

**OFFICE OF MANAGEMENT AND BUDGET****Office of Federal Procurement Policy****DEPARTMENT OF DEFENSE****GENERAL SERVICES ADMINISTRATION****NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

[OMB Control No. 9000–0069; Docket No. FAR–2025–0053; Sequence No. 13]

**Submission for OMB Review; Indirect Cost Rate Proposals, Payments to Small Business Subcontractors, and Bankruptcy Notifications**

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

**ACTION:** Notice.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division has submitted to OMB a request to review and approve an extension of a previously approved information collection requirement regarding indirect cost rate proposals, payments to small business subcontractors, and bankruptcy notifications.

**DATES:** Submit comments on or before July 16, 2025.

**ADDRESSES:** Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under Review—Open for Public Comments” or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** [FARPolicy@gsa.gov](mailto:FARPolicy@gsa.gov) or call 202–969–4075.

**SUPPLEMENTARY INFORMATION:****A. OMB Control Number, Title, and Any Associated Form(s)**

9000–0069, Indirect Cost Rate Proposals, Payments to Small Business Subcontractors, and Bankruptcy Notifications.

**B. Need and Uses**

This clearance covers the information that contractors must submit to comply with the following Federal Acquisition Regulation (FAR) requirements:

*FAR 52.216–7, Allowable Cost and Payment.* This clause requires the

contractor to submit an adequate final indirect cost rate proposal to the contracting officer and the auditor within the 6-month period following the expiration of each of its fiscal years. The proposed rates shall be based on the contractor’s actual cost experience for that period. Paragraphs (d)(2)(iii) and (iv) of this clause provide a list of the data required to be submitted. The data is customary business financial information that the contractor can access from its automated business systems.

*FAR 52.216–15, Predetermined Indirect Cost Rates.* This clause repeats the requirement in the clause at FAR 52.216–7, paragraph (d), for the contractor to submit an adequate final indirect cost rate proposal, however it does not impose any additional reporting requirements.

*FAR 52.242–4, Certification of Final Indirect Costs.* This clause requires the contractor’s final indirect cost rate proposal to be certified to establish or modify the rates used to reimburse the contractor for the costs of performing under the contract. The supporting cost data are the cost accounting information normally prepared by organizations under sound management and accounting practices. This clause is incorporated into all solicitations and contracts that provide for establishment of final indirect cost rates, but the Department of Energy may provide an alternate clause for its Management and Operating contracts.

The contracting officer and auditor use the proposal and supporting data provided under the clauses at FAR 52.216–7, 52.216–15, and 52.242–4 to verify and analyze the indirect costs and to determine the final indirect cost rates or to prepare the Government negotiating position if negotiation of the rates is required under the contract terms.

*FAR 52.242–5, Payments to Small Business Subcontractors.* This clause requires the prime contractor to self-report to the contracting officer when the prime contractor makes late or reduced payments to small business subcontractors. The notice shall include the reason(s) for making the reduced or untimely payment. The contracting officer uses the information to record the identity of contractors with a history of late or reduced payments to small business subcontractors in the Federal Awardee Performance and Integrity Information System. The contracting officer considers and evaluates the contractor’s written explanation for a reduced or an untimely payment to determine whether the reduced or untimely payment is justified.

*FAR 52.242–13, Bankruptcy.* This clause requires contractors to notify the contracting officer within five days after initiating the proceedings relating to bankruptcy filing. The contracting officer uses the notification to ensure the contractor’s ability to perform its government contract.

**C. Annual Burden**

*Respondents:* 6,265.

*Total Annual Responses:* 6,265.

*Total Burden Hours:* 1,504,083.

**D. Public Comment**

A 60-day notice was published in the **Federal Register** at 90 FR 14447, on April 2, 2025. No comments were received.

*Obtaining Copies:* Requesters may obtain a copy of the information collection documents from the GSA Regulatory Secretariat Division, by calling 202–501–4755 or emailing [GSARegSec@gsa.gov](mailto:GSARegSec@gsa.gov). Please cite OMB Control No. 9000–0069, Indirect Cost Rate Proposals, Payments to Small Business Subcontractors, and Bankruptcy Notifications.

**Janet Fry,**

*Director, Federal Acquisition Policy Division,  
Office of Governmentwide Acquisition Policy,  
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[FR Doc. 2025–11061 Filed 6–13–25; 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**

[OMB Control No. 9000–0077; Docket No. FAR–2025–0053; Sequence No. 8]

**Submission for OMB Review; Federal Acquisition Regulation Part 46 Requirements**

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

**ACTION:** Notice.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division has

submitted to OMB a request to review and approve an extension of a previously approved information collection requirement regarding Federal Acquisition Regulation part 46 requirements.

**DATES:** Submit comments on or before July 16, 2025.

**ADDRESSES:** Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under Review—Open for Public Comments” or by using the search function.

**FOR FURTHER INFORMATION CONTACT:** [FARPolicy@gsa.gov](mailto:FARPolicy@gsa.gov) or call 202–969–4075.

#### **SUPPLEMENTARY INFORMATION:**

##### **A. OMB Control Number, Title, and Any Associated Form(s)**

9000–0077, Federal Acquisition Regulation Part 46 Requirements.

##### **B. Need and Uses**

This clearance covers the information that contractors may be required to submit to comply with the following Federal Acquisition Regulation (FAR) clauses:

- FAR Inspection Clauses
- ✓ FAR 52.246–2, Inspection of Supplies—Fixed-Price
- ✓ FAR 52.246–3, Inspection of Supplies—Cost-Reimbursement
- ✓ FAR 52.246–4, Inspection of Services—Fixed-Price
- ✓ FAR 52.246–5, Inspection of Services—Cost-Reimbursement
- ✓ FAR 52.246–6, Inspection—Time-and-Material and Labor-Hour
- ✓ FAR 52.246–7, Inspection of Research and Development—Fixed-Price
- ✓ FAR 52.246–8, Inspection of Research and Development—Cost-Reimbursement
- ✓ FAR 52.246–12, Inspection of Construction

These FAR clauses require the contractor to provide and maintain an inspection system that is acceptable to the Government, and to keep complete records of all inspection work performed and make it available to the Government. These clauses give the Government the right to inspect and test all work.

Records required under these clauses are kept as a part of a contractor's normal business operations. To ensure they provide a quality product or service, every business must have standards and methods for reviewing or inspecting the quality of their product

or service. These standards will differ by industry and the complexity of the product or service provided.

The Government relies on a contractor's existing quality assurance system for contracts for commercial products. The Government relies on the contractor to accomplish all inspection and testing needed to ensure that acquired commercial services conform to contract requirements before they are tendered to the Government. See FAR 12.208 and 46.202–1. Likewise, when the contract amount is expected to be less than the simplified acquisition threshold, these clauses do not apply.

The FAR “inspection clauses” are used for quality assurance depending on the type of contract, or the product or service being provided. These clauses do not require the transmittal or sending of documentation to the Government, but they have record keeping requirements. The Government may review these records to confirm the contract quality requirements are being met. This review is risk-based and may or may not include the review of all quality assurance records. Generally, the records are more likely to be reviewed when the contractor is not meeting quality standards or as part of Government Contract quality assurance surveillance for complex requirements. Subject matter experts estimate these records are requested from 10 percent or fewer of contractors.

The information is used to assure that supplies and services provided under Government contracts conform to contract requirements.

- FAR 52.246–15, Certificate of Conformance. This clause requires the contractor to complete and sign a certificate of conformance (CoC). This clause is used in solicitations and contracts for supplies or services at the discretion of the contracting officer when it is in the Government's interest, small losses would be incurred in the event of a defect; or because of the contractor's reputation or past performance, or when it is likely that the supplies or services furnished will be acceptable and any defective work would be replaced, corrected, or repaired without contest.

- FAR 52.246–26, Reporting Nonconforming Items. This clause requires contractors to provide written notification to the contracting officer within 60 days of becoming aware or having reason to suspect, such as through inspection, testing, record review, or notification from another source (e.g., seller, customer, third party) that any end item, component, subassembly, part, or material contained in supplies purchased by the contractor

for delivery to, or for, the Government is counterfeit or suspect counterfeit. This clause requires certain contractors to submit a report to the Government-Industry Data Exchange Program (GIDEP) system at [www.gidep.org](http://www.gidep.org) within 60 days of becoming aware or having reason to suspect, such as through inspection, testing, record review, or notification from another source (e.g., seller, customer, third party) that an item purchased by the contractor for delivery to, or for, the Government is a counterfeit or suspect counterfeit item; or a common item that has a major or critical nonconformance.

This information will be used by the Government to address and detect nonconforming and counterfeit items. Perhaps more important, this information will be available to businesses for searching prior to placing orders, thus enabling the avoidance of purchasing counterfeit items in the first place.

##### **C. Annual Burden**

*Respondents:* 7,859.

*Total Annual Responses:* 9,301.

*Total Burden Hours:* 33,015.

##### **D. Public Comment**

A 60-day notice was published in the **Federal Register** at 90 FR 14445, on April 2, 2025. No comments were received.

*Obtaining Copies:* Requesters may obtain a copy of the information collection documents from the GSA Regulatory Secretariat Division, by calling 202–501–4755 or emailing [GSARegSec@gsa.gov](mailto:GSARegSec@gsa.gov). Please cite OMB Control No. 9000–0077, Federal Acquisition Regulation Part 46 Requirements.

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[FR Doc. 2025–11062 Filed 6–13–25; 8:45 am]

**BILLING CODE 6820–EP–P**