

not urgent, a statement shall be included giving an estimate of the length of time an award may be delayed without significant expense or difficulty in performance. The contracting activity shall submit an original and two complete copies of the contracting officer's report to the Assistant Solicitor for Procurement and Patents plus one complete copy for each interested party who responded to GAO and the contracting officer and Assistant Solicitor for Procurement and Patents in response to the notification under paragraph (b) above. The Assistant Solicitor for Procurement and Patents shall be responsible for submitting the report to GAO and sending copies of the report to each interested party.

(d) *Protests before award.* If a protest before award has been filed with GAO and the contracting officer determines in writing that it is necessary to make award under the circumstances in FAR 33.104(b)(1), the contracting officer shall obtain advice from the Assistant Solicitor for Procurement and Patents and such determination shall be submitted for approval by the head of the contracting activity. The contracting officer shall notify GAO prior to award as required by FAR 33.104(b)(2). The written determination shall be included in the file and the contracting officer shall give notice of the decision as required by FAR 33.104(d).

(e) *Protests after award.* If notice of a protest has been received from GAO within 10 calendar days after award and the contracting officer determines in writing that contract performance should continue under the circumstances in FAR 33.104(c)(2), the contracting officer shall obtain advice from the Assistant Solicitor for Procurement and Patents and such determination shall be submitted for immediate approval by the head of the contracting activity. Pending approval of the determination, suspension of performance or termination of the contract shall not be initiated. The contracting officer shall notify GAO as required by FAR 33.104(c)(3). The written determination shall be included in the file and the contracting officer shall give notice of the decision as required by FAR 33.104(d).

(f) *Notice to GAO.* The head of the contracting activity is authorized to submit the report required by FAR 33.104(f). The report shall be submitted to the Comptroller General through the Assistant Solicitor for Procurement and Patents and the Director, Office of Acquisition and Property Management. For decisions concerning ADP acquisitions, the report shall also be

submitted through the Director, Office of Information Resources Management.

1433.105 Protests to GSBCA.

(a) *General.* A protester filing a protest with GSBCA on a solicitation or contract for ADP shall comply with the requirements of the provision at 1452.233-2, Service of Protest, as prescribed in 1433.106 on the same day the protest is filed with the GSBCA.

(b) *Notice of Protest.* Immediately upon receipt of a copy of a protest to GSBCA, the Office of the Solicitor shall inform the Office of Information Resources Management and the contracting activity which shall immediately inform the contracting officer. The Office of Information Resources Management shall immediately notify its bureau IRM contact and the appropriate GSA official responsible for the delegation of procurement authority. The contracting officer shall within 1 work day after receipt of a copy of the protest provide oral or written notice to all parties required to be notified by FAR 33.105(a)(2) and shall provide the GSBCA with a written list of all such parties to whom notice was provided within 5 work days after receipt of a copy of the protest. A copy of all notifications to interested parties and related correspondence with GSBCA shall be maintained in the contract file and a copy of the list of interested parties notified shall be provided to the Office of the Solicitor simultaneously with submission to the GSBCA.

(c) *Submission of Protest File.* An original and two copies of a protest file (See FAR 33.105(b)) plus one copy for each interested party which has filed a notice of intervention or a motion to intervene in accordance with the requirements of Rule 5(a)(3) of the GSBCA Rules of Procedure (48 CFR Part 61) shall be submitted by the contracting officer to the Office of the Solicitor within 8 work days after the filing of a protest. The protest file shall be organized to comply with the requirements of Rule 4(b) of the GSBCA Rules of Procedure. The Office of the Solicitor shall then submit the file to the GSBCA within 10 work days after filing of the protest and shall also send copies to each interested party.

(d) *Hearings.* The Office of the Solicitor shall be responsible for representing the contracting officer at any hearing on suspension of the agency's delegation of procurement authority (see FAR 33.105(d)) or at any hearing on the merits of the protest (see FAR 33.105(e)). The head of the contracting activity shall be responsible for executing the determination required

by FAR 33.105(d)(1). The Office of the Solicitor shall notify the contracting officer and the Office of Information Resources Management of the results of the hearing.

1433.106 Solicitation provision.

The provision at FAR 52.233-2, Service of Protest, as prescribed in FAR 33.106, shall be modified in accordance with the instructions in 1452.233-2.

PART 1452—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

Subpart 1452.2—Texts of Provisions and Clauses

4. Subpart 1452.2 is amended by adding new section 1452.233-2 to read as follows:

1452.233-2 Service of Protest.

(a) As prescribed in 1433.106, the provision at FAR 52.233-2, Service of Protest, shall be modified before insertion into solicitations by—

(1) Changing the title of the provision to read "SERVICE OF PROTEST (JAN 1985) (DEVIATION)"; and

(2) Adding the following sentence to the end of the provision:

A copy of the protest served on the contracting officer shall be simultaneously furnished by the protester to the Assistant Solicitor for Procurement and Patents, Office of the Solicitor, Room 6511, U.S. Department of the Interior, 18th and C Streets, NW, Washington, DC 20240.

(b) As prescribed in FAR 52.103(a) and 52.107(f), the clause at FAR 52.252-6, Authorized Deviations in Clauses, shall be inserted into solicitations and contracts containing the clause in (a) above.

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Amdt. 195-33, Docket PS-80]

Transportation of Hazardous Liquids by Pipeline; Regulation of Intrastate Pipelines

Correction

In FR Doc. 85-9609 beginning on page 15895 in the issue of Tuesday, April 23, 1985, make the following corrections:

§ 195.2 [Corrected]

On page 15899 in the first column in the first line insert "an" after "not".

§ 195.302 [Corrected]

On page 15899 in the first column in (b)(1)(i) in the fifth line "1985" should read "1981".

§ 195.406 [Corrected]

On page 15899 in the second column in (a)(5) in the ninth line insert "was" before "subjected". In the last line after "1985" add a paren.

§ 195.414 [Corrected]

On page 15899 in the second column, tenth line from the bottom, "base" should read "bare".

BILLING CODE 1505-01-M

Federal Railroad Administration**49 CFR Parts 217, 219, & 225**

[FRA Docket No. RSOR-6, Notice No. 9]

Correction and Admendment of Final Rule; Control of Alcohol and Drug Use in Railroad Operations

AGENCY: Federal Railroad Administration (FRA), DOT.

ACTION: Correction and amendment of final rule; announcement of approval of information collection requirements under final rule.

SUMMARY: This notice sets forth corrections to the final rule document on Control of Alcohol and Drug Use in Railroad Operation and an amendment to the rule reflecting OMB approval of information collection requirements.

EFFECTIVE DATE: The amendments made by this notice are to a new Part 219 of title 49, Code of Federal Regulations, which is effective, as amended, on November 1, 1985.

FOR FURTHER INFORMATION CONTACT: Walter C. Rockey, Executive Assistant to the Associate Administrator for Safety, FRA, Washington, DC 20590 (Telephone: 202-426-0895) or Grady C. Cothen, Jr., Special Assistant to the Chief Counsel, FRA, Washington, D.C. 20590 (Telephone: 202-426-9416).

SUPPLEMENTARY INFORMATION: On July 29, 1985, FRA issued a final rule on Control of Alcohol and Drug Use in Railroad Operations (50 FR 31508; Aug. 2, 1985). Since publication of the rule in the *Federal Register*, FRA has identified certain typographical errors in the *Federal Register* version of the document and has identified an error in the rule text of the final rule document as prepared by FRA. These errors require correction. Further, since

publication of the final rule, the Office of Management and Budget (OMB) has approved the information collection requirements of the rule under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). This document makes the necessary corrections to the final rule document, provides notice of OMB approval of the information collection requirements, and amends the new Part 219 of Title 49, Code of Federal Regulations, to reflect the approval of new information collection requirements contained in that part.

Paperwork Reduction Act of 1980

Subsequent to publication of the final rule document, OMB approved each of the information collection requirements described under the heading "Paperwork Reduction Act" in the final rule (50 FR 31568, col. 2; Aug. 2, 1985) (pages 286-287 of typewritten version). The requirements contained in amendments to 49 CFR 217.13 and 49 CFR 225.17 were also approved and bear the previous control numbers (OMB Approval No. 2130-0035 for 49 CFR Part 217 and OMB Approval No. 2130-0500 for 49 CFR Part 225). See 49 FR 48938 (Dec. 17, 1984) and 50 FR 7918 (Feb. 27, 1985).

The information collection requirements contained in Part 219 were assigned OMB control number 2130-0526.

Corrections

In FR Doc. 85-18395, beginning on page 31508 in the issue of Friday, August 2, 1985 make the following corrections:

1. On page 31512, second column, third line from the bottom, "(CG/MS)" should have read "(GC/MS)".
2. On page 31527, first column, third line from the bottom, "Motorious" should have read "notorious".
3. On page 31529, third column, immediately after the citation for the second quotation ("NPRM at 171 (49 FR 24293)"), "The rationale" should have read "The rationale".
4. On page 31536, third column, in the paragraph numbered "9", sixth line from the bottom, "consume" should have read "consumed".
5. On page 31537, second column, in the second line of the final paragraph, "NTSR" should have read "NTSB".
6. On page 31539, third column, last full paragraph, 14 lines from the bottom "the 80%" should have read "that 80%".
7. On page 31540, third column, in the seventh line of the last full paragraph, "assess the minimize" should have read "assess and minimize".
8. On page 31546, first column, third full paragraph, second line, "either if

which" should have read "either of which".

§ 219.5 [Corrected]

9. On page 31569, in paragraph (d) of § 219.5, next to last line, "person performs" should have read "person who performs".

§ 219.9 [Corrected]

10. On page 31570, in paragraph (a)(2) of § 219.9, first column the section cross-reference "219/101" should have read "219.101".

The corrections noted above conform the *Federal Register* publication of the final rule to the document as issued by FRA. However, FRA has also noted an error in the text of the rule prepared by FRA that involves the omission of a necessary adjective in an operative portion of the rule. That correction is made below.

These changes are editorial in nature and have no economic impact requiring further evaluation. In addition, the agency certifies that this rule will have no effect on a substantial number of small entities.

In consideration of the foregoing, Chapter II, Subtitle B, of Title 49, Code of Federal Regulations is amended as follows:

PART 219—[AMENDED]

1. The table of contents is amended by adding in place of "[Reserved]", at the entry for § 219.21, the title "Information collection."

2. The authority for Part 219 continues to read as follows:

Authority: Secs. 202 and 209, Pub. L. No. 91-458, 84 Stat. 971 and 975, as amended (45 U.S.C. 431, 438) and 49 CFR 1.49. Subpart C also issued under sec. 208, Pub. L. No. 91-458, 84 Stat. 974, as amended (45 U.S.C. 437).

3. Subpart A is amended by adding at the place reserved a new section 219.21 to read as follows:

§ 219.21 Information collection.

(a) The information collection requirements of this part have been reviewed by the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB control number 2130-0526.

(b) The information collection requirements are found in the following sections:

- (1) Section 219.203.
- (2) Section 219.205.
- (3) Section 219.207.
- (4) Section 219.209.
- (5) Section 219.211.
- (6) Section 219.213.
- (7) Section 219.301.