

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 4, 8, 15, 19, 22, 23, 28, 42, and 52

[FAC 2005-55; Item VII; Docket 2011-0078; Sequence 4]

Federal Acquisition Regulation; Technical Amendments

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: This document makes amendments to the Federal Acquisition Regulation (FAR) in order to make editorial changes.

DATES: Effective Date: January 3, 2012.

FOR FURTHER INFORMATION CONTACT: The Regulatory Secretariat, 1275 First Street NE., 7th Floor, Washington, DC 20417, (202) 501-4755, for information pertaining to status or publication schedules. Please cite FAC 2005-55, Technical Amendments.

SUPPLEMENTARY INFORMATION: In order to update certain elements in 48 CFR parts 4, 8, 15, 19, 22, 23, 28, 42, and 52, this document makes editorial changes to the FAR.

List of Subjects in 48 CFR Parts 4, 8, 15, 19, 22, 23, 28, 42, and 52

Government procurement.

Dated: December 21, 2011.

Laura Auletta,

Director, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

Therefore, DoD, GSA, and NASA amend 48 CFR parts 4, 8, 15, 19, 22, 23, 28, 42, and 52 as set forth below:

1. The authority citation for 48 CFR parts 4, 8, 15, 19, 22, 23, 28, 42, and 52 continues to read as follows:

Authority: 40 U.S.C. 121(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

PART 4—ADMINISTRATIVE MATTERS

4.603 [Amended]

2. Amend section 4.603 by removing from paragraph (c) "http://csrc.nist.gov/publications/nistpubs/800-87/sp800-87-Final.pdf" and adding "http://www.nist.gov/publication-portal.cfm" in its place.

PART 8—REQUIRED SOURCES OF SUPPLIES AND SERVICES

8.402 [Amended]

3. Amend section 8.402 by—
a. Removing from paragraph (c)(1) "http://www.gsa.gov/fss" and adding "http://www.gsa.gov/fas" in its place; and
b. Removing from paragraph (e) "http://www.fsstraining.gsa.gov" and adding "http://www.gsa.gov/training" in its place.

8.405-5 [Amended]

4. Amend section 8.405-5 by removing from paragraph (c) "http://www.gsa.gov/fss" and adding "http://www.gsa.gov/fas" in its place.

8.703 [Amended]

5. Amend section 8.703 by removing "http://abilityone.gov/index.html" and adding "http://www.abilityone.gov." in its place.

PART 15—CONTRACTING BY NEGOTIATION

15.402 [Amended]

6. Amend section 15.402 by removing from paragraph (a)(2) "15.403-4, obtain" and adding "15.403-4, shall obtain" in its place.
7. Amend section 15.403-1 by revising paragraph (c)(1)(ii)(B) to read as follows:

15.403-1 Prohibition on obtaining certified cost or pricing data (10 U.S.C. 2306a and 41 U.S.C. 254b).

(c) * * *
(1) * * *
(ii) * * *

(B) The determination that the proposed price is based on adequate price competition and is reasonable has been approved at a level above the contracting officer; or
* * * * *

PART 19—SMALL BUSINESS PROGRAMS

19.102 [Amended]

8. Amend section 19.102 by removing from paragraph (f)(4) "http://www.sba.gov/gc" and adding "http://www.sba/content/class-waivers" in its place.

19.402 [Amended]

9. Amend section 19.402 by removing from paragraph (a)(2) "http://www.sba.gov/GC/pcr.html" and adding "http://www.sba.gov/content/procurement-center-representatives" in its place.

PART 22—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

22.404-1 [Amended]

10. Amend section 22.404-1 by removing from paragraph (a)(2) "http://www.dol.gov/esa" and adding "http://www.wdol.gov" in its place.

22.1304 [Amended]

11. Amend section 22.1304 by removing from paragraph (a) "http://www.vets100.com/login.aspx" and adding "https://webapps.dol.gov/vets100" in its place.

22.1306 [Amended]

12. Amend section 22.1306 by removing from paragraph (b) "http://vets100.vets.dol.gov" and adding "https://webapps.dol.gov/vets100" in its place.

PART 23—ENVIRONMENT, ENERGY AND WATER EFFICIENCY, RENEWABLE ENERGY TECHNOLOGIES, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE

23.205 [Amended]

13. Amend section 23.205 by removing from paragraph (c)(1) "http://www.eren.doe.gov/femp/resources/legislation.html" and adding "http://www1.eere.energy.gov/femp/financing/espcs_regulations.html" in its place.

23.401 [Amended]

14. Amend section 23.401 by removing from paragraph (a)(2) "http://www.epa.gov/epaoswer/non-hw/procure/backgrnd.htm" and adding "http://www.epa.gov/epawaste/conserves/tools/cpg/index.htm" in its place.

PART 28—BONDS AND INSURANCE

28.203-3 [Amended]

15. Amend section 28.203-3 by removing from paragraph (a)(1) "http://www.usdoj.gov/enrd/2001_Title_Standards.html" and adding "http://www.justice.gov/enrd/ENRD_Assets/Title_Standards_2001.pdf" in its place.

PART 42—CONTRACT ADMINISTRATION AND AUDIT SERVICES

16. Amend section 42.203 by revising the last sentence to read as follows:

42.203 Contract administration services directory.

* * * For additional information contact—Defense Contract Management

Agency, 3901 A Avenue, Building 10500, Ft. Lee, VA 23801-1809.

PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

52.202-1 [Amended]

■ 17. Amend section 52.202-1 by revising the date of the clause to read (Jan 2012); and by removing from paragraph (b) “<http://www.acqnet.gov>” and adding “<http://www.acquisition.gov/far>” in its place.

52.212-3 [Amended]

■ 18. Amend section 52.212-3 by removing from Alternate II “(Apr 2011)” and adding “(Jan 2012)” in its place; and by removing from paragraph (iii) “<http://www.arnet.gov/References/sdbadjustments.htm>” and adding “<http://www.acquisition.gov/References/sdbadjustments.htm>” in its place.

52.219-22 [Amended]

■ 19. Amend section 52.219-22 by removing from Alternate I “(Apr 2011)” and adding “(Jan 2012)” in its place; and by removing from paragraph (3) “<http://www.arnet.gov/References/sdbadjustments.htm>” and adding “<http://www.acquisition.gov/>”

References/sdbadjustments.htm” in its place.

52.228-11 [Amended]

■ 20. Amend section 52.228-11 by revising the date of the clause to read (Jan 2012); and by removing from paragraph (b)(2)(i) “http://www.usdoj.gov/enrd/2001_Title_Standards.html” and adding “http://www.justice.gov/enrd/ENRD_Assets/Title_Standards_2001.pdf” in its place.

[FR Doc. 2011-33424 Filed 12-30-11; 8:45 am]

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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Chapter 1

[Docket FAR 2011-0077, Sequence 7]

Federal Acquisition Regulation; Federal Acquisition Circular 2005-55; Small Entity Compliance Guide

AGENCIES: Department of Defense (DoD), General Services Administration (GSA),

and National Aeronautics and Space Administration (NASA).

ACTION: Small Entity Compliance Guide.

SUMMARY: This document is issued under the joint authority of DOD, GSA, and NASA. This *Small Entity Compliance Guide* has been prepared in accordance with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. It consists of a summary of the rule appearing in Federal Acquisition Circular (FAC) 2005-55, which amends the Federal Acquisition Regulation (FAR).

Interested parties may obtain further information regarding this rule by referring to FAC 2005-55, which precedes this document. These documents are also available via the Internet at <http://www.regulations.gov>.

DATES: January 3, 2012.

FOR FURTHER INFORMATION CONTACT: For clarification of content, contact the analyst whose name appears in the table below. Please cite FAC 2005-55 and the FAR case number. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at (202) 501-4755.

LIST OF RULES IN FAC 2005-55

Item	Subject	FAR case	Analyst
I	Preventing Abuse of Interagency Contracts	2008-032	Sakalos.
II	Transition to the System for Award Management (SAM)	2011-021	Loeb.
III	Brand-Name Specifications	2005-037	Clark.
IV	Time-and-Materials and Labor-Hour Contracts for Commercial Items	2009-043	Sakalos.
V	Public Access to the Federal Awardee Performance and Integrity Information System	2010-016	Loeb.
VI	Updated Financial Accounting Standards Board Accounting References	2010-005	Chambers.
VII	Technical Amendments.		

SUPPLEMENTARY INFORMATION:

Summaries for each FAR rule follow. For the actual revisions and/or amendments made by these FAR cases, refer to the specific item numbers and subject set forth in the documents following these item summaries. FAC 2005-55 amends the FAR as specified below:

Item I—Preventing Abuse of Interagency Contracts (FAR Case 2008-032)

This rule adopts as final, with changes, an interim rule that implemented section 865, Preventing Abuse of Interagency Contracts, of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417). This final rule further amends FAR subpart 17.5 to make it clear that this rule only applies to

interagency acquisitions when an agency needing supplies or services obtains them using another agency’s contract; or when an agency uses another agency to provide acquisition assistance, such as awarding and administering a contract, a task order, or delivery order. A business case analysis must be developed for the establishment and renewal of governmentwide acquisition contracts as well as for multi-agency contracts. Additionally, FAR 35.017 clarifies determination requirements when using a Federally Funded Research and Development Center. This rule does not impose any information collection requirements on small businesses. There is no significant impact on small businesses because this rule is only applicable to internal

operating procedures of the Government.

Item II—Transition to the System for Award Management (SAM) (FAR Case 2011-021)

The Integrated Acquisition Environment (IAE) systems are being transitioned to a new System for Award Management (SAM) architecture. This effort will transition the Central Contractor Registration (CCR) database, the Excluded Parties Listing System (EPLS), and the Online Representations and Certifications Application (ORCA) to SAM. The FAR change will indicate that these IAE systems and the Disaster Response Registry will now be accessed through <http://www.acquisition.gov>. This rule will not significantly affect small business, as the only impact on the public will be the Web site address