Acquisition Regulation: Contractor Business Systems--Definition and Administration

AGENCY: Department of Energy.

ACTION: Proposed rulemaking; withdrawal.

SUMMARY: On April 1, 2014, the U.S. Department of Energy (DOE) published a rule in the Federal Register proposing to amend the Department of Energy Acquisition Regulation (DEAR). DOE hereby withdraws this proposed rule.

DATES: The proposed rule that appeared in the Federal Register on April 1, 2014 at 79 FR 18415 is withdrawn as of [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

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SUPPLEMENTARY INFORMATION: On April 1, 2014, the U.S. Department of Energy (DOE) published a rule proposing to amend the Department of Energy Acquisition Regulation (DEAR) to define contractor business system as an accounting system, estimating system, purchasing system, earned value management system (EVMS), and property management system (79 FR 18415). In the proposed rulemaking, DOE proposed to implement compliance enforcement mechanisms in the form of a contractor business system clause and related clauses that included a provision that would allow contracting officers to withhold a percentage of payments, under certain conditions, when a contractor’s business system contained significant deficiencies. However, the Department has determined that it will not proceed with the rulemaking and, as such, is withdrawing the proposed rule.

Issued in Washington, DC, on June 23, 2016.

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[FR Doc. 2016-15937 Filed: 7/5/2016 8:45 am; Publication Date: 7/6/2016]