

**FAC 2005-43 is summarized below and states whether any DOE supplemental guidance will be issued.**

**Item I – Government Property**

(FAR Case 2008-011) (Final) 48 CFR Parts 2, 4, 15, 32, 42, 45 and 52

Effective date: August 2, 2010

This final rule amends the FAR to revise FAR part 45 and its associated clauses. Changes are being made to FAR parts 2, 4, 15, 32, 42, 45, and 52. These changes are to clarify and correct the previous FAR rule for part 45, Government Property, published under Federal Acquisition Circular 2005–17, FAR case 2004–025, May 15, 2007, (72 FR 27364). Minor changes are made to the proposed rule published August 6, 2009 (74 FR 39262). The rule specifically impacts contracting officers, property administrators, and contractors responsible for the management of Government property. The rule does not affect the method of managing Government property. The rule merely clarifies and corrects the previous FAR rule. *A notice of propose rulemaking for DEAR part 945 will soon be published for public comment. This rulemaking will include revisions to FAR part 45.*

**Item II – Registry of Disaster Response Contractors**

(FAR Case 2008–035) (Final) 48 CFR Parts 2, 4, 7, 10, 13, 18, 26, and 52

Effective date: August 2, 2010

This final rule adopts, without change, the interim rule implementing Public Law 109–295, the Department of Homeland Security Appropriations Act, 2007, section 697, which requires the establishment and maintenance of a registry of disaster response contractors. The Disaster Response Registry is located at <http://www.ccr.gov>. The Federal Emergency Management Agency (within the Department of Homeland Security) has a link to the registry for vendors on its Web site at <http://www.fema.gov/business/contractor.shtm>. The Registry covers domestic disaster and emergency relief activities. *No additional DOE supplemental guidance will be issued.*

**Item III -- Recovery Act Subcontract Reporting Procedures**

(FAR Case 2010–008) (Interim) 48 CFR Parts 4 and 52

Effective Date: July 2, 2010

**Applicability Date:** The changes to the original clause will be used for all new solicitations and contracts issued on or after the effective date of this interim rule. This change is not required for task and delivery orders where the original clause dated March 2009 is already in the underlying task and delivery order contract. This change is not required when modifying existing contracts that contain the clause dated March 2009. Therefore, this interim rule does not require renegotiation of existing Recovery Act contracts that include the clause dated March 2009.

This interim rule amends the FAR to revise the clause at FAR 52.204–11, American Recovery and Reinvestment Act—Reporting Requirements. The revised clause will require first-tier subcontractors with Recovery Act funded awards of \$25,000 or more, to

report jobs information to the prime contractor for reporting into FederalReporting.gov. It also will require the prime contractor to submit its first report on or before the 10th day after the end of the calendar quarter in which the prime contractor received the award, and quarterly thereafter. The revised clause will be used for all new solicitations and awards issued on or after the effective date of this interim rule. This clause is not required for any existing contracts, or task and delivery orders issued under a contract, that contain the original clause FAR 52.204-11 (March 2009). Therefore, this interim rule does not require renegotiation of existing Recovery Act contracts that include the clause dated March 2009. *Policy Flash 2010-63 provided guidance.*

#### **Item IV – Clarification of Criteria for Sole Source Awards to Service Disabled**

##### **Veteran-Owned Small Business Concerns**

(FAR Case 2008-023) (Final) 48 CFR Part 19

Effective Date: August 2, 2010

This final rule amends FAR 19.1406(a) to clarify the criteria that need to be met in order to conduct a sole source service-disabled veteran-owned small business (SDVOSB) concern acquisition. The FAR language is amended to be consistent with the Veterans Benefit Act of 2003 (15 U.S.C. 657f) and the Small Business Administration's regulation (13 CFR 125.20) that implements the Act. This final rule also amends FAR 19.1306(a) to clarify the criteria that need to be met in order to conduct a sole source for Historically Underutilized Business Zone (HUBZone) small business concern acquisitions. These amendments to the FAR alleviate confusion for contracting officers on the appropriate use of the criteria needed to conduct sole source HUBZONE small business and SDVOSB concern acquisitions. *No additional DOE supplemental guidance will be issued.*

#### **Item V — Trade Agreements Thresholds**

(FAR Case 2009-040) (Interim) 48 CFR Parts 22, 25, and 52

Effective date: July 2, 2010

This interim rule adjusts the thresholds for application of the World Trade Organization Government Procurement Agreement and the free trade agreements as determined by the United States Trade Representative, according to a pre-determined formula under the agreements. *Acquisition letter 2008-06, Domestic and Foreign Procurement Preference Requirements, is being reviewed for any potential updates.*

**To view FAC 2005-43 go to the Federal Register Browse weblink at <http://www.gpoaccess.gov/fr/browse.html> and search for the Federal Register Volume 75, Number 127 for Friday, July 2, 2010.**