

DEPARTMENT OF DEFENSE

GENERAL SERVICES  
ADMINISTRATION

NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION

48 CFR Chapter 1

[Docket No. FAR–2025–0051, Sequence No. 2]

Federal Acquisition Regulation;  
Federal Acquisition Circular 2025–05;  
Introduction

AGENCY: Office of Federal Procurement  
Policy (OFPP), Office of Management

and Budget; Department of Defense  
(DoD); General Services Administration  
(GSA); and National Aeronautics and  
Space Administration (NASA).

ACTION: Summary presentation of final  
rules.

SUMMARY: This document summarizes  
the Federal Acquisition Regulation  
(FAR) rules agreed to by OFPP, DoD,  
GSA, and NASA (collectively referred to  
as the Federal Acquisition Regulatory  
Council) in this Federal Acquisition  
Circular (FAC) 2025–05. A companion  
document, the *Small Entity Compliance  
Guide* (SECG), follows this FAC.

DATES: For effective dates see the  
separate documents, which follow.

ADDRESSES: The FAC, including the  
SECG, is available at [https://  
www.regulations.gov](https://www.regulations.gov).

FOR FURTHER INFORMATION CONTACT: For  
clarification in relation to the FAR cases  
listed in the table below, contact  
[FARPolicy@gsa.gov](mailto:FARPolicy@gsa.gov) or call 202–969–  
4075. For information pertaining to  
status or publication schedules, contact  
the Regulatory Secretariat Division at  
202–501–4755 or [GSARegSec@gsa.gov](mailto:GSARegSec@gsa.gov).

RULES LISTED IN FAC 2025–05

Item	Subject	FAR case
I .....	Clarification of System for Award Management Preaward Registration Requirements .....	2023–018
II .....	Technical Amendments.	

SUPPLEMENTARY INFORMATION:

Summaries for each FAR rule follow.  
For the actual revisions and/or  
amendments made by these FAR rules,  
refer to the specific item numbers and  
subjects set forth in the documents  
following these item summaries. FAC  
2025–05 amends the FAR as follows:

Item I—Clarification of System for  
Award Management Preaward  
Registration Requirements (FAR Case  
2023–018)

This final rule adopts, without  
change, an interim rule that amended  
the FAR to change System for Award  
Management preaward registration  
requirements. Offerors are required to be  
registered at the time of proposal  
submission and at time of award, rather  
than continuously in between. This  
change is expected to have a positive  
impact on small businesses who have a  
minor lapse in registration.

Item II—Technical Amendments

Administrative changes are made at  
FAR 32.907, 43.101, and 52.247–60.

William F. Clark,

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

Federal Acquisition Circular (FAC) 2025–  
05 is issued under the authority of the  
Administrator for Federal Procurement  
Policy, the Secretary of Defense, the  
Administrator of General Services, and the  
Administrator of National Aeronautics and  
Space Administration.

Unless otherwise specified, all Federal  
Acquisition Regulation (FAR) and other

directive material contained in FAC 2025–05  
are effective August 7, 2025.

Mathew Blum,

Acting Administrator for Federal  
Procurement Policy Office of Management  
and Budget.

John M. Tenaglia,

Principal Director, Defense Pricing,  
Contracting, and Acquisition Policy,  
Department of Defense.

Jeffrey A. Koses,

Senior Procurement Executive/Deputy CAO,  
Office of Acquisition Policy, U.S. General  
Services Administration.

Karla Smith Jackson,

Assistant Administrator for Procurement,  
Senior Procurement Executive/Deputy CAO,  
National Aeronautics and Space  
Administration.

[FR Doc. 2025–14976 Filed 8–6–25; 8:45 am]

BILLING CODE 6820–EP–P

OFFICE OF MANAGEMENT AND  
BUDGET

Office of Federal Procurement Policy

DEPARTMENT OF DEFENSE

GENERAL SERVICES  
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48 CFR Part 52

[FAC 2025–05, FAR Case 2023–018; Item  
I; Docket No. FAR–2023–0018; Sequence  
No. 1]

RIN 9000–AO66

Federal Acquisition Regulation:  
Clarification of System for Award  
Management Preaward Registration  
Requirements

AGENCY: Office of Federal Procurement  
Policy (OFPP), Office of Management  
and Budget; Department of Defense  
(DoD); General Services Administration  
(GSA); and National Aeronautics and  
Space Administration (NASA).

ACTION: Final rule.

SUMMARY: OFPP, DoD, GSA, and NASA  
(collectively referred to as the Federal  
Acquisition Regulatory Council, or FAR  
Council) have adopted as final, without  
changes, an interim rule that amended  
the Federal Acquisition Regulation  
(FAR) to clarify System for Award  
Management preaward registration  
requirements.

**DATES:** Effective August 7, 2025.

**FOR FURTHER INFORMATION CONTACT:** For clarification of content, contact [FARpolicy@gsa.gov](mailto:FARpolicy@gsa.gov) or call 202–969–4075. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202–501–4755 or [GSARegSec@gsa.gov](mailto:GSARegSec@gsa.gov). Please cite FAC 2025–05, FAR Case 2023–018.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

DoD, GSA, and NASA published an interim rule at 89 FR 89472 on November 12, 2024, to revise the solicitation provision at FAR 52.204–7, System for Award Management, to clarify System for Award Management (SAM) preaward registration requirements in paragraph (b)(1) of the provision. The interim rule clarified that the offeror must be registered at time of offer submission and at time of contract award but would not be required to be registered in between those two points in time. For further details please see the interim rule. Five respondents submitted comments on the interim rule.

**II. Discussion and Analysis**

The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (the Councils) reviewed the public comments in the development of the final rule. A discussion of the comments is provided as follows; however, no changes were made to the rule because of those comments.

*A. Summary of significant changes:* There are no significant changes from the interim rule.

*B. Analysis of public comments:*

*Comment:* A respondent expressed a preference for contractor registration to only be at the time of award, versus at offer submission and award. The respondent noted concern for small businesses and new entrants who may not be aware of the registration requirement until responding to a specific solicitation and having comparatively limited time to become registered.

*Response:* The Councils appreciate and share the respondent's interest in supporting accessibility to the Federal contracting marketplace. This rule does not impose a new requirement and does not introduce any impediment for business. It clarifies that offerors are not required to be registered continuously between offer submission and contract award. It decreases burden from current interpretations of the preaward requirement. A previous final rule

published in the **Federal Register** at 83 FR 48691 on September 26, 2018, addressed the requirement for registration at the time of offer submission.

*Comment:* A respondent expressed opposition to the rule, stating that if an entity chooses to engage in business with the Government, it is incumbent upon them to maintain their registration. The respondent caveated that sentiment with an exception for lapses due to Government fault.

*Response:* The Councils appreciate the respondent's perspective and concur with the general sentiment that it is an entity's responsibility to manage registration validity. The interim rule published in the **Federal Register** at 89 FR 89472 on November 12, 2024, references the continuous, active registration as being the anticipated normal state expected of offerors and contractors conducting business with the Federal Government. However, the Councils found several challenges with the interpretation of an uninterrupted, continuous registration during the entirety of the preaward period with failure to do so rendering an offeror ineligible for award. Those challenges were discussed in the interim rule published at 89 FR 89472 on November 12, 2024.

*Comment:* A couple of respondents provided comments with no clear relationship to the rule.

*Response:* These comments are outside the scope of this FAR rule.

*Comment:* A respondent included an excerpt of text from the interim rule published in the **Federal Register** at 89 FR 89472 on November 12, 2024, but did not include a recommendation or question.

*Response:* No response necessary.

**III. Applicability to Contracts at or Below the Simplified Acquisition Threshold (SAT) and for Commercial Products (Including Commercially Available Off-the-Shelf (COTS) Items) or for Commercial Services**

This rule amends the provision at FAR 52.204–7, System for Award Management. However, this rule does not impose any new requirements on contracts at or below the SAT, for commercial products (including COTS items), or for commercial services. The provision continues to apply to acquisitions at or below the SAT, acquisitions for commercial products (including COTS items), and commercial services.

**IV. Expected Impact of the Rule**

This rule is expected to benefit both the Government and industry by

clarifying preaward registration requirements. The clarification is expected to mitigate the risk of litigation and mission delays.

**V. Executive Orders 12866 and 13563**

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993.

**VI. Executive Order 14192**

This rule is neither a regulatory nor a deregulatory action for purposes of E.O. 14192, Unleashing Prosperity Through Deregulation. This final rule finalizes the interim rule without change and, therefore, neither increases nor decreases the cost of the interim rule.

**VII. Congressional Review Act**

Pursuant to the Congressional Review Act, the FAR Council will send this rule to each House of the Congress and to the Comptroller General of the United States. The Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget has determined that this rule does not meet the definition in 5 U.S.C. 804(2).

**VIII. Regulatory Flexibility Act**

The FAR Council has prepared a Final Regulatory Flexibility Analysis (FRFA) consistent with the Regulatory Flexibility Act, 5 U.S.C. 601–612.

1. Statement of the need for, and the objectives of, the rule.

The Office of Federal Procurement Policy (OFPP), the Department of Defense (DoD), the General Services Administration (GSA), and the National Aeronautics and Space Administration (NASA) (collectively referred to as the Federal Acquisition Regulatory Council, or FAR Council) are amending the Federal Acquisition Regulation (FAR) to clarify System for Award Management (SAM) preaward registration requirements. The interim rule changed the provision at FAR 52.204–7, System for Award Management, to clarify that an offeror must be registered at time of offer submission and at time of contract award but would not be required to be registered in between those two points in time. The current language has led to interpretations that have disrupted Government procurements and resulted in

lost business opportunities for some companies, including small businesses.

2. Statement of the significant issues raised by the public comments in response to the initial regulatory flexibility analysis, a statement of the assessment of the agency of such issues, and a statement of any changes made to the rules as a result of such comments.

There were no significant issues raised by the public in response to the Initial Regulatory Flexibility Analysis provided in the interim rule.

3. Description of and an estimate of the number of small entities to which the rule will apply.

This final rule impacts all entities that do business with the Federal Government, including the approximately 400,000 small business registrants in the System for Award Management.

4. Description of projected reporting, recordkeeping, and other compliance requirements of the rule.

The final rule does not impose any new reporting, recordkeeping, or other compliance requirements for small entities.

5. Description of the steps the agency has taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes.

There are no known significant alternative approaches to the final rule, and no further steps available to minimize impact on small entities—there is no significant economic impact on them.

Interested parties may obtain a copy of the FRFA from the Regulatory Secretariat Division. The Regulatory Secretariat Division has submitted a copy of the FRFA to the Chief Counsel for Advocacy of the Small Business Administration.

## IX. Paperwork Reduction Act

The Paperwork Reduction Act (44 U.S.C. 3501–3521) applies to the information collection described in this rule; however, these changes to the FAR do not impose additional information collection requirements to the paperwork burden previously approved under Office of Management Budget Control Number 9000–0189, Certain Federal Acquisition Regulation Part 4 Requirements.

### List of Subjects in 48 CFR Part 52

Government procurement.

William F. Clark,

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

### Interim Rule Adopted as Final Without Change

## PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ Accordingly, the interim rule amending 48 CFR part 52, which published in the **Federal Register** at 89

FR 89472 on November 12, 2024, is adopted as a final rule without change.

[FR Doc. 2025–14990 Filed 8–6–25; 8:45 am]

BILLING CODE 6820–EP–P

## OFFICE OF MANAGEMENT AND BUDGET

### Office of Federal Procurement Policy

## DEPARTMENT OF DEFENSE

## GENERAL SERVICES ADMINISTRATION

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 48 CFR Parts 32, 43, and 52

[FAC 2025–05; Item II; Docket No. FAR–2025–0052; Sequence No. 2]

### Federal Acquisition Regulation; Technical Amendments

**AGENCY:** Office of Federal Procurement Policy (OFPP), Office of Management and Budget; Department of Defense (DoD); General Services Administration (GSA); and National Aeronautics and Space Administration (NASA).

**ACTION:** Final rule.

**SUMMARY:** This document amends the Federal Acquisition Regulation (FAR) to make needed editorial changes.

**DATES:** Effective August 7, 2025.

**FOR FURTHER INFORMATION CONTACT:** For clarification of content, contact FAR Policy at 202–969–4075 or by email at [FARPolicy@gsa.gov](mailto:FARPolicy@gsa.gov). For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202–501–4755 or [GSARegSec@gsa.gov](mailto:GSARegSec@gsa.gov). Please cite FAC 2025–05, Technical Amendments.

**SUPPLEMENTARY INFORMATION:** This document makes editorial changes to 48 CFR parts 32, 43, and 52.

### List of Subjects in 48 CFR Parts 32, 43, and 52

Government procurement.

William F. Clark,

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

Therefore, OFPP, DoD, GSA, and NASA amend 48 CFR parts 32, 43, and 52 as set forth below:

## PART 32—CONTRACT FINANCING

■ 1. The authority citation for 48 CFR part 32 is revised to read as follows:

**Authority:** 41 U.S.C. 1121(b); 40 U.S.C. 121(c); 10 U.S.C. chapter 4 and 10 U.S.C.

chapter 137 legacy provisions (see 10 U.S.C. 3016); and 51 U.S.C. 20113.

### 32.907 [Amended]

■ 2. Amend section 32.907 in paragraph (e) by removing the last sentence.

## PART 43—CONTRACT MODIFICATIONS

■ 3. The authority citation for 48 CFR part 43 is revised to read as follows:

**Authority:** 41 U.S.C. 1121(b); 40 U.S.C. 121(c); 10 U.S.C. chapter 4 and 10 U.S.C. chapter 137 legacy provisions (see 10 U.S.C. 3016); and 51 U.S.C. 20113.

■ 4. Revise section 43.101 to read as follows:

### 43.101 Definitions.

As used in this part—

*Administrative change* means a unilateral (see 43.103(b)) contract change, in writing, that does not affect the substantive rights of the parties (*e.g.*, a change in the paying office or the appropriation data).

*Effective date* means—

(1) For a solicitation amendment, change order, or administrative change, the effective date shall be the issue date of the amendment, change order, or administrative change.

(2) For a supplemental agreement, the effective date shall be the date agreed upon by the contracting parties.

(3) For a modification issued as a confirming notice of termination for the convenience of the Government, the effective date of the confirming notice shall be the same as the effective date of the initial notice.

(4) For a modification converting a termination for default to a termination for the convenience of the Government, the effective date shall be the same as the effective date of the termination for default.

(5) For a modification confirming the termination contracting officer's previous letter determination of the amount due in settlement of a contract termination for convenience, the effective date shall be the same as the effective date of the previous letter determination.

## PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 5. The authority citation for 48 CFR part 52 continues to read as follows:

**Authority:** 41 U.S.C. 1121(b); 40 U.S.C. 121(c); 10 U.S.C. chapter 4 and 10 U.S.C. chapter 137 legacy provisions (see 10 U.S.C. 3016); and 51 U.S.C. 20113.

■ 6. Amend section 52.247–60 by—

■ a. Revising the date of the clause and paragraphs (a)(1)(x) and (xi); and