by Federal agencies without a permit solely for their own use.

Public Comments

This notice of inquiry solicits biological, economic, or other data on adding species in the *Python*, *Boa* and *Eunectes* genera to the list of injurious wildlife. This information, along with other sources of data, will be used to determine if these species are a threat, or potential threat, to those interests of the United States delineated above, and thus warrant addition to the list of injurious reptiles in 50 CFR 16.15.

You may submit your comments and materials concerning this notice of inquiry by one of the methods listed in the **ADDRESSES** section. We will not accept comments sent by e-mail or fax or to an address not listed in the **ADDRESSES** section. We will not accept anonymous comments; your comment must include your first and last name, city, State, country, and postal (zip) code. Finally, we will not consider hand-delivered comments that we do not receive, or mailed comments that are not postmarked, by the date specified in the **DATES** section.

We will post your entire comment—including your personal identifying information—on <http://www.regulations.gov>. If you provide personal identifying information in addition to the required items specified in the previous paragraph, such as your street address, phone number, or e-mail address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so.

Comments and materials we receive, as well as supporting documentation we used in preparing this notice of inquiry, will be available for public inspection on <http://www.regulations.gov>, or by appointment, during normal business hours, at the U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203.

We are soliciting public comments and supporting data to gain additional information and specifically seek comment on the following questions:

- (1) What regulations does your State have pertaining to the use, transport, or production of *Python*, *Boa* and *Eunectes* genera?
- (2) How many species in the *Python*, *Boa* and *Eunectes* genera are currently in production for wholesale or retail sale, and in how many and which States?
- (3) How many businesses sell *Python*, *Boa* or *Eunectes* species?
- (4) How many businesses breed *Python*, *Boa* or *Eunectes* species?
- (5) What are the annual sales for *Python*, *Boa* or *Eunectes* species?
- (6) Please provide the number of *Python*, *Boa* or *Eunectes* species, if any, permitted within each State.
- (7) What would it cost to eradicate *Python*, *Boa* or *Eunectes* individuals or populations, or similar species, if found?
- (8) What are the costs of implementing propagation, recovery, and restoration programs for native species that are affected by *Python*, *Boa* or *Eunectes* species, or similar snake species?
- (9) What State-listed species would be impacted by the introduction of *Python*, *Boa* or *Eunectes* species?
- (10) What species have been impacted, and how, by *Python*, *Boa* or *Eunectes* species?

Dated: January 11, 2008.

Lyle Lavery,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. E8-1770 Filed 1-30-08; 8:45 am]

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