

The objective of the rule is to increase the threshold for requiring fair opportunity on FAR part 16 orders under multiple-award contracts from \$3,500 to the word-based, “micro-purchase threshold” for consistency of application and alignment with future adjustments. The legal basis for the rule is section 826 of the NDAA for FY 2020 (Pub. L. 116–92).

There were no significant issues raised in response to the initial regulatory flexibility analysis.

DoD, GSA, and NASA do not expect this rule to have a significant economic impact on a substantial number of small entities; most of the impact will be on the Government. This rule will likely affect small entities that participate in fair opportunity competitions for FAR part 16 task and delivery orders under multiple-award contracts conducted by the Federal Government between \$3,500 and the micro-purchase threshold, which currently is \$10,000. DoD, GSA, and NASA do not expect a significant change in the number of orders awarded to small entities; however, in certain circumstances this rule is expected to reduce the costs associated with developing and submitting a response to task and delivery order competitions for actions up to \$10,000. To assess the impact of the threshold increase, data was obtained from FPDS. For FY 2017 through FY 2019, there was an average of 9,803 FAR part 16 task and delivery orders awarded using fair opportunity between \$3,500 and \$10,000. Of these actions, an average of 5,852 were awarded to 843 unique small entities. As a result of this rule, it is assumed that approximately 843 small entities may experience a reduction in proposal costs on task and delivery orders valued between \$3,500 and \$10,000.

This rule does not impose any reporting, recordkeeping, or other compliance requirements.

There are no alternatives that are consistent with the objectives of the statute.

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.

VIII. Paperwork Reduction Act

This rule does not contain any information collection requirements that require the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. 3501–3521).

List of Subjects in 48 CFR Part 16

Government procurement.

William F. Clark,

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

Therefore, DoD, GSA, and NASA amend 48 CFR part 16 as set forth below:

PART 16—TYPES OF CONTRACTS

■ 1. The authority citation for 48 CFR part 16 continues to read as follows:

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

16.505 [Amended]

■ 2. Amend section 16.505 by—

■ a. Removing from paragraph (b)(1)(i) introductory text “\$3,500” and adding “the micro-purchase threshold” in its place;

■ b. Removing from paragraph (b)(2)(i) introductory text “delivery-order or task-order exceeding \$3,500” and adding “delivery order or task order exceeding the micro-purchase threshold” in its place; and

■ c. Removing from the paragraph (b)(2)(ii)(A) subject heading “\$3,500” and adding “the micro-purchase threshold” in its place.

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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 11, 19, 22, 26, 42, 52, and 53

[FAC 2021–06; Item III; Docket No. FAR–2021–0052; Sequence No. 2]

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 needed editorial changes.

DATES: *Effective:* July 12, 2021.

FOR FURTHER INFORMATION CONTACT: Ms. Lois Mandell, Regulatory Secretariat Division (MVCB), at 202–501–4755 or GSARegSec@gsa.gov. Please cite FAC 2021–06, Technical Amendment.

SUPPLEMENTARY INFORMATION: This document makes editorial changes to 48 CFR parts 11, 19, 22, 26, 42, 52 and 53 of the FAR.

List of Subjects in 48 CFR Parts 11, 19, 22, 26, 42, 52, and 53

Government procurement.

William F. Clark,

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 11, 19, 22, 26, 42, 52, and 53 as set forth below:

■ 1. The authority citation for 48 CFR parts 11, 19, 22, 26, 42, 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 11—DESCRIBING AGENCY NEEDS

11.201 [Amended]

■ 2. Amend section 11.201 by removing paragraph (d)(2)(iii).

PART 19—SMALL BUSINESS PROGRAMS

19.102 [Amended]

■ 3. Amend section 19.102 by removing from paragraph (a)(2) “<https://www.census.gov/eos/www/naics/>” and adding “<https://www.census.gov/naics/>” in its place.

19.201 [Amended]

■ 4. Amend section 19.201 by removing from paragraph (c)(1) “Director of Small” and adding “Director of the Office of Small” in its place.

19.702 [Amended]

■ 5. Amend section 19.702 by removing from paragraph (d) “http://www.acq.osd.mil/osbp/mentor_protege/” and adding “<https://business.defense.gov/Programs/Mentor-Protege-Program/>” in its place.

19.812 [Amended]

■ 6. Amend section 19.812 by removing from paragraph (a) “<https://pubapp.dcmil/CASD/main.jsp>” and adding “<https://piee.eb.mil/pcm/xhtml/unauth/index.xhtml>” in its place.

PART 22—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

22.805 [Amended]

■ 7. Amend section 22.805 by removing from paragraph (a)(4)(i) “<https://ofccp.dol-esa.gov/preaward/pa-reg.html>” and adding “<https://www.dol.gov/agencies/ofccp/pre-award/registry>” in its place.

PART 26—OTHER SOCIOECONOMIC PROGRAMS**26.201 [Amended]**

■ 8. Amend section 26.201 in the definition “Major disaster or emergency area” by removing “<http://www.fema.gov/news/disasters.fema>” and adding “<https://www.fema.gov/disasters/disaster-declarations>” in its place.

PART 42—CONTRACT ADMINISTRATION AND AUDIT SERVICES**42.203 [Amended]**

■ 9. Amend section 42.203 by removing “<https://pubapp.dcma.mil/CASD/main.jsp>” and adding “<https://piee.eb.mil/pcm/xhtml/unauth/index.xhtml>” in its place.

PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

- 10. Amend section 52.211–2 by—
- a. Revising the date of the provision;
 - b. Removing from the end of paragraph (a)(2) the semicolon and adding a period in its place; and
 - c. Removing paragraph (a)(3).

The revision reads as follows:

§52.211–2 Availability of Specifications, Standards, and Data Item Descriptions Listed in the Acquisition Streamlining and Standardization Information System (ASSIST).

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Availability of Specifications, Standards, and Data Item Descriptions Listed in the Acquisition Streamlining and Standardization Information System (ASSIST) (JUL 2021)

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- 11. Amend section 52.212–1 by—
- a. Revising the date of the clause; and
 - b. Removing paragraph (i)(2)(iii).

The revision reads as follows:

§52.212–1 Instructions to Offerors—Commercial Items.

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Instructions to Offerors—Commercial Items (JUL 2021)

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- 12. Amend section 52.212–5 by—
- a. Revising the clause heading and the date of the clause;
 - b. Removing from paragraph (b)(51) “(JUN 2008)” and adding “(FEB 2021)” in its place;
 - c. Removing from paragraph (b)(55) “(JUN 2020)” and adding “(FEB 2021)” in its place
 - d. Removing from paragraphs (b)(63)(i) and (e)(1)(xxii) “46 U.S.C. Appx. 1241(b)” and adding “46 U.S.C. 55305” in their places, respectively; and

- e. In Alternate II—
- i. Revising the date of the Alternate; and
- ii. Removing from paragraph (e)(1)(ii)(U) “46 U.S.C. Appx. 1241(b)” and adding “46 U.S.C. 55305” in its place.

The revisions read as follows:

§52.212–5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders—Commercial Items.

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Contract Terms and Conditions Required To Implement Statutes or Executive Orders—Commercial Items (JUL 2021)

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Alternate II (JUL 2021). * * *

- 13. Amend section 52.213–4 by—
- a. Revising the date of the clause;
 - b. Removing from paragraph (a)(1)(vii) “(JUN 2008)” and adding “(FEB 2021)” in its place;
 - c. Removing from paragraph (a)(2)(viii) “(NOV 2020)” and adding “(JUL 2021)” in its place; and
 - d. Removing from paragraph (b)(1)(xxi) “46 U.S.C. App. 1241” and adding “46 U.S.C. 55305” in its place.

The revision reads as follows:

§52.213–4 Terms and Conditions—Simplified Acquisitions (Other Than Commercial Items).

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Terms and Conditions—Simplified Acquisitions (Other Than Commercial Items) (JUL 2021)

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- 14. Amend section 52.222–8 by—
- a. Revising the date of the clause; and
 - b. Removing from paragraph (b)(1) “<http://www.dol.gov/whd/forms/wh347.pdf>” and adding “<https://www.dol.gov/agencies/whd/forms>” in its place.

The revision reads as follows:

§52.222–8 Payrolls and Basic Records.

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Payrolls and Basic Records (JUL 2021)

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- 15. Amend section 52.244–6 by—
- a. Revising the date of the clause; and
 - b. Removing from paragraph (c)(1)(xx) “46 U.S.C. App. 1241” and adding “46 U.S.C. 55305” in its place.

The revision reads as follows:

§52.244–6 Subcontracts for Commercial Items.

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Subcontracts for Commercial Items (JUL 2021)

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PART 53—FORMS**§53.236–2 [Amended]**

- 16. Amend section 53.236–2 by removing from the paragraph (b) subject heading “(Rev. 8/2016)” and adding “(Rev. JUL 2021)” in its place.

[FR Doc. 2021–11867 Filed 6–9–21; 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–2021–0051, Sequence No. 3]

Federal Acquisition Regulation; Federal Acquisition Circular 2021–06; 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) 2021–06, which amends the Federal Acquisition Regulation (FAR). Interested parties may obtain further information regarding these rules by referring to FAC 2021–06, which precedes this document.

DATES: June 10, 2021.

ADDRESSES: The FAC, including the SECG, is available via the internet at <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For clarification of content, contact the analyst whose name appears in the table below. Please cite FAC 2021–06 and the FAR Case number. For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202–501–4755 or GSARegSec@gsa.gov. An asterisk (*) next to a rule indicates that a regulatory flexibility analysis has been prepared.