

REGULATORY
AGENDA

Monday
April 27, 1992

Part XXXIII

**Office of
Management and
Budget**

Semiannual Regulatory Agenda

OFFICE OF MANAGEMENT AND BUDGET (OMB)

OFFICE OF MANAGEMENT AND BUDGET

5 CFR Ch. III and 48 CFR Ch. 99

Federal Regulations; OMB Circulars, OFPP Policy Letters, and CASB Cost Accounting Standards included in the Semiannual Agenda of Federal Activities

AGENCY: Office of Management and Budget.

ACTION: Publication of semiannual agenda.

SUMMARY: The Office of Management and Budget (OMB) is publishing its semiannual agenda of upcoming activities on OMB Circulars, Office of Federal Procurement Policy (OFPP) Policy Letters, and Cost Accounting Standards Board (CASB) Cost Accounting Standards.

OMB Circulars and OFPP Policy Letters are published in accordance with OMB's internal procedures for implementing Executive Order No. 12291. OMB policy guidelines are issued under authority derived from several sources including: Subtitles I, II, and V of title 31, United States Code; Executive Order No. 11541; and other specific authority as cited. OMB Circulars and OFPP Policy Letters communicate guidance, instructions, and information of a continuing nature to executive branch agencies. As such, OMB Circulars and OFPP Policy Letters are not regulations. Nonetheless, because these issuances are typically of public interest, they are generally published in the Federal Register in both proposed (for public comment) and final stages. For this reason, they are presented below in the standard format of "prerule," "proposed rule," and "final rule" stages.

CASB Cost Accounting Standards are issued under authority derived from 41

U.S.C. 422. Cost Accounting Standards are rules governing the measurement, assignment, and allocation of costs to contracts with the United States Government.

For purposes of this agenda, we have excluded directives that outline procedures to be followed in connection with the President's budget and legislative programs and directives that affect only the internal functions, management, or personnel of Federal agencies:

FOR FURTHER INFORMATION CONTACT: See agency person listed for each entry in the agenda, c/o Office of Management and Budget, Washington, DC 20503. On the overall agenda, contact Darrell A. Johnson, (202) 395-7250, at the above address.

Dated: March 31, 1992.
Office of Management and Budget Regulatory Agenda

Darrell A. Johnson,
Deputy Assistant Director for Administration.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3521	Office of Management and Budget's Directives System to Executive Departments and Agencies (Circular No. A-1).....	0348-AA91
3522	Federal Participation in the Development and Use of Voluntary Standards (Circular No. A-119).....	0348-AA99

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3523	Policies on Government Publications (Circular No. A-3).....	0348-AA77
3524	Policies on Construction of Family Housing (Circular No. A-18).....	0348-AA92
3525	Cost Principles for Educational Institutions (Circular No. A-21).....	0348-AA93
3526	Audit Followup (Circular No. A-50).....	0348-AB09
3527	A Guide for Writing and Administering Performance Statements of Work for Service Contracts (OFPP Pamphlet No. 4).....	0348-AA34
3528	Performance of Commercial Activities (Circular No. A-76).....	0348-AA45
3529	Cost Principles for State and Local Governments (Circular No. A-87).....	0348-AA83
3530	Discount Rates to be Used in Evaluating Deferred Cost and Benefits (Circular No. A-94).....	0348-AB08
3531	Uniform Requirements for Assistance to State and Local Governments (Circular No. A-102).....	0348-AA96
3532	Major System Acquisitions (Circular No. A-109).....	0348-AA97
3533	Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations (Circular No. A-110).....	0348-AA98
3534	Management of Federal Audiovisual Activities (Circular No. A-114).....	0348-AA84
3535	Cost Principles for Nonprofit Organizations (Circular No. A-122).....	0348-AB01
3536	Internal Control Systems (Circular No. A-123).....	0348-AB02
3537	Financial Management Systems (Circular No. A-127).....	0348-AA89
3538	Audits of State and Local Governments (Circular No. A-128).....	0348-AA90
3539	Managing Federal Credit Programs (Circular A-129).....	0348-AB04
3540	Policies on Management of Federal Information Resources (Circular No. A-130).....	0348-AA76
3541	Value Engineering (Circular No. A-131).....	0348-AB10

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Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
3542	Statistical Policy Directives.....	0348-AA43

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3543	Federal Government User Charges Policy (Circular No. A-25)	0348-AA41
3544	Policy Governing Charges for Rental Quarters and Other Facilities (Circular No. A-45)	0348-AA85
3545	Federal Credit Policy (Circular No. A-70)	0348-AA94
3546	Indirect Cost Rates, Audit and Audit Followup at Educational Institutions (Circular No. A-88).....	0348-AB07
3547	Guidelines for the Use of Advisory and Assistance Services (Circular A-120).....	0348-AB00

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3548	Comparative Cost Analysis for Decisions to Lease or Purchase General Purpose Real Property (Circular No. A-104)	0348-AB06
3549	"Rule of Origin" Under the Buy American Act of 1933 as Amended.....	0348-AA88

OFFICE OF MANAGEMENT AND BUDGET (OMB)

Prerule Stage

3521. OFFICE OF MANAGEMENT AND BUDGET'S DIRECTIVES SYSTEM TO EXECUTIVE DEPARTMENTS AND AGENCIES (CIRCULAR NO. A-1)

Legal Authority: See preamble

CFR Citation: Not applicable

Legal Deadline: None

Abstract: OMB Circular A-1 describes the OMB directives system used to convey policy, provide guidance, and communicate instruction to executive departments and agencies.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/91	
End Review	07/00/92	
Final Action	08/00/92	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Darrell A. Johnson, Deputy Assistant Director for Administration, Office of Management and Budget, Washington, DC 20503, 202 395-7250

RIN: 0348-AA91

3522. FEDERAL PARTICIPATION IN THE DEVELOPMENT AND USE OF VOLUNTARY STANDARDS (CIRCULAR NO. A-119)

Legal Authority: 31 USC 1111

CFR Citation: Not applicable

Legal Deadline: None

Abstract: This Circular encourages Federal participation in the development of voluntary standards, and the use of such standards in procurement, regulatory and other applications. Consideration will be given to revising the Circular to strengthen provisions relating to agency

implementation, and other appropriate improvements.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/91	
Revision	03/20/92	57 FR 9749
Published for Comment		
End Review	05/00/92	
Promulgate Revised Circular	06/00/92	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Chris Jordan, Policy Analyst, Office of Management and Budget, Office of Federal Procurement Policy, Washington, DC 20503, 202 395-6810

RIN: 0348-AA99

OFFICE OF MANAGEMENT AND BUDGET (OMB)

Proposed Rule Stage

3523. POLICIES ON GOVERNMENT PUBLICATIONS (CIRCULAR NO. A-3)**Legal Authority:** 44 USC 1108**CFR Citation:** None**Legal Deadline:** None

Abstract: OMB Circular No. A-3, "Government Publications", last revised in May 1985, prescribes policies and procedures for approving funding for government periodicals to fulfill the requirements of 44 USC 1108, and for reporting periodicals and non-recurring publications. OMB is proposing to incorporate this Circular, with revisions, into OMB Circular No. A-130, "Management of Federal Information Resources." On August 18, 1989, OMB issued OMB Bulletin No. 89-15 which effected certain revisions to Circular A-3 in reporting requirements. OMB Bulletin No. 90-09, issued July 31, 1990, repeated these revisions to Circular No. A-3. On March 4, 1991, OMB published plans for revising Circular No. A-130, of which Circular No. A-3 will become part.

Timetable:

Action	Date	FR Cite
Begin Review	01/04/88	
Advance	01/04/89	54 FR 214
Proposal to Replace Circular		
Comment Period End	04/10/89	
Second Advance	06/15/89	54 FR 25554
Proposal to Replace Circular		
Third Advance	03/04/91	56 FR 9026
Proposal to Replace Circular		
Notice of Rescission	10/01/91	56 FR 49824
Proposed Rescission	10/00/92	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Bruce W. McConnell, Acting Branch Chief, Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, DC 20503, 202 395-4814

RIN: 0348-AA77**3524. POLICIES ON CONSTRUCTION OF FAMILY HOUSING (CIRCULAR NO. A-18)****Legal Authority:** 31 USC 1111**CFR Citation:** None**Legal Deadline:** None

Abstract: OMB Circular A-18 sets forth policies for budgeting, planning, and undertaking the construction of federally-owned housing for Federal personnel and for employees of Government contractors. The last amendment of the Circular occurred in August 1967. Following the incorporation of any appropriate budget policies into OMB Circular A-11 and any appropriate construction policies into OMB Circular A-45. Circular A-18 will be cancelled. See timetables for Circulars A-11 and A-45.

Timetable:

Action	Date	FR Cite
Notice of Proposed Rescission	10/01/91	56 FR 49824
Rescission	07/00/92	

Small Entities Affected: None**Government Levels Affected:** Federal

Agency Contact: Richard A. Ong, Deputy Associate Administrator, Office of Management and Budget, Office of Federal Procurement Policy, Washington, DC 20503, 202 395-3300

RIN: 0348-AA92**3525. COST PRINCIPLES FOR EDUCATIONAL INSTITUTIONS (CIRCULAR NO. A-21)****Significance:** Agency Priority**Legal Authority:** See preamble**CFR Citation:** Not applicable**Legal Deadline:** None

Abstract: OMB Circular A-21 establishes Governmentwide accounting principles for the direct and indirect (allocated overhead) costs of Federal grants and contracts with colleges and universities. The Circular divides allocated overhead costs into seven "cost pools" that form the basis of a university's indirect cost rate. Four of these pools are for administrative costs. In Fiscal Year (FY) 1989 estimated Federal payments for university overhead were about \$2.5 billion of an estimated \$9.2 billion for direct scientific research. The problem of rising overhead costs has been the subject of continuing and extensive debate.

Timetable:

Action	Date	FR Cite
Final Revision No. 1	10/01/91	56 FR 50224
Publish Draft for Comment	06/00/92	
Final Revision No. 2	09/00/92	

Small Entities Affected: Organizations**Government Levels Affected:** State

Agency Contact: Jack Sheehan, Office of Management and Budget, Office of Federal Financial Management, Washington, DC 20503, 202 395-3050

RIN: 0348-AA93**3526. AUDIT FOLLOWUP (CIRCULAR NO. A-50)****Legal Authority:** PL 100-504, Amending the Inspector General Act of 1978**CFR Citation:** None**Legal Deadline:** None

Abstract: The revision of Circular A-50 is to incorporate management reporting requirements and definitions contained in the Inspector General Act, as amended, October 18, 1988, as P.L. 100-504.

Timetable:

Action	Date	FR Cite
Proposed Revision	05/00/92	
Final Revision	08/00/92	

Small Entities Affected: None**Government Levels Affected:** Federal

Agency Contact: Kathleen Turco, Management Analyst, Office of Management and Budget, Office of Federal Financial Management, Washington, DC 20503, 202 395-6911

RIN: 0348-AB09**3527. A GUIDE FOR WRITING AND ADMINISTERING PERFORMANCE STATEMENTS OF WORK FOR SERVICE CONTRACTS (OFPP PAMPHLET NO. 4)****Legal Authority:** 31 USC 1112, 1114; 41 USC 401 et seq**CFR Citation:** None**Legal Deadline:** None

Abstract: Proposed revision of A-76 no longer includes this as part of its mandatory documentation. OFPP Pamphlet No. 4 will be withdrawn upon

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Proposed Rule Stage

publication of the revised OMB Circular A-76.

Timetable:

Action	Date	FR Cite
To Be Withdrawn	06/00/92	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Linda Mesaros, Management Analyst, Office of Management and Budget, Office of Federal Procurement Policy, Washington, DC 20503, 202 395-3501

RIN: 0348-AA34

3528. PERFORMANCE OF COMMERCIAL ACTIVITIES (CIRCULAR NO. A-76)

Legal Authority: 31 USC 503(b), 1111, and 1114(a); 41 USC 405(a), sec 6(a), The OFPP Act, as amended; EO 8248, sec 2, as amended; Reorganization Plan No. 2 of 1970; EO 11541, sec 1, as amended; EO 12615, sec 2

CFR Citation: None

Legal Deadline: None

Abstract: OMB Circular No. A-76, last revised in August 1983, sets forth the policy of acquiring commercial products and services from the private sector, and provides guidance on the development of performance work statements and on comparing the cost of Government performance with contractor performance. This Circular is currently under revision to incorporate changes including those recommended by the President's Council for Management Improvement.

Timetable:

Action	Date	FR Cite
Draft for Public Comment	05/00/92	
Final Action	06/00/92	
Final Action Effective	07/00/92	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: David C. Childs, Policy Analyst, Office of Management and Budget, General Management Division, Washington, DC 20503, 202 395-5090

RIN: 0348-AA45

3529. COST PRINCIPLES FOR STATE AND LOCAL GOVERNMENTS (CIRCULAR NO. A-87)

Legal Authority: 31 USC 1111; PL 101-576, sec 503(a), CFO Act of 1990; PL 101-576, sec 503(b)(2)(C), CFO Act of 1990; PL 101-576, sec 503(b)(4), CFO Act of 1990; PL 101-576, sec 503(b)(6), CFO Act of 1990

CFR Citation: None

Legal Deadline: None

Abstract: This review will update the circular.

Timetable:

Action	Date	FR Cite
Proposed Revision	04/00/92	
Final Revision	06/00/92	

Small Entities Affected: None

Government Levels Affected: Local, State

Agency Contact: David Gribble, Office of Management and Budget, Office of Federal Financial Management, Washington, DC 20503, 202 395-3050

RIN: 0348-AA83

3530. DISCOUNT RATES TO BE USED IN EVALUATING DEFERRED COST AND BENEFITS (CIRCULAR NO. A-94)

Legal Authority: 31 USC 1111

CFR Citation: None

Legal Deadline: None

Abstract: OMB Circular A-94 specifies the discount rate to be used by Government agencies in computing the discounted present value of costs and benefits that are distributed over time. The Circular is being updated (the last revision occurred in 1972) and expanded to give more complete guidance on how to conduct cost-benefit analysis. (The provisions of Circular A-104 will be incorporated in Circular A-94, when it is revised.)

Timetable:

Action	Date	FR Cite
Proposed Revision	11/06/91	56 FR 56673
Public Comment Period End	02/28/92	
Revised Draft for Comment	07/00/92	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Ahmad Al-Samarria, Acting Associate Director for Economic Policy, Office of Management and Budget, Economic Policy, Washington, DC 20503, 202 395-5873

RIN: 0348-AB08

3531. UNIFORM REQUIREMENTS FOR ASSISTANCE TO STATE AND LOCAL GOVERNMENTS (CIRCULAR NO. A-102)

Legal Authority: 42 USC 4212 et seq; 41 USC 401 et seq

CFR Citation: None

Legal Deadline: None

Abstract: The purpose of the review is to update the Circular to include statutory changes passed since the issuance of the Circular on March 11, 1986.

Timetable:

Action	Date	FR Cite
Proposed Revision	06/00/92	

Small Entities Affected: None

Government Levels Affected: Local, State, Federal

Agency Contact: Palmer Marcantonio, Office of Management and Budget, Office of Federal Financial Management, Washington, DC 20503, 202 395-3050

RIN: 0348-AA96

3532. MAJOR SYSTEM ACQUISITIONS (CIRCULAR NO. A-109)

Legal Authority: 31 USC 1111; 41 USC 405

CFR Citation: 48 CFR 1

Legal Deadline: None

Abstract: OMB Circular No. A-109 is intended to ensure the effectiveness and efficiency of the Major System Acquisition Process. The Circular is being revised to incorporate statutory, policy and management changes that have occurred since it was first issued in 1976.

Timetable:

Action	Date	FR Cite
Request for Public Comment on Existing Circular	07/03/91	56 FR 30601

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Proposed Rule Stage

Action	Date	FR Cite
Revised Draft for Public Comment	04/00/92	
Issue Revised Circular	06/00/92	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Wayne Amchin, Management Analyst, Office of Management and Budget, Office of Federal Procurement Policy, Washington, DC 20503, 202 395-6810

RIN: 0348-AA97

3533. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NONPROFIT ORGANIZATIONS (CIRCULAR NO. A-110)

Legal Authority: 41 USC 401 et seq

CFR Citation: None

Legal Deadline: None

Abstract: The proposed changes will update the administrative requirements contained in the Circular.

Timetable:

Action	Date	FR Cite
Proposed Revision	05/00/92	
Final Revision	09/00/92	

Small Entities Affected: None

Government Levels Affected: Undetermined

Agency Contact: Palmer A. Marcantonio, Office of Management and Budget, Office of Federal Financial Management, Washington, DC 20503, 202 395-3993

RIN: 0348-AA98

3534. MANAGEMENT OF FEDERAL AUDIOVISUAL ACTIVITIES (CIRCULAR NO. A-114)

Legal Authority: 31 USC 1111

CFR Citation: None

Legal Deadline: None

Abstract: OMB Circular No. A-114 was issued to produce policies governing the consolidation, use, and management of federal audiovisual resources.

Timetable:

Action	Date	FR Cite
Proposed Incorporation into A-130	06/00/92	

Small Entities Affected: Undetermined

Government Levels Affected: Federal

Additional Information: The principle policies in OMB Circular No. A-114, "Management of Audiovisual Activities" will be consolidated into a revised OMB Circular No. A-130, "Management of Federal Information Resources." OMB Circular No. A-114 will then be canceled.

Agency Contact: Linda Mesaros, Management Analyst, Office of Management and Budget, Office of Federal Procurement Policy, Washington, DC 20503, 202 395-3501

RIN: 0348-AA84

3535. COST PRINCIPLES FOR NONPROFIT ORGANIZATIONS (CIRCULAR NO. A-122)

Legal Authority: See preamble

CFR Citation: Not applicable

Legal Deadline: None

Abstract: This review will update the Circular.

Timetable:

Action	Date	FR Cite
Proposed Revision	06/00/92	
Final Revision	09/00/92	

Small Entities Affected: Organizations

Government Levels Affected: None

Agency Contact: David Zavada, Office of Management and Budget, Office of Federal Financial Management, Washington, DC 20503, 202 395-3050

RIN: 0348-AB01

3536. INTERNAL CONTROL SYSTEMS (CIRCULAR NO. A-123)

Legal Authority: PL 97-255 Federal Managers' Financial Integrity Act; see preamble

CFR Citation: Not applicable

Legal Deadline: None

Abstract: OMB Circular A-123 implements the Federal Managers' Financial Integrity Act (FMFLA) and establishes policies and procedures for internal control reviews. The Circular will be reviewed for opportunities to simplify the internal control process and also bring the Circular into conformance with new requirements identified in the Chief Financial Officers Act of 1990.

Timetable:

Action	Date	FR Cite
Proposed Revision	06/00/92	
Final Revision	09/00/92	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Wendy Zenker, Management Analyst, Office of Management and Budget, Office of Federal Financial Management, Washington, DC 20503, 202 395-6911

RIN: 0348-AB02

3537. FINANCIAL MANAGEMENT SYSTEMS (CIRCULAR NO. A-127)

Legal Authority: 31 USC 3512, Federal Managers' Financial Integrity Act; PL 101-576, Chief Financial Officers Act of 1990

CFR Citation: None

Legal Deadline: None

Abstract: Circular A-127 provides guidance to the Executive Branch on the development and operation of financial management systems. Issued December 19, 1984, the Circular is being revised to: (1) reflect passage of the Chief Financial Officers Act; and (2) clarify policy guidance concerning financial management systems.

Timetable:

Action	Date	FR Cite
Proposed Revision	06/00/92	
Final Revision	08/00/92	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Jean Holcombe, Office of Federal Financial Management, Office of Management and Budget, Washington, DC, 20503, 202 395-6903

RIN: 0348-AA89

OMB

Proposed Rule Stage

3538. AUDITS OF STATE AND LOCAL GOVERNMENTS (CIRCULAR NO. A-128)

Legal Authority: 31 USC 7501; 31 USC 1111

CFR Citation: None

Legal Deadline: None

Abstract: This Circular establishes requirements for audits of State and Local Governments.

Timetable:

Action	Date	FR Cite
Proposed Revision	08/00/92	
Final Revision	12/00/92	

Small Entities Affected: None

Government Levels Affected: Local, State, Federal

Agency Contact: Palmer Marcantonio, Office of Management and Budget, Office of Federal Financial Management, Washington, DC 20503, 202 395-3993

RIN: 0348-AA90

3539. MANAGING FEDERAL CREDIT PROGRAMS (CIRCULAR A-129)

Legal Authority: 31 USC 1111

CFR Citation: Not applicable

Legal Deadline: None

Abstract: OMB Circular A-129 prescribes policies and procedures for managing Federal Credit Programs. It was last revised November 25, 1988. Revision will: (1) eliminate detailed operating guidance already provided to Executive Branch Agencies through the Department of Treasury's TFM (Treasury Financial Manual); (2) incorporate relevant portions of OMB Circular A-70, "Federal Credit Policy" (which will be terminated after final action on A-129); and (3) incorporate policy guidance on the management of guaranteed loans from OMB Bulletin 91-05 (November 28, 1990). The text of a proposed agreement between Federal agencies and private lenders participating in guaranteed loan programs will also be published. The agreement will reflect the requirements and standards in the revised circular.

Timetable:

Action	Date	FR Cite
Proposed Revision	07/00/92	

Action	Date	FR Cite
Final Revision	09/00/92	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Thomas Stack, Office of Management and Budget, Office of Federal Financial Management, Washington, DC 20503, 202 395-3066

RIN: 0348-AB04

3540. POLICIES ON MANAGEMENT OF FEDERAL INFORMATION RESOURCES (CIRCULAR NO. A-130)

Legal Authority: 44 USC 3504; 5 USC 552a; 40 USC 759; 40 USC 467

CFR Citation: None

Legal Deadline: None

Abstract: OMB Circular No. A-130, "Management of Federal Information Resources," issued December 12, 1985, establishes policy for the management of Federal information resources, and provides certain procedural and analytic guidelines for implementing specific aspects of these policies. OMB is reviewing the Circular for consistency with the Computer Security Act of 1987 (PL 100-235) and the Computer Matching and Privacy Protection Act of 1988. On March 4, 1991, OMB published plans for revising the Circular.

Timetable:

Action	Date	FR Cite
Begin Review	01/04/88	
Advance Proposal of Changes	01/04/89	54 FR 214
Comment Period End	04/10/89	
Second Advance Proposal To Replace Circular	06/15/89	54 FR 25554
Third Advance Proposal To Replace Circular	03/04/91	56 FR 9026
Proposal To Replace Circular	04/00/92	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Bruce W. McConnell, Acting Branch Chief, Office of Management and Budget, Office of

Information and Regulatory Affairs, Washington, DC 20503, 202 395-4614

RIN: 0348-AA76

3541. VALUE ENGINEERING (CIRCULAR NO. A-131)

Legal Authority: 31 USC 1111

CFR Citation: None

Legal Deadline: None

Abstract: This Circular was issued in January 1988 to require the use of value engineering, when appropriate, to identify and reduce nonessential procurement and program costs. The Circular will be reviewed and revised, as needed, to foster agency implementation and greater use of value engineering techniques.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/91	
Publish Revised Circular for Comment	07/00/92	
End Review	09/00/92	
Issue Revised Circular	11/00/92	

Small Entities Affected: None

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Wayne Amchin, Management Analyst, Office of Management and Budget, Office of Federal Procurement Policy, Washington, DC 20503, 202 395-6810

RIN: 0348-AB10

3542. STATISTICAL POLICY DIRECTIVES

Legal Authority: 31 USC 1104(d); 44 USC 3504(d)(4)

CFR Citation: None

Legal Deadline: None

Abstract: The Directives give general policies for gathering, compiling, analyzing, publishing, and disseminating statistical information by the agencies in the Executive Branch of the Federal Government. A draft Circular was issued for public comment on January 20, 1988. The public comment period was subsequently extended to July 15, 1988. A revised

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Proposed Rule Stage

draft circular is planned to be issued for public comment by October 1992. The final circular is planned for April 1993.

Timetable:

Action	Date	FR Cite
Draft Circular for Public Comment	01/20/88	53 FR 1542

Action	Date	FR Cite
Revised Draft for Public Comment	10/00/92	
Final Circular	04/00/93	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Suzann K. Evinger, Statistical Policy Analyst, Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, DC 20503, 202 395-3093

RIN: 0348-AA43

OFFICE OF MANAGEMENT AND BUDGET (OMB)

Final Rule Stage

3543. FEDERAL GOVERNMENT USER CHARGES POLICY (CIRCULAR NO. A-25)

Legal Authority: 31 USC 9701

CFR Citation: None

Legal Deadline: None

Abstract: General policies for Federal agencies on administering user charges and formulating legislative proposals regarding user charges are set forth in OMB Circular No. A-25. Public comments have been received on a revised draft of the Circular. They are currently being considered.

Timetable:

Action	Date	FR Cite
Draft Published for Comment	01/21/92	57 FR 2293
Public Comment Period End	02/15/92	
Final Publication	05/00/92	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Local, State, Federal

Agency Contact: Deborah M. Saunders, Financial Economist, Office of Management and Budget, Budget Analysis and Systems, Division, Washington, DC 20503, 202 395-3930

RIN: 0348-AA41

3544. POLICY GOVERNING CHARGES FOR RENTAL QUARTERS AND OTHER FACILITIES (CIRCULAR NO. A-45)

Legal Authority: 5 USC 5911(f); EO 11609, Sec 9

CFR Citation: None

Legal Deadline: None

Abstract: OMB Circular No. A-45 was issued to provide policy guidance

regarding charges for rental quarters and other Government facilities. OMB is reviewing this Circular pursuant to the provisions of paragraph 9 of the Circular, dated March 28, 1984.

Timetable:

Action	Date	FR Cite
Draft Published for Comment	11/22/91	56 FR 58935
End Review	04/00/92	
Final Action	05/00/92	

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Richard A. Ong, Deputy Associate Administrator, Office of Management and Budget, Office of Federal Procurement Policy, Washington, DC 20503, 202 395-3300

RIN: 0348-AA85

3545. FEDERAL CREDIT POLICY (CIRCULAR NO. A-70)

Legal Authority: PL 93-344, The Congressional Budget and Impoundment Act of 1974; PL 101-508, title XIII, section 13201(a)

CFR Citation: Not applicable

Legal Deadline: None

Abstract: OMB Circular No. A-70 provides guidance to Federal agencies in reviewing or proposing credit program legislation, and other credit program policies and procedures, including the measurement of the subsidy element of Federal Credit Programs. Circular A-70 policies will be incorporated into Circular A-129, "Managing Federal Credit Programs", which is being revised. Circular A-70 will be terminated upon final issuance of A-129.

Timetable:

Action	Date	FR Cite
Notice of Rescission	10/01/91	56 FR 49824
Rescission	07/00/92	

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal

Agency Contact: Kim Burke, Office of Management and Budget, Budget Analysis and Systems Division, Washington, DC 20503, 202 395-3930

RIN: 0348-AA94

3546. INDIRECT COST RATES, AUDIT AND AUDIT FOLLOWUP AT EDUCATIONAL INSTITUTIONS (CIRCULAR NO. A-88)

Legal Authority: 31 USC 1111; PL 101-576, Chief Financial Officers Act of 1990

CFR Citation: None

Legal Deadline: None

Abstract: This Circular provides policies for:

- (a) establishing indirect cost rates;
- (b) auditing;
- (c) correcting systems deficiencies; and
- (d) resolving questioned cost. This Circular will be rescinded.

Timetable:

Action	Date	FR Cite
Notice of Rescission	10/01/91	56 FR 49824
Rescission	09/00/92	

Small Entities Affected: None

Government Levels Affected: Local, State, Federal

Agency Contact: Palmer Marcantonio, Office of Management and Budget,

OMB

Final Rule Stage

Office of Federal Financial Management, Washington, DC 20503, 202 395-3993

RIN: 0348-AB07

3547. GUIDELINES FOR THE USE OF ADVISORY AND ASSISTANCE SERVICES (CIRCULAR A-120)

Legal Authority: 41 USC 405; 31 USC 1111

CFR Citation: 48 CFR 1

Legal Deadline: None

Abstract: Circular A-120 defines advisory and assistance services, establishes management controls, and assigns responsibilities to the agency head for the effective use of these services. A new more comprehensive approach-- in the form of an OFPP

Policy Letter on the "Management Oversight of Service Contracting" -- is being developed to replace A-120. The Policy Letter provides specific guidance on what constitutes good management practices to prevent abuses in the use of service contracting.

Timetable:

Action	Date	FR Cite
Development of Draft Policy Letter	07/30/91	
Internal OMB Clearance	08/23/91	
Obtain Agency Comments	09/13/91	
Publish Draft for Comment	12/20/91	56 FR 66091
Publish Proposed Rescission Notice	12/20/91	56 FR 66089

Action	Date	FR Cite
Comment Period End	02/18/92	
Final Action	04/00/92	

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Linda G. Williams, Deputy Associate Administrator for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, DC 20503, 202 395-3300

RIN: 0348-AB00

OFFICE OF MANAGEMENT AND BUDGET (OMB)

Completed Actions

3548. COMPARATIVE COST ANALYSIS FOR DECISIONS TO LEASE OR PURCHASE GENERAL PURPOSE REAL PROPERTY (CIRCULAR NO. A-104)

Legal Authority: 31 USC 1111

CFR Citation: None

Legal Deadline: None

Abstract: OMB Circular A-104 establishes a procedure for Government agencies to follow in deciding whether to lease or purchase a capital asset. Requirements of the Circular will be incorporated in OMB Circular A-94, when it is revised. (Previously, it had been announced that the provisions of Circular A-104 would be incorporated in Circular A-11.)

Timetable:

Action	Date	FR Cite
Notice of Rescission	10/01/91	56 FR 49824
Final Action	10/01/91	56 FR 49824

Small Entities Affected: None

Government Levels Affected: Federal

Agency Contact: Ahmad Al-Samarrie, Acting Associate Director for Economic Policy, Office of Management and Budget, Economic Policy, Washington, DC 20503, 202 395-5873

RIN: 0348-AB06

3549. "RULE OF ORIGIN" UNDER THE BUY AMERICAN ACT OF 1933 AS AMENDED

Legal Authority: PL 100-418, Sec 7002

CFR Citation: None

Legal Deadline: Other, Statutory. OFPP presented a report to Congress on December 9, 1990, which included policy guidance on factors to be used in making determinations of country of origin.

Abstract: The Buy American Act (the Act) was enacted in 1933 to ensure Federal agencies gave domestic products priority in competition for government contracts. The Act provides that, unless it is inconsistent with the public interest or unreasonably costly, all materials and supplies purchased by any department of the Federal Government, and all materials and supplies furnished by contractors doing work for the Federal Government, be produced within the jurisdictional limits of the United States. In 1988, the Act was amended by several sections of Title VII of PL 100-418. Among other things, the 1988 amendments directed the Administrator of Federal Procurement Policy to "conduct an assessment of the rules currently used this Act for making determinations of country of origin and alternatives to such rules." In conducting this assessment, the Administrator was directed to identify and evaluate

reasonable alternative rules of origin, including one which requires that a determination be made on the basis of total cost. As a result, the policy letter is withdrawn and proposed legislation is in clearance to go to Congress about June 15, 1992.

Timetable:

Action	Date	FR Cite
Report to Congress	12/09/90	
Proposed Policy Letter	12/20/90	55 FR 52232
Comment Period End	01/19/91	
No further action on this policy letter	01/29/92	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Sectors Affected: Multiple

Agency Contact: William Coleman, Associate Administrator, Office of Management and Budget, Office of Federal Procurement Policy, 725 17th St., NW.; NEOB; Rm. 9025, Washington, DC 20503, 202 395-3501

RIN: 0348-AA88

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