

GENERAL SERVICES ADMINISTRATION

41 CFR Chapters 102, 300, 301, 302, 303, and 304

48 CFR Chapter 5

Unified Agenda of Federal Regulatory and Deregulatory Actions

AGENCY: General Services Administration (GSA).

ACTION: Semiannual Regulatory Agenda.

SUMMARY: This agenda announces the proposed regulatory actions that GSA plans for the next 12 months and those that were completed since the spring 2023 edition. This agenda was developed under the guidelines of Executive Orders 12866 “Regulatory Planning and Review,” and 13563 “Improving Regulation and Regulatory Review,” respectively. GSA’s purpose in publishing this agenda is to allow

interested persons an opportunity to participate in the rulemaking process. GSA also invites interested persons to recommend existing significant regulations for review to determine whether they should be modified or eliminated. The public may provide comments on rules via <http://www.regulations.gov>.

The Unified Agenda, including previous versions, are available at www.reginfo.gov. Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), GSA’s printed agenda entries include only:

(1) Rules that are in the Agency’s regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and

(2) Any rules that the Agency has identified for periodic review under

section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act’s Agenda requirements. Additional information on these entries is available in the Unified Agenda. In addition, for fall editions of the Agenda, the entire Regulatory Plan will continue to be printed in the **Federal Register**, as in past years, including GSA’s regulatory plan.

FOR FURTHER INFORMATION CONTACT: Lois Mandell, Division Director, Regulatory Secretariat Division, 1800 F Street NW, 7th Floor, Washington, DC 20405–0001, 202–501–2735 or by email at lois.mandell@gsa.gov.

Dated: August 15, 2023.

Krystal J. Brumfield,
Associate Administrator, Office of Government-wide Policy.

GENERAL SERVICES ADMINISTRATION—PROPOSED RULE STAGE

Sequence No.	Title	Regulation Identifier No.
444	General Services Administration Acquisition Regulation (GSAR); GSAR Case 2020–G510, Federal Supply Schedule Economic Price Adjustment.	3090–AK20
445	General Services Administration Acquisition Regulation (GSAR); GSAR Case 2020–G511, Updated Guidance for Non-Federal Entities Access to Federal Supply Schedules.	3090–AK21
446	General Service Acquisition Regulation (GSAR); GSAR Case 2020–G512, System for Award Management Representation for Leases.	3090–AK22
447	General Services Acquisition Regulation (GSAR); GSAR Case 2021–G505, Amending Prescriptions for Including FAR Provisions and Clauses in Lease Procurements.	3090–AK36
448	General Services Administration Acquisition Regulations (GSAR); GSAR 2021–G520, Economic Price Adjustment for Deregulated Electric Supplies.	3090–AK48
449	General Services Administration Acquisition Regulation (GSAR); GSAR Case 2021–G530, Labor Requirements for Lease Acquisitions.	3090–AK51
450	General Services Acquisition Regulation (GSAR); GSAR Case 2022–G517 Single-use Plastic Packaging Reduction.	3090–AK60
451	General Services Administration Acquisition Regulation (GSAR); GSAR Case 2023–G507, Additional Transactional Data Reporting Elements for Non-Federal Supply Schedule contracts.	3090–AK71
452	Federal Management Regulation (FMR), FMR Case 2023–102–1, Designation of Authority and Sustainable Siting.	3090–AK69

GENERAL SERVICES ADMINISTRATION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
453	General Service Acquisition Regulation (GSAR); GSAR Case 2022–G513, Updating Payments Clause	3090–AK55
454	General Service Acquisition Regulation (GSAR); GSAR Case 2022–G514, Standardizing Federal Supply Schedule Clause and Provision Prescriptions.	3090–AK58

GENERAL SERVICES ADMINISTRATION—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
455	General Services Administration Acquisition Regulation (GSAR); GSAR Case 2020–G534, Extension of Certain Telecommunication Prohibitions to Lease Acquisitions.	3090–AK29
456	General Services Administration Acquisition Regulation (GSAR); GSAR Case 2021–G522, Contract Requirements for High-Security Leased Space.	3090–AK39
457	General Services Administration Acquisition Regulation (GSAR); GSAR 2021–G527, Immediate and Highest-Level Owner for High-Security Leased Space.	3090–AK44

GENERAL SERVICES ADMINISTRATION—COMPLETED ACTIONS

Sequence No.	Title	Regulation Identifier No.
458	General Services Administration Acquisition Regulation (GSAR); GSAR Case 2019–G503, Streamlining GSA Commercial Contract Clause Requirements.	3090–AK09

GENERAL SERVICES ADMINISTRATION (GSA)

Office of Acquisition Policy

Proposed Rule Stage

444. General Services Administration Acquisition Regulation (GSAR); GSAR Case 2020–G510, Federal Supply Schedule Economic Price Adjustment [3090–AK20]

Legal Authority: 40 U.S.C. 121(c)
Abstract: The General Services Administration is proposing to amend the General Services Administration Acquisition Regulations (GSAR) to standardize and simplify the clauses for Multiple Award Schedules (Schedules) related to economic price adjustments. This rule removes government-unique limits in these clauses to better align with commercial standards and practices.

Timetable:

Action	Date	FR Cite
NPRM	12/00/23	
NPRM Comment Period End.	02/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Thomas O’Linn, Senior Procurement Policy Analyst, GSA Acquisition Policy Division, General Services Administration, 1800 F Street NW, Washington, DC 20405, *Phone:* 202 445–0390, *Email:* thomas.olinn@gsa.gov.
RIN: 3090–AK20

445. General Services Administration Acquisition Regulation (GSAR); GSAR Case 2020–G511, Updated Guidance for Non-Federal Entities Access to Federal Supply Schedules [3090–AK21]

Legal Authority: 40 U.S.C. 121(c); 40 U.S.C. 502
Abstract: The General Services Administration (GSA) is proposing to amend the General Services Administration Acquisition Regulation (GSAR) to streamline and clarify the requirements for use of Federal Supply Schedules by eligible non-Federal entities, such as state and local governments. The rule is intended to increase understanding of the existing guidance and expand access to GSA sources of supply by eligible non-

Federal entities, as authorized by historic statutes including the Federal Supply Schedules Usage Act of 2010. This rule supports underserved communities, promoting equity in the Federal Government.

Timetable:

Action	Date	FR Cite
NPRM	09/18/23	88 FR 63892
NPRM Comment Period End.	11/17/23	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Thomas O’Linn, Senior Procurement Policy Analyst, GSA Acquisition Policy Division, General Services Administration, 1800 F Street NW, Washington, DC 20405, *Phone:* 202 445–0390, *Email:* thomas.olinn@gsa.gov.
RIN: 3090–AK21

446. General Service Acquisition Regulation (GSAR); GSAR Case 2020–G512, System for Award Management Representation for Leases [3090–AK22]

Legal Authority: 40 U.S.C. 121(c)
Abstract: The General Services Administration (GSA) is proposing to amend the General Services Administration Acquisition Regulation (GSAR) to remove the requirement for lease offerors to have an active System for Award Management (SAM) registration when submitting offers and instead allow offers up until the time of award to obtain an active SAM registration. Entities seeking Federal leases differ from the typical entities seeking Federal contracts in that common practice is to form a new entity for every new lease offer. Requiring representations from these entities prior to offer submission restricts competition. In addition, the tools in SAM typically used in the Government’s evaluation of offers do not add value when evaluating lease offers.

Timetable:

Action	Date	FR Cite
NPRM	02/00/24	
NPRM Comment Period End.	04/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Amy Lara, Procurement Analyst, GSA Acquisition Policy Division, General Services Administration, GSA Acquisition Policy Division, 1800 F Street NW, Washington, AZ 20405, *Phone:* 816 926–7172, *Email:* amy.lara@gsa.gov.
RIN: 3090–AK22

447. General Services Acquisition Regulation (GSAR); GSAR Case 2021–G505, Amending Prescriptions for Including FAR Provisions and Clauses in Lease Procurements [3090–AK36]

Legal Authority: 40 U.S.C. 121(c)
Abstract: The General Services Administration (GSA) is proposing to amend the General Services Administration Acquisition Regulation (GSAR) to revise the prescriptions for FAR provisions and clauses that apply to lease solicitations and contracts. Additionally, GSA is proposing to make conforming changes to some provision and clause titles and numbers listed to align with the FAR, along with other editorial changes.

Timetable:

Action	Date	FR Cite
NPRM	05/00/24	
NPRM Comment Period End.	07/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Amy Lara, Procurement Analyst, GSA Acquisition Policy Division, General Services Administration, GSA Acquisition Policy Division, 1800 F Street NW, Washington, AZ 20405, *Phone:* 816 926–7172, *Email:* amy.lara@gsa.gov.
RIN: 3090–AK36

448. General Services Administration Acquisition Regulations (GSAR); GSAR 2021–G520, Economic Price Adjustment for Deregulated Electric Supplies [3090–AK48]

Legal Authority: 40 U.S.C. 121(c)
Abstract: The General Services Administration (GSA) is proposing to amend the General Services Administration Acquisition Regulation (GSAR) to revise internal agency approval procedures to allow the use of an economic price adjustment clause for

deregulated electric supplies under fixed-price contracts. This rule will better account for regional variability in prices, portions of which are controlled by the Federal Energy Regulatory Commission under section 205 and 206 of the Federal Power Act and other regulatory bodies.

Timetable:

Action	Date	FR Cite
NPRM	06/00/24	
NPRM Comment Period End.	08/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Stephen Carroll, Procurement Analyst, GSA Acquisition Policy Division, General Services Administration, 1800 F Street NW, Washington, DC 20405, *Phone:* 817 253-7858, *Email:* stephen.carroll@gsa.gov.

RIN: 3090-AK48

449. General Services Administration Acquisition Regulation (GSAR); GSAR Case 2021-G530, Labor Requirements for Lease Acquisitions [3090-AK51]

Legal Authority: 40 U.S.C. 121(c)

Abstract: The General Services Administration (GSA) is proposing to amend the General Services Administration Acquisition Regulation (GSAR) to extend the requirements of Executive Order 14026 (Increasing the Minimum Wage for Federal Contractors) and Department of Labor regulations (29 CFR part 23) to lease acquisitions where the Davis Bacon Act applies by requiring inclusion of related Federal Acquisition Regulation (FAR) requirements. Generally, the FAR does not apply to leasehold acquisitions of real property. However, several FAR requirements have been adopted through GSAR part 570. This rule promotes economic resilience, and improves the buying power of U.S. citizens.

Timetable:

Action	Date	FR Cite
NPRM	04/00/24	
NPRM Comment Period End.	06/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Johnnie McDowell, Procurement Analyst, GSA Acquisition Policy Division, General Services Administration, 1800 F Street NW, Washington, DC 20405, *Phone:* 202 718-6112, *Email:* johnnie.mcdowell@gsa.gov.

RIN: 3090-AK51

450. General Services Acquisition Regulation (GSAR); GSAR Case 2022-G517 Single-Use Plastic Packaging Reduction [3090-AK60]

Legal Authority: 40 U.S.C. 121(c)

Abstract: The General Services Administration (GSA) is exploring regulations that will reduce single-use plastic consumption by the agency. Single-use plastic poses an environmental risk that is documented as having the potential to impact biodiversity. To learn more, GSA published an Advanced Notice of Proposed Rulemaking (ANPRM) to ask industry about what a change to the single-use plastics industry would entail. The questions focus on packaging materials with the overall intent of addressing not only the items that the Government intentionally consumes, but those products that the Government unintentionally consumes (such as packaging) that then have to be disposed of once the item is delivered.

Timetable:

Action	Date	FR Cite
ANPRM	07/07/22	87 FR 40476
ANPRM Comment Period End.	09/06/22	
Comment Period Extended.	09/08/22	87 FR 54937
NPRM	02/00/24	
NPRM Comment Period End.	04/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Adina Torberntsson, Procurement Analyst, GSA Acquisition Policy Division, General Services Administration, 1800 F Street NW, Washington, DC 20405, *Phone:* 303 236-2677, *Email:* adina.torberntsson@gsa.gov.

RIN: 3090-AK60

451. General Services Administration Acquisition Regulation (GSAR); GSAR Case 2023-G507, Additional Transactional Data Reporting Elements for Non-Federal Supply Schedule Contracts [3090-AK71]

Legal Authority: 40 U.S.C. 121(c)

Abstract: The General Services Administration (GSA) is proposing to amend the General Services Administration Acquisition Regulation (GSAR) to update and bring certain reporting elements into conformance with current business practices. The reporting elements would apply to solicitations and contracts for GSA-awarded indefinite-delivery indefinite-quantity (IDIQ), Governmentwide acquisition contracts (GWACs), and multi-agency contracts (MACs).

Timetable:

Action	Date	FR Cite
NPRM	01/00/24	
NPRM Comment Period End.	03/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Thomas O'Linn, Senior Procurement Policy Analyst, GSA Acquisition Policy Division, General Services Administration, 1800 F Street NW, Washington, DC 20405, *Phone:* 202 445-0390, *Email:* thomas.olinn@gsa.gov.

RIN: 3090-AK71

Office of Governmentwide Policy

452. Federal Management Regulation (FMR), FMR Case 2023-102-1, Designation of Authority and Sustainable Siting [3090-AK69]

Legal Authority: 40 U.S.C. secs. 121(c); 40 U.S.C. secs. 581(c)(1), 584, 585, and 901 to 905; sec. 1 of Reorganization Plan No. 18 of 1950, 15 FR 3177, 64 Stat. 1270 (40 U.S.C. 301 note); 7 U.S.C. 2204b; 41 U.S.C. 3301 *et seq.*; 54 U.S.C. 300101 *et seq.*; E.O. 12072; E.O. 13006

Abstract: The General Services Administration, in furtherance of its authority to furnish space to federal agencies, proposes to amend the Federal Management Regulation to elaborate on the factors that are advantageous to the Government when planning for location decisions. In addition, the proposed revisions are necessary to bring the current regulation into compliance with updated terminology in statute and Office of Management and Budget bulletins. The objective of these changes is to direct agencies to better integrate strategic, holistic analysis into planning for agency location decisions and to provide consistency in application of these regulations across Federal agencies and regions.

Timetable:

Action	Date	FR Cite
NPRM	10/24/23	88 FR 72974
NPRM Comment Period End.	12/26/23	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Chris Coneeney, Director, Real Property Policy Division, Office of Governmentwide Policy, General Services Administration, 1800 F Street NW, Washington, DC 20405, *Phone:* 202 208-2956, *Email:* chris.coneeney@gsa.gov.

RIN: 3090-AK69

GENERAL SERVICES ADMINISTRATION (GSA)

Office of Acquisition Policy

Final Rule Stage

453. General Service Acquisition Regulation (GSAR); GSAR Case 2022–G513, Updating Payments Clause [3090–AK55]

Legal Authority: 40 U.S.C. 121(c)

Abstract: The General Services Administration (GSA) is amending the General Services Administration Acquisition Regulation (GSAR) to remove the agency supplemental clause regarding payments for non-commercial fixed price contracts for supplies or services. This payments clause provides that, in certain transactions, the Government must pay a contractor without submission of an invoice or voucher. GSA has determined that this is no longer in the best interest of the Government. This final rule will additionally amend any corresponding references to the clause.

Timetable:

Action	Date	FR Cite
NPRM	02/28/23	88 FR 12641
NPRM Comment Period End.	05/01/23	
Final Rule	02/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Byron Boyer, Procurement Analyst, GSA Acquisition Policy Division, General Services Administration, 1800 F Street NW, Washington, DC 20405, *Phone:* 817 850–5580, *Email:* byron.boyer@gsa.gov.

RIN: 3090–AK55

454. General Service Acquisition Regulation (GSAR); GSAR Case 2022–G514, Standardizing Federal Supply Schedule Clause and Provision Prescriptions [3090–AK58]

Legal Authority: 40 U.S.C. 121(c)

Abstract: The General Services Administration (GSA) is proposing to amend the General Services Administration Acquisition Regulation (GSAR) to standardize the identification of Federal Supply Schedule (FSS) clauses, provisions, and references. GSA will clarify the distinction between Federal Supply Schedule and the Multiple Award Schedule (MAS) Program. GSA will also clarify the applicability of FSS clauses and provisions for FSS contracts managed by GSA and the Department of Veterans Affairs.

Timetable:

Action	Date	FR Cite
NPRM	03/15/23	88 FR 15941
NPRM Comment Period End.	05/15/23	
Final Rule	04/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Adina Torberntsson, Procurement Analyst, GSA Acquisition Policy Division, General Services Administration, 1800 F Street NW, Washington, DC 20405, *Phone:* 303 236–2677, *Email:* adina.torberntsson@gsa.gov.

RIN: 3090–AK58

GENERAL SERVICES ADMINISTRATION (GSA)

Office of Acquisition Policy

Long-Term Actions

455. General Services Administration Acquisition Regulation (GSAR); GSAR Case 2020–G534, Extension of Certain Telecommunication Prohibitions to Lease Acquisitions [3090–AK29]

Legal Authority: 40 U.S.C. 121(c); 5 U.S.C. 801; Pub. L. 115–232 sec. 889

Abstract: The General Services Administration (GSA) is proposing to amend the General Services Administration Acquisition Regulation (GSAR) to prohibit procurement from certain covered entities using covered equipment and services in lease acquisitions pursuant to section 889 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2019. The rule will implement the section 889 requirements in lease acquisitions by requiring inclusion of the related Federal Acquisition Regulation (FAR) provisions and clauses. This rule supports the national security priority.

Timetable:

Action	Date	FR Cite
NPRM	11/00/24	
NPRM Comment Period End.	01/00/25	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Stephen Carroll, Procurement Analyst, GSA Acquisition Policy Division, General Services Administration, 1800 F Street NW, Washington, DC 20405, *Phone:* 817 253–7858, *Email:* stephen.carroll@gsa.gov.

RIN: 3090–AK29

456. General Services Administration Acquisition Regulation (GSAR); GSAR Case 2021–G522, Contract Requirements for High-Security Leased Space [3090–AK39]

Legal Authority: 40 U.S.C. 121(c); Pub. L. 116–276

Abstract: The General Services Administration (GSA) is amending the General Services Administration Acquisition Regulation (GSAR) to incorporate contractor disclosure requirements and access limitations for high-security leased space pursuant to the Secure Federal Leases Act. Covered entities are required to identify whether the beneficial owner of a high-security leased space, including an entity involved in the financing thereof, is a foreign person or entity when first submitting a proposal and annually thereafter. This rule supports the national security priority.

Timetable:

Action	Date	FR Cite
NPRM	12/27/21	86 FR 73219
NPRM Comment Period End.	02/25/22	
Final Rule	11/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Stephen Carroll, Procurement Analyst, GSA Acquisition Policy Division, General Services Administration, 1800 F Street NW, Washington, DC 20405, *Phone:* 817 253–7858, *Email:* stephen.carroll@gsa.gov.

RIN: 3090–AK39

457. General Services Administration Acquisition Regulation (GSAR); GSAR 2021–G527, Immediate and Highest-Level Owner for High-Security Leased Space [3090–AK44]

Legal Authority: 40 U.S.C. 121(c)

Abstract: GSA is amending the General Services Administration Acquisition Regulation (GSAR) to implement certain requirements outlined in the Secure Federal LEASES Act (Pub. L. 116–276). The Act addresses the risks of foreign ownership of Government-leased real estate and requires the disclosure of ownership information for high-security space leased to accommodate a Federal agency. This rule supports the national security priority.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective.	06/30/21	
Interim Final Rule	07/01/21	86 FR 34966

Action	Date	FR Cite
Interim Final Rule Comment Period End.	08/30/21	
Final Rule	11/00/24	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Stephen Carroll, Procurement Analyst, GSA Acquisition Policy Division, General Services Administration, 1800 F Street NW, Washington, DC 20405, *Phone:* 817 253-7858, *Email:* stephen.carroll@gsa.gov.

RIN: 3090-AK44

GENERAL SERVICES ADMINISTRATION (GSA)

Completed Actions

458. General Services Administration Acquisition Regulation (GSAR); GSAR Case 2019-G503, Streamlining GSA Commercial Contract Clause Requirements [3090-AK09]

Legal Authority: 40 U.S.C. 121(c)
Abstract: The General Services Administration (GSA) is proposing to amend the General Services Administration Acquisition Regulation (GSAR) to streamline requirements for GSA commercial contracts. This rule will update GSAR Clauses 552.212-71 and 552.212-72 to remove any

requirements that are not necessary by law or Executive Order.

Completed:

Reason	Date	FR Cite
Final Rule	09/12/23	88 FR 62472
Final Rule Effective.	10/12/23	

Regulatory Flexibility Analysis Required: Yes.

Agency Contact: Johnnie McDowell, *Phone:* 202 718-6112, *Email:* johnnie.mcdowell@gsa.gov.

RIN: 3090-AK09

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