



Federal Register

**Thursday,
July 5, 2007**

Part V

**Department of Defense
General Services
Administration**

**National Aeronautics and
Space Administration**

**48 CFR Chapter 1, Parts 4, 17, et al.
Federal Acquisition Regulations; Interim
Rules and Small Entity Compliance Guide**

DEPARTMENT OF DEFENSE

**GENERAL SERVICES
ADMINISTRATION**

**NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION**

48 CFR Chapter 1

[Docket FAR–2007–002, Sequence 3]

**Federal Acquisition Regulation;
Federal Acquisition Circular 2005–18;
Introduction**

AGENCIES: Department of Defense (DoD),
General Services Administration (GSA),

and National Aeronautics and Space
Administration (NASA).

ACTION: Summary presentation of
interim rule.

SUMMARY: This document summarizes
the Federal Acquisition Regulation
(FAR) rule agreed to by the Civilian
Agency Acquisition Council and the
Defense Acquisition Regulations
Council in this Federal Acquisition
Circular (FAC) 2005–18. A companion
document, the Small Entity Compliance
Guide (SECG), follows this FAC. The
FAC, including the SECG, is available
via the Internet at [http://
www.regulations.gov/](http://www.regulations.gov/).

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

FOR FURTHER INFORMATION CONTACT: For
clarification of content, contact the
analyst whose name appears in the table
below in relation to the FAR case.
Please cite FAC 2005–18 FAR Case
2006–032. Interested parties may also
visit our website at [http://
www.regulations.gov](http://www.regulations.gov). For information
pertaining to status or publication
schedules, contact the FAR Secretariat
at (202) 501–4755.

RULE LISTED IN FAC 2005–18

Item	Subject	FAR case	Analyst
I	Small Business Size Rerepresentation	2006–032	Cundiff.

SUPPLEMENTARY INFORMATION: A
summary of the FAR rule follows. For
the actual revisions and/or amendments
to this FAR case, refer to FAR Case
2006–032. FAC 2005–18 amends the
FAR as specified below:

**Item I—Small Business Size
Rerepresentation (FAR Case 2006–032)**

This interim rule amends the FAR to
implement the Small Business
Administration’s (SBA) final rule
published on November 15, 2006 (71 FR
66434), entitled “Small Business Size
Regulations; Size for Purposes of
Governmentwide Acquisition Contracts,
Multiple Award Schedule Contracts and
Other Long-Term Contracts; 8(a)
Business Development/Small
Disadvantaged Business; Business
Status Determinations.” The purpose of
the SBA rule and this FAR rule is to
improve the accuracy of small business
size status reporting, at the prime
contract level, over the life of certain
contracts (long-term contracts, contracts
involving novations, acquisitions, and
mergers). Contractors will be required to
rerepresent their size status on contracts
prior to the end of the fifth year of a
contract that is more than five years in
duration (long-term contract); prior to
exercising any option thereafter;
following execution of a novation
agreement; or following a merger or
acquisition of the contractor, regardless
of whether there is a novation
agreement. A change in the size status
does not change the terms and
conditions of the contract, but the
agency may no longer include the value
of options exercised or orders issued
against the contract in its small business
prime contracting goal achievements.

Dated: June 29, 2007.
Michael Jackson,
Acting Director, Contract Policy Division.

Federal Acquisition Circular

Federal Acquisition Circular (FAC)
2005-18 is issued under the authority of
the Secretary of Defense, the
Administrator of General Services, and
the Administrator for the National
Aeronautics and Space Administration.

Unless otherwise specified, all
Federal Acquisition Regulation (FAR)
and other directive material contained
in FAC 2005-18 is effective June 30,
2007.

Dated: June 27, 2007.
Shay D. Assad,
*Director, Defense Procurement and
Acquisition Policy.*

Dated: June 28, 2007.
George Barclay,
*Acting Senior Procurement Executive,
General Services Administration.*

Dated: June 27, 2007.
Kenneth A. Sateriale,
*Acting Assistant Administrator for
Procurement, National Aeronautics and
Space Administration.*
[FR Doc. 07–3277 Filed 7–2–07; 11:18 am]
BILLING CODE 6820–EP–S

DEPARTMENT OF DEFENSE

**GENERAL SERVICES
ADMINISTRATION**

**NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION**

48 CFR Parts 4, 17, 19, and 52

[FAC 2005–18; FAR Case 2006–032; Item
I; Docket 2007–001, Sequence 4]

RIN 9000–AK78

**Federal Acquisition Regulation; FAR
Case 2006–032, Small Business Size
Rerepresentation**

AGENCIES: Department of Defense (DoD),
General Services Administration (GSA),
and National Aeronautics and Space
Administration (NASA).

ACTION: Interim rule with request for
comments.

SUMMARY: The Civilian Agency
Acquisition Council and the Defense
Acquisition Regulations Council
(Councils) have agreed on an interim
rule amending the Federal Acquisition
Regulation (FAR) to implement the
Small Business Administration’s (SBA)
final rule published on November 15,
2006 (71 FR 66434), entitled “Small
Business Size Regulations; Size for
Purposes of Government-wide
Acquisition Contracts, Multiple Award
Schedule Contracts and Other Long-
Term Contracts; 8(a) Business
Development/Small Disadvantaged
Business; Business Status
Determinations.” The purpose of the
SBA rule is to improve the accuracy of
small business size status reporting over
the life of certain contracts.