

■ 4. Revise section 46.311 to read as follows:

**46.311 Higher-level contract quality requirement.**

(a) The contracting officer shall insert the clause at 52.246–11, Higher-Level Contract Quality Requirement, in solicitations and contracts when the inclusion of a higher-level contract quality requirement is necessary (see 46.202–4).

(b) For each higher-level quality standard, the contracting officer shall fill in the title, number, date, and tailoring (if any).

**PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

■ 5. Revise section 52.246–11 to read as follows:

**52.246–11 Higher-Level Contract Quality Requirement.**

As prescribed in 46.311, insert the following clause:

Higher-Level Contract Quality Requirement (DEC 2014)

(a) The Contractor shall comply with the higher-level quality standard(s) listed below. *[Contracting Officer insert the title, number, date, and tailoring (if any) of the higher-level quality standards.]*

(b) The Contractor shall include applicable requirements of the higher-level quality standard(s) listed in paragraph (a) of this clause and the requirement to flow down such standards, as applicable, to lower-tier subcontracts, in—

(1) Any subcontract for critical and complex items (see 46.203(b) and (c)); or

(2) When the technical requirements of a subcontract require—

(i) Control of such things as design, work operations, in-process control, testing, and inspection; or

(ii) Attention to such factors as organization, planning, work instructions, documentation control, and advanced metrology.

(End of clause)

[FR Doc. 2014–27661 Filed 11–24–14; 8:45 am]

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**DEPARTMENT OF DEFENSE**

**GENERAL SERVICES ADMINISTRATION**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**48 CFR Parts 1, 16, 22, 31, 52, and 53**

[FAC 2005–78; Item V; Docket No. 2014–0053; Sequence No. 4]

**Federal Acquisition Regulation; Technical Amendments**

**AGENCY:** 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:* November 25, 2014.

**FOR FURTHER INFORMATION CONTACT:** The Regulatory Secretariat Division (MVCB), 1800 F Street NW., 2nd Floor, Washington, DC 20405, 202–501–4755, for information pertaining to status or publication schedules. Please cite FAC 2005–78, Technical Amendments.

**SUPPLEMENTARY INFORMATION:** In order to update certain elements in 48 CFR parts 1, 16, 22, 31, 52, and 53 this document makes editorial changes to the FAR.

**List of Subject in 48 CFR Parts 1, 16, 22, 31, 52, and 53**

Government procurement.

Dated: November 17, 2014.

**William Clark,**

*Acting Director, Office of Government-wide Acquisition Policy, Office of Acquisition Policy, Office of Government-wide Policy.*

Therefore, DoD, GSA, and NASA amend 48 CFR parts 1, 16, 22, 31, 52, and 53 as set forth below:

■ 1. The authority citation for 48 CFR parts 1, 16, 22, 31, 52, and 53 continues to read as follows:

**Authority:** 40 U.S.C. 121(c); 10 U.S.C. chapter 137; and 51 U.S.C. 20113.

**PART 1—FEDERAL ACQUISITION REGULATIONS SYSTEM**

**1.106 [Amended]**

■ 2. Amend section 1.106 in the table following the introductory text, by adding in numerical sequence, FAR segment “52.203–13” and its corresponding OMB Control Number “9000–0164”.

**PART 16—TYPES OF CONTRACTS**

**16.103 [Amended]**

■ 3. Amend section 16.103 by removing paragraph (d) introductory text and paragraph (d)(3).

**PART 22—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS**

**22.1006 [Amended]**

■ 4. Amend section 22.1006 by—

■ a. Removing from paragraph (a)(2)(i)(C) “52.204–8(c)(2)(ii) or (iii)” and adding “52.204–8(c)(2)(iii) or (iv)” in its place;

■ b. Removing from paragraph (e)(2)(i) “52.204–8(c)(2)(ii)” and adding “52.204–8(c)(2)(iii)” in its place; and

■ c. Removing from paragraph (e)(4)(i) “52.204–8(c)(2)(iii)” and adding “52.204–8(c)(2)(iv)” in its place.

**PART 31—CONTRACT COST PRINCIPLES AND PROCEDURES**

**31.109 [Amended]**

■ 5. Amend section 31.109 by—

■ a. Adding the word “and” at the end of paragraph (h)(15);

■ b. Removing paragraph (h)(16); and

■ c. Redesignating paragraph (h)(17) as paragraph (h)(16).

**PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

■ 6. Amend section 52.204–8 by removing paragraphs (c)(1)(xxi)(i) through (vi); and adding paragraph (c)(2) to read as follows:

**52.204–8 Annual Representations and Certifications.**

\* \* \* \* \*

(c) \* \* \*

(2) The following certifications are applicable as indicated by the Contracting Officer:

*[Contracting Officer check as appropriate.]*

\_\_\_ (i) 52.204–17, Ownership or Control of Offeror.

\_\_\_ (ii) 52.222–18, Certification Regarding Knowledge of Child Labor for Listed End Products.

\_\_\_ (iii) 52.222–48, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Certification.

\_\_\_ (iv) 52.222–52, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Certification.

\_\_\_ (v) 52.223–9, with its Alternate I, Estimate of Percentage of Recovered Material Content for EPA-Designated Products (Alternate I only).

- \_\_ (vi) 52.227–6, Royalty Information.
- \_\_ (A) Basic.
- \_\_ (B) Alternate I.
- \_\_ (vii) 52.227–15, Representation of Limited Rights Data and Restricted Computer Software.

**PART 53—FORMS**

**53.219 [Amended]**

■ 7. Amend section 53.219 by removing “(Rev. OCT 2014)” and adding “(Rev. 8/2014)” in its place.

[FR Doc. 2014–27662 Filed 11–24–14; 8:45 am]

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**DEPARTMENT OF DEFENSE**

**GENERAL SERVICES ADMINISTRATION**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**48 CFR Chapter 1**

[Docket No. FAR 2014–0052, Sequence No. 6]

**Federal Acquisition Regulation; Federal Acquisition Circular 2005–78; Small Entity Compliance Guide**

**AGENCY:** 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 rules appearing in Federal Acquisition Circular (FAC) 2005–78, which amends the Federal Acquisition Regulation (FAR). An asterisk (\*) next to a rule indicates that a regulatory flexibility analysis has been prepared. Interested parties may obtain further information regarding these rules by referring to FAC 2005–78, which precedes this document. These documents are also available via the Internet at <http://www.regulations.gov>.

**DATES:** November 25, 2014.

**FOR FURTHER INFORMATION CONTACT:** For clarification of content, contact the analyst whose name appears in the table below. Please cite FAC 2005–78 and the FAR case number. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at 202–501–4755.

**RULES LISTED IN FAC 2005–78**

Item	Subject	FAR case	Analyst
* I	Incorporating Section K in Contracts	2014–001	Glover.
II	Streamlining Claims Processing	2014–011	Loeb.
* III	Year Format	2014–006	Loeb.
* IV	Higher-Level Contract Quality Requirements	2012–032	Loeb.
V	Technical Amendments.		

**SUPPLEMENTARY INFORMATION:**

Summaries for each FAR rule follow. For the actual revisions and/or amendments made by these rules, refer to the specific item numbers and subjects set forth in the documents following these item summaries. FAC 2005–78 amends the FAR as specified below:

**Item I—Incorporating Section K in Contracts (FAR Case 2014–001)**

This final rule revises the language at FAR subpart 4.12, Representations and Certifications, and adds a new clause at FAR 52.204–19 to standardize the incorporation by reference of representations and certifications in contracts regardless of which contract award form is used. FAR clause 52.212–4 has a new paragraph (v) to cover this issue for commercial items.

Peer reviews and procurement management reviews have found that Section K—Representations and Certifications are inconsistently or not incorporated in contract awards.

This final rule does not change or impact the existing representations and certifications submitted by small

entities; this final rule should have no impact on small entities.

**Item II—Streamlining Claims Processing (FAR Case 2014–011)**

This final rule implements the Streamlining Claims Processing for Federal Contractor Employees Act, Pub. L. 113–50, which transferred certain authority for construction wage underpayments from the Government Accountability Office to the Department of Labor. There is no effect on small businesses.

**Item III—Year Format (FAR Case 2014–006)**

This final rule amends the FAR to delete obsolete regulations relating to the year 2000 compliance. There is no impact on small businesses.

**Item IV—Higher-Level Contract Quality Requirements (FAR Case 2012–032)**

This final rule amends FAR parts 44 and 46 to (1) provide that agencies should establish procedures for determining when higher-level quality standards are to be included in a contract, (2) provide that higher-level

quality standards should be given special attention during Contractor Purchasing System Reviews, and (3) adds an example of higher-level quality standards as it relates to counterfeit electronic parts. The contracting officer, in accordance with agency procedures, will choose the higher-level quality standards that will apply. These standards will be used to help minimize and mitigate counterfeit items or suspect counterfeit items in Government contracting. This rule impacts large and small businesses who provide critical items directly to the Government or to Government prime contractors.

**Item V—Technical Amendments**

Editorial changes are made at FAR 1.106, 16.103, 22.1006, 31.109, 52.204–8, and 53.219.

Dated: November 17, 2014.

**William Clark,**

*Acting Director, Office of Government-wide Acquisition Policy, Office of Acquisition Policy, Office of Government-wide Policy.*

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