

**PART 219—SMALL BUSINESS PROGRAMS**

■ 4. Add sections 219.270, 219.270–1, 219.270–2, and 219.270–3 to subpart 219.2 to read as follows:

**219.270 Religious-related services—inclusion of nonprofit organizations.****219.270–1 Definition.**

*Nonprofit organization*, as used in this section, means any organization that is—

- (1) Described in section 501(c) of the Internal Revenue Code of 1986; and
- (2) Exempt from tax under section 501(a) of that Code.

**219.270–2 Procedures.**

(a) To comply with section 898 of the National Defense Authorization Act for Fiscal Year 2016 (Pub. L. 114–92), when acquiring religious-related services to be performed on a U.S. military installation—

- (1) Do not preclude a nonprofit organization from competing, even when the acquisition is set aside for small businesses as identified in FAR 19.000(a)(3); and
- (2) Do not use any of the sole source exceptions at FAR 6.302–5(b)(4) through (7) for such acquisitions.

(b) If the apparently successful offeror has not represented in its quotation or offer that it is one of the small business concerns identified in FAR 19.000(a)(3), the contracting officer shall verify that the offeror is registered in the System for Award Management database as a nonprofit organization.

**219.270–3 Solicitation provision.**

Use the provision 252.219–70XX, Competition for Religious-Related Services, in solicitations, including solicitations using FAR part 12 procedures for the acquisition of commercial items, for the acquisition of religious-related services to be performed on U.S. military installations, when the acquisition is set aside for any of the small business concerns identified in FAR 19.000(a)(3).

**PART 237—Service Contracting**

■ 5. Add new subpart 237.7X to read as follows:

**SUBPART 237.7X—COMPETITION FOR RELIGIOUS-RELATED SERVICES**

- Sec.
- 237.7X00 Scope of subpart.
- 237.7X01 Definition.
- 237.7X02 Policy.

**SUBPART 237.7X—COMPETITION FOR RELIGIOUS-RELATED SERVICES****237.7X00 Scope of subpart.**

This subpart provides policy and guidance for the acquisition of religious-related services to be performed on a U.S. military installation in accordance with section 898 of the National Defense Authorization Act for Fiscal Year 2016 (Pub. L. 114–92).

**237.7X01 Definition.**

As used in this subpart—  
*Nonprofit organization* means any organization that is—

- (1) Described in section 501(c) of the Internal Revenue Code of 1986; and
- (2) Exempt from tax under section 501(a) of that Code.

**237.7X02 Policy.**

(a) A nonprofit organization shall not be precluded from competing for a contract for religious-related services to be performed on a U.S. military installation.

(b) See 219.270 when an acquisition for religious-related services to be performed on a U.S. military installation is set aside for any of the small business concerns identified in FAR 19.000(a)(3).

**PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

■ 6. Add section 252.219–70XX to read as follows:

**252.219–70XX Competition for Religious-Related Services.**

As prescribed in 219.270–3, use the following provision: COMPETITION FOR RELIGIOUS-RELATED SERVICES (DATE)

(a) *Definition.* As used in this provision—

*Nonprofit organization* means any organization that is—

- (1) Described in section 501(c) of the Internal Revenue Code of 1986; and
- (2) Exempt from tax under section 501(a) of that Code.

(b) A nonprofit organization is not precluded from competing for a contract for religious-related services to be performed on a U.S. military installation notwithstanding that a nonprofit organization is not a small business concern as identified in FAR 19.000(a)(3).

(c) If the apparently successful offeror has not represented in its offer or quotation that it is a small business concern identified in FAR 19.000(a)(3), as appropriate to the solicitation, the Contracting Officer will verify that the offeror is registered in the System for Award Management (SAM) database as a nonprofit organization.

(End of provision)

[FR Doc. 2016–30597 Filed 12–21–16; 8:45 am]

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**DEPARTMENT OF DEFENSE****Defense Acquisition Regulations System****48 CFR Parts 215 and 252**

[Docket DARS–2016–0004]

RIN 0750–A184

**Defense Federal Acquisition Regulation Supplement: Independent Research and Development Expenses (DFARS Case 2016–D017)**

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to ensure that substantial future independent research and development expenses, as a means to reduce evaluated bid prices in competitive source selections, are evaluated in a uniform way during competitive source selections. The comment period on the proposed rule is extended 30 days.

**DATES:** For the proposed rule published on November 4, 2016 (81 FR 78014), submit comments by February 2, 2017.

**ADDRESSES:** Submit comments identified by DFARS Case 2016–D017, using any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Search for “DFARS Case 2016–D017.” Select “Comment Now” and follow the instructions provided to submit a comment. Please include “DFARS Case 2016–D017” on any attached documents.

- *Email:* [osd.dfars@mail.mil](mailto:osd.dfars@mail.mil). Include DFARS Case 2016–D017 in the subject line of the message.

- *Fax:* 571–372–6094.

- *Mail:* Defense Acquisition Regulations System, Attn: Mr. Mark Gomersall, OUSD(AT&L)DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301–3060.

Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided. To confirm receipt of your comment(s), please check [www.regulations.gov](http://www.regulations.gov), approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

**FOR FURTHER INFORMATION CONTACT:** Mr. Mark Gomersall, Defense Acquisition Regulations System, OUSD(AT&L)DPAP/DARS, Room 3B941, 3060 Defense Pentagon, Washington, DC 20301-3060. Telephone 571-372-6099.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On November 4, 2016, DoD published a proposed rule in the **Federal Register** at 81 FR 78014 to revise the DFARS to ensure that substantial future independent research and development (IR&D) expenses, used as a means to reduce evaluated bid prices, are evaluated in a uniform way during competitive source selections.

The comment period for the proposed rule is extended 30 days, from January 3, 2017, to February 2, 2017, to provide additional time for interested parties to comment on the proposed DFARS changes.

**List of Subjects in 48 CFR Parts 215 and 252**

Government procurement.

**Jennifer L. Hawes,**

*Editor, Defense Acquisition Regulations System.*

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 17**

[Docket No. FWS-R2-ES-2015-0028; FXES11130900000C2-167-FF09E32000]

**RIN 1018-AX99**

**Endangered and Threatened Wildlife and Plants; Removal of the Hualapai Mexican Vole From the Federal List of Endangered and Threatened Wildlife**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; reopening of comment period.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the reopening of the comment period on our proposed rule to remove the Hualapai Mexican vole from the Federal List of Endangered and Threatened Wildlife. We are reopening the comment period for 30 days in order to publish a summary of the proposed regulation in a newspaper of general circulation and to allow for all interested parties further opportunity to comment on the proposed rule. Comments previously

submitted need not be resubmitted, as they will be fully considered in preparation of the final listing determination.

**DATES:** The comment period for the proposed rule that published June 4, 2015 (80 FR 31875), is reopened. To allow us adequate time to consider your comments on the proposed rule, we must receive your comments on or before January 23, 2017.

**ADDRESSES:** *Written comments:* You may submit comments on the proposed rule and draft post-delisting monitoring plan by one of the following methods:

- *Federal eRulemaking Portal:* Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. In the Search box, enter the docket number for the proposed rule, which is FWS-R2-ES-2015-0028. Then click on the Search button. On the resulting page, you may submit a comment by clicking on "Comment Now!" Please ensure that you have found the correct rulemaking before submitting your comment.

- *By U.S. mail or hand-delivery:* Public Comments Processing, Attn: Docket No. FWS-R2-ES-2015-0028, U.S. Fish and Wildlife Service, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

We request that you send comments only by the methods described above. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see **SUPPLEMENTARY INFORMATION** for more information).

*Document availability:* Comments and materials we receive, as well as supporting documentation we used in preparing the proposed rule, will be available for public inspection on <http://www.regulations.gov> under Docket No. FWS-R2-ES-2015-0028.

**FOR FURTHER INFORMATION CONTACT:**

Steven Spangle, Field Supervisor, U.S. Fish and Wildlife Service, Arizona Ecological Services Field Office, 9828 North 31st Avenue, #C3, Phoenix, Arizona 85051-2517; telephone (602) 242-0210. Individuals who are hearing-impaired or speech-impaired may call the Federal Relay Service at (800) 877-8339 for TTY assistance 24 hours a day, 7 days a week.

**SUPPLEMENTARY INFORMATION:** On June 4, 2015, we published a proposed rule (80 FR 31875) to remove the Hualapai Mexican vole from the List of Endangered and Threatened Wildlife in title 50 of the Code of Federal Regulations (50 CFR 17.11(h)). We are proposing this action because the available information indicates the original scientific classification is no

longer the appropriate determination for the subspecies, meaning that current data indicate that the original classification may be erroneous. We sought information, data, and comments from the public regarding the proposal for 60 days, ending August 3, 2015.

We are reopening the comment period on that proposed rule for an additional 30 days (see **DATES**) while we simultaneously issue a notice in local newspapers. We will accept written comments and information during this reopened comment period. In particular, we seek comments concerning the following:

(1) New information concerning the taxonomic classification and conservation status of Hualapai Mexican voles and Mexican voles in general;

(2) New information on the historical and current status, range, distribution, and population size of Hualapai Mexican voles, including the locations of any additional populations; and

(3) New information regarding the life history, ecology, and habitat use of Hualapai Mexican voles.

Please refer to the proposed rule for more information on our proposed action and the specific information we seek.

You may submit your comments and materials concerning the proposed rule by one of the methods listed in **ADDRESSES**. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. All comments and recommendations, including names and addresses, will become part of the administrative record.

If you submit information via <http://www.regulations.gov>, your entire comment—including any personal identifying information—will be posted on the Web site. If you mail or hand-deliver a hardcopy comment that includes personal identifying information, you may request at the top of your document that we withhold this information from public review, but we cannot guarantee that we will be able to do so. To ensure that the electronic docket for this rulemaking is complete and all comments we receive are publicly available, we will post all hardcopy submissions on <http://www.regulations.gov>.

**Authority:** The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).