of overpayment to the Contractor to the date
the Government is repaid by the Contractor
at the applicable underpayment rate effective
for each quarter prescribed by the Secretary
of the Treasury under 26 U.S.C. 6621(a)(2); and

* * * * *

§ 4. Amend section 52.215–11 by
revising the date of the clause and
paragraph (e)(1) to read as follows:

52.215–11 Price Reduction for Defective
Certified Cost or Pricing Data—
Modifications.

* * * * *

Price Reduction for Defective Certified
Cost or Pricing Data—Modifications
(AUG 2011)

* * * * *

(e) * * *

(1) Interest compounded daily, as required
by 26 U.S.C. 6622, on the amount of such
overpayment to be computed from the date(s)
of overpayment to the Contractor to the date
the Government is repaid by the Contractor
at the applicable underpayment rate effective
for each quarter prescribed by the Secretary

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 rules appearing in Federal
Acquisition Circular (FAC) 2005–53,
which amend the Federal Acquisition
Regulation (FAR). An asterisk (*) next to
a rule indicates that a regulatory
flexibility analysis has been prepared.
Interested parties may obtain further
information regarding these rules by
referring to FAC 2005–53, which
precedes this document. These
documents are also available via the
Internet at http://www.regulations.gov.

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

FOR FURTHER INFORMATION CONTACT:
The analyst whose name appears in the table
below. Please cite FAC 2005–53 and the
specific FAR case number. For
information pertaining to status or
publication schedules, contact the
Regulatory Secretariat at (202) 501–
4753.

SUPPLEMENTARY INFORMATION:

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Summaries for each FAR rule follow.
For the actual revisions and/or
amendments made by these FAR cases,
refer to the specific item numbers and subject set forth in the documents
following these item summaries. FAC
2005–53 amends the FAR as specified below:

Item I—Equal Opportunity for Veterans
(FAR Case 2009–007)

The interim rule, published
September 29, 2010, is adopted as final
with minor changes. A definition from
the clause at FAR 52.222–35 for
“executive and senior management” is
added to FAR subpart 22.13. The
interim rule implemented Department
of Labor regulations on equal
opportunity provisions for various
categories of military veterans.

Item II—Unique Procurement
Instrument Identifier (FAR Case 2009–
023)

This final rule amends the FAR to
define the requirement for an agency
unique procurement instrument
identifier (PIID) and, to extend the
requirement for using PIIDs to
solicitations, contracts, and related
procurement instruments.

This final rule adds two new
definitions at 4.001, revises 4.605(a),
and adds a new FAR subpart 4.16—
Unique Procurement Instrument
Identifiers, to prescribe policies and
procedures for assigning PIIDs. The
Government expects that these changes
will reduce data errors and
interoperability problems across the
Federal Government’s business
processes which were created by
inconsistent and non-unique PIID
assignment and use. These changes will
not impose new requirements on small
businesses, as the rule only addresses
internal Government policy and
procedures.

Item III—Uniform Suspension and
Debarment Requirement (FAR Case
2009–036)

This rule adopts as final, with minor
changes, an interim rule which
implemented section 815 of the
National Defense Authorization Act for
Fiscal Year 2010, Public Law 111–84.
The law requires that suspension and
debarment requirements flow down to
all subcontracts except contracts for
commercially available off-the-shelf
items, and in the case of commercial
items, first-tier subcontracts only.

This requirement protects the
Government against contracting with
entities at any tier who are debarred,
suspended, or proposed for debarment.
This rule does not have a significant
impact on the Government, contractors,
or any automated systems.
Item IV—Extension of Sunset Date for Protests of Task and Delivery Orders (FAR Case 2011–015) (Interim)

This interim rule amends the FAR to implement section 825 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Pub. L. 111–383). Section 825 extends the sunset date for protests against awards of task or delivery orders by DoD, NASA, and the Coast Guard from May 27, 2011 to September 30, 2016. The sunset date for protests against the award of task or delivery orders by other Federal agencies remains May 27, 2011. With this change, contractors will no longer be able to protest task or delivery orders awarded by agencies other than DoD, NASA, and the Coast Guard. There is no effect on Government automated systems.

Item V—Encouraging Contractor Policies To Ban Text Messaging While Driving (FAR Case 2009–028)

This final rule adopts, with changes, the interim rule published in the Federal Register at 75 FR 60264 on September 29, 2010, to implement Executive Order 13513 (October 1, 2009), published in the Federal Register at 74 FR 51225 on October 6, 2009, entitled “Federal Leadership on Reducing Text Messaging while Driving.” This final rule revises FAR clause 52.223–18 to encourage the adoption and enforcement of policies that ban text messaging while driving company-owned or -rented vehicles or Government-owned vehicles; or privately-owned vehicles when on official Government business or when performing any work for or on behalf of the Government. The final rule also revises the language in the clause to encourage contractors to conduct initiatives such as: (1) Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and (2) education, awareness, and other outreach programs to inform employees about the safety risks associated with texting while driving. This requirement applies to all solicitations and contracts.

Item VI—TINA Interest Calculations (FAR Case 2009–034)

DoD, GSA, and NASA are publishing a final rule amending the FAR to revise the clauses at FAR 52.214–27, FAR 52.215–10, and FAR 52.215–11 to require compound interest calculations be applied to Government overpayments as a result of defective cost or pricing data.

Dated: June 28, 2011.

Laura Auletta,
Acting Director, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy.