

Commercial Corporation, as prescribed at 215.408(3)(i) and (ii), respectively.

* * * * *

225.7501 [Amended]

- 15. Amend section 225.7501(a)(2)(i) by removing “or 225.104(a)”.

PART 227—PATENTS, DATA, AND COPYRIGHTS

227.7103–10 [Amended]

- 16. Amend section 227.7103–10(a)(1) by removing “15.607” and adding “15.306” in its place.

PART 237—SERVICE CONTRACTING

237.102–75 [Amended]

- 17. Amend section 237.102–75 by removing “Chapter 14” and adding “Chapter 10” in its place.

PART 239—ACQUISITION OF INFORMATION TECHNOLOGY

239.7001 [Amended]

- 18. Amend section 239.7001 by removing “DoD 4140.1–R, DoD Supply Chain Materiel Management Regulation, Chapter 9, Section C9.5” and adding “DoD Manual 4140.01, Volume 9, DoD Supply Chain Materiel Management Procedures: Materiel Programs” in its place.

PART 242—CONTRACT ADMINISTRATION AND AUDIT SERVICES

242.1105 [Amended]

- 19. Amend section 242.1105(1)(i) by removing “DoD 4140.1–R, DoD Materiel Management Regulation” and adding “DoD Manual 4140.01, Volume 5, DoD Supply Chain Materiel Management Procedures: Delivery of Materiel” in its place.

242.7301 [Amended]

- 20. Amend section 242.7301(b) by removing “Agency” and adding “Agent” in its place.

242.7503 [Amended]

- 21. Amend section 242.7503 by—
 - a. In paragraph (a) adding “or” after the semicolon; and
 - b. In paragraph (b) removing “]” at the end of the sentence.

PART 243—CONTRACT MODIFICATIONS

243.204–70–3 [Amended]

- 22. Amend section 243.204–70–3(b) by removing “contacting” and adding “contracting” in its place.

PART 245—GOVERNMENT PROPERTY

245.103–73 [REDESIGNATED AS 245.103–74]

- 23. Redesignate section 245.103–73 as 245.103–74.
- 24. Add new section 245.103–73 to read as follows:

245.103–73 Government property under sustainment contracts.

See PGI 245.103–73 for information on the reporting requirements for Government inventory held by contractors under sustainment contracts in accordance with DoD Manual 4140.01, Volume 6, DoD Supply Chain Materiel Management Procedures: Materiel Returns, Retention, and Disposition.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

252.211–7006 [Amended]

- 25. Amend section 252.211–7006 by—
 - a. Removing the clause date “(JUN 2016)” and adding “(DEC 2017)” in its place; and
 - b. In paragraph (b)(1)(i), removing “DoD 4140.1–R, DoD Supply Chain Materiel Management Regulation, AP1.1.11” and adding “DoD Manual 4140.01, Volume 6, DoD Supply Chain Materiel Management Procedures: Materiel Returns, Retention, and Disposition” in its place.

252.245–7002 [Amended]

- 26. Amend section 252.245–7002 by—
 - a. Removing the clause date “(APR 2012)” and adding “(DEC 2017)” in its place; and
 - b. In paragraph (b)(1), removing “<http://www.dcmsa.mil/aboutetools.cfm>” and adding “<http://www.dcmsa.mil/WBT/propertyloss/>” in its place.

252.245–7004 [Amended]

- 27. Amend section 252.245–7004 by—
 - a. Removing the clause date “(SEP 2016)” and adding “(DEC 2017)” in its place;
 - b. In paragraph (b), introductory text, removing “<http://www.dcmsa.mil/DCMAIT/cbt/PCARSS/index.cfm>” and adding “<http://www.dcmsa.mil/WBT/PCARSS/>” in its place; and
 - c. In paragraph (b)(1)(iv), removing “http://www2.dla.mil/j-6/dlms/elibray/manuals/dlm/dlm_pubs.asp#” and adding “<http://www.dla.mil/HQ/InformationOperations/DLMS/elibray/manuals/MLSTRAP/>” in its place.

252.246–7008 [Amended]

- 28. Amend section 252.246–7008 by—
 - a. Removing the clause date “(OCT 2016)” and adding “(DEC 2017)” in its place; and
 - b. In paragraph (e), adding a comma after the word “items”.

252.247–7020 [Amended]

- 29. Amend the section’s introductory text by removing “247.270–3(o)” and adding “247.271–3(n)” in its place.

[FR Doc. 2017–27782 Filed 12–27–17; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 225 and 252

[Docket DARS–2017–0017]

RIN 0750–AJ65

Defense Federal Acquisition Regulation Supplement: Trade Agreements Thresholds (DFARS Case 2018–D001)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to incorporate revised thresholds for application of the World Trade Organization Government Procurement Agreement and the Free Trade Agreements, as determined by the United States Trade Representative.

DATES: Effective: January 1, 2018.

FOR FURTHER INFORMATION CONTACT: Ms. Amy G. Williams, 571–372–6106.

SUPPLEMENTARY INFORMATION:

I. Background

This rule adjusts thresholds for application of the World Trade Organization (WTO) Government Procurement Agreement (GPA) and Free Trade Agreements (FTA) as determined by the United States Trade Representative (USTR). The trade agreements thresholds are adjusted every two years according to predetermined formulae set forth in the agreements. The USTR has specified the following new thresholds in the **Federal Register** (82 FR 58248, December 11, 2017):

Trade Agreement	Supply Contract (equal to or exceeding)	Construction Contract (equal to or exceeding)
WTO GPA	\$180,000	\$6,932,000
FTAs:		
Australia FTA	80,317	6,932,000
Bahrain FTA	180,000	10,441,216
CAFTA-DR (Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua)	80,317	6,932,000
Chile FTA	80,317	6,932,000
Columbia	80,317	6,932,000
Korea	100,000	6,932,000
Morocco FTA	180,000	6,932,000
NAFTA:		
—Canada	25,000	10,441,216
—Mexico	80,317	10,441,216
Panama FTA	180,000	6,932,000
Peru FTA	180,000	6,932,000
Singapore FTA	80,317	6,932,000

II. Publication of This Final Rule for Public Comment Is Not Required by Statute

The statute that applies to the publication of the Federal Acquisition Regulation (FAR) is 41 U.S.C. 1707 entitled “Publication of Proposed Regulations.” Paragraph (a)(1) of the statute requires that a procurement policy, regulation, procedure or form (including an amendment or modification thereof) must be published for public comment if it relates to the expenditure of appropriated funds, and has either a significant effect beyond the internal operating procedures of the agency issuing the policy, regulation, procedure, or form, or has a significant cost or administrative impact on contractors or offerors. This final rule is not required to be published for public comment, because it does not constitute a significant DFARS revision within the meaning of FAR 1.501-1 and does not have a significant cost or administrative impact on contractors or offerors. This final rule is not required to be published for public comment, because it only adjusts the thresholds according to predetermined formulae to adjust for changes in economic conditions, thus maintaining the status quo, without significant effect beyond the internal operating procedures of the Government.

III. Applicability to Contracts at or Below the Simplified Acquisition Threshold and for Commercial Items, Including Commercially Available Off-the-Shelf Items

This rule amends the DFARS to revise thresholds for application of the WTO GPA and the FTA. The revisions do not add any new burdens or impact applicability of clauses and provisions at or below the simplified acquisition threshold, or to commercial items.

IV. Executive Orders 12866 and 13563

Executive Order (E.O.) 12866, Regulatory Planning and Review, and E.O. 13563, Improving Regulation and Regulatory Review, direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The Office of Management and Budget, Office of Information and Regulatory Affairs (OIRA), has determined that this is not a significant regulatory action as defined under section 3(f) of E.O. 12866 and, therefore, was not subject to review under section 6(b). This rule is not a major rule as defined at 5 U.S.C. 804(2).

V. Executive Order 13771

This rule is not subject to E.O. 13771, Reducing Regulation and Controlling Regulatory Costs, because this rule is not a significant regulatory action under E.O. 12866.

VI. Regulatory Flexibility Act

The Regulatory Flexibility Act does not apply to this rule because this final rule does not constitute a significant FAR revision within the meaning of FAR 1.501-1, and 41 U.S.C. 1707 and does not require publication for public comment.

VII. Paperwork Reduction Act

The Paperwork Reduction Act (44 U.S.C chapter 35) does apply, because the final rule affects the prescriptions for use of the certification and information collection requirements in

the provision at DFARS 252.225-7035, Buy American-Free Trade Agreements-Balance of Payments Program Certificate, and the certification and information collection requirements in the provision at DFARS 252.225-7018, Photovoltaic Devices—Certificate. The changes to these DFARS clauses do not impose additional information collection requirements to the paperwork burden previously approved under OMB Control Number 0704-0229, entitled “DFARS Part 225, Foreign Acquisition and related clauses,” because the threshold changes are in line with inflation and maintain the status quo.

List of Subjects in 48 CFR Parts 225 and 252

Government procurement.

Jennifer L. Hawes,
Regulatory Control Officer, Defense Acquisition Regulations System.

Therefore, 48 CFR parts 225 and 252 are amended as follows:

■ 1. The authority citation for 48 CFR parts 225 and 252 continues to read as follows:

Authority: 41 U.S.C. 1303 and 48 CFR chapter 1.

PART 225—FOREIGN ACQUISITION

225.1101 [Amended]

- 2. Amend section 225.1101 by—
- a. In paragraph (6) introductory text, removing “\$191,000” and adding “\$180,000” in its place;
- b. In paragraph (10)(i) introductory text, removing “\$191,000” and adding “\$180,000” in its place;
- c. In paragraph (10)(i)(A), removing “\$191,000” and adding “\$180,000” in its place;
- d. In paragraph (10)(i)(B), removing “\$77,533” and adding “\$80,317” in its place;

- e. In paragraph (10)(i)(C), removing “\$191,000” and adding “\$180,000” in its place; and
- f. In paragraphs (10)(i)(D) through (F), removing “\$77,533” wherever it appears and adding “\$80,317” in its place.

225.7017-3 [Amended]

- 3. Amend section 225.7017-3, in paragraph (b), by removing “\$191,000” and adding “\$180,000” in its place.

225.7017-4 [Amended]

- 4. Amend section 225.7017-4, in paragraphs (a)(1) and (b)(1), by removing “\$191,000” and adding “\$180,000” in both places.

225.7503 [Amended]

- 5. Amend section 225.7503 by—
- a. In paragraphs (a) and (b) introductory text, removing “\$7,358,000” and adding “\$6,932,000” in both places;
- b. In paragraph (b)(1), removing “\$10,079,365” and adding “\$10,441,216” in its place;
- c. In paragraph (b)(2), removing “\$7,358,000” and adding “\$6,932,000” in its place, and removing “\$10,079,365” and adding “\$10,441,216” in its place;
- d. In paragraph (b)(3), removing “\$10,079,365” and adding “\$10,441,216” in its place; and
- e. In paragraph (b)(4), removing “\$7,358,000” and adding “\$6,932,000” in its place, and removing “\$10,079,365” and adding “\$10,441,216” in its place.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**252.225-7017 [Amended]**

- 6. Amend section 252.225-7017 by—
- a. Removing clause date “(DEC 2016)” and adding “(JAN 2018)” in its place;
- b. In paragraphs (c)(2) and (3), removing “\$77,533” and adding “\$80,317” in its place; and
- c. In paragraphs (c)(4) and (5), removing “\$191,000” and adding “\$180,000” in its place.

252.225-7018 [Amended]

- 7. Amend section 252.225-7018 by—
- a. Removing clause date “(JAN 2016)” and adding “(JAN 2018)” in its place;
- b. In paragraph (b)(1) introductory text, removing “\$191,000” and adding “\$180,000” in its place;
- c. In paragraph (b)(2), removing “\$191,000” and adding “\$180,000” in its place;
- d. In paragraphs (d)(3) and (4) introductory text, removing “\$77,533”

and adding “\$80,317” in both places; and

- e. In paragraphs (d)(5) and (6) introductory text, removing “\$191,000” and adding “\$180,000” in its place.

[FR Doc. 2017-27781 Filed 12-27-17; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE**Defense Acquisition Regulations System****48 CFR Parts 225 and 252**

[Docket DARS-2017-0020]

RIN 0750-AJ47

Defense Federal Acquisition Regulation Supplement: New Qualifying Country-Latvia (DFARS Case 2017-D037)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to add Latvia as a qualifying country.

DATES: Effective December 28, 2017.

FOR FURTHER INFORMATION CONTACT: Ms. Amy Williams, telephone 571-372-6106.

SUPPLEMENTARY INFORMATION:**I. Background**

DoD is amending the DFARS to add Latvia as a qualifying country. On April 10, 2017, the Secretary of Defense and the Minister of Defense of the Republic of Latvia signed a Reciprocal Defense Procurement Agreement. The Secretary of Defense also signed, on that day, a determination and findings that it is inconsistent with the public interest to apply the restrictions of the Buy American Act to the acquisition of articles, materials, and supplies, produced or manufactured in the Republic of Latvia. The agreement removes discriminatory barriers to procurements of supplies and services produced by industrial enterprises of the other country to the extent mutually beneficial and consistent with national laws, regulations, policies, and international obligations. This agreement does not cover construction or construction material. Latvia is already a designated country under the World Trade Organization Government Procurement Agreement.

II. Applicability to Contracts at or Below the Simplified Acquisition Threshold and for Commercial Items, Including Commercially Available Off-the-Shelf Items

This rule only updates the list of qualifying countries in the DFARS by adding the newly qualifying country of Latvia. The definition of “qualifying country” is updated in each of the following clauses; however, this revision does not impact the clause prescriptions for use, or applicability at or below the simplified acquisition threshold, or applicability to commercial items. The clauses are: DFARS 252.225-7001, Buy American and Balance of Payments Program; DFARS 252.225-7002, Qualifying Country Sources as Subcontractors; DFARS 252.225-7012, Preference for Certain Domestic Commodities; DFARS 252.225-7017, Photovoltaic Devices; DFARS 252.225-7021, Trade Agreements; and DFARS 252.225-7036, Buy American—Trade Agreements—Balance of Payments Program.

III. Publication of This Final Rule for Public Comment Is Not Required by Statute

The statute that applies to the publication of the Federal Acquisition Regulation (FAR) is 41 U.S.C. 1707 entitled “Publication of Proposed Regulations.” Paragraph (a)(1) of the statute requires that a procurement policy, regulation, procedure or form (including an amendment or modification thereof) must be published for public comment if it relates to the expenditure of appropriated funds, and has either a significant effect beyond the internal operating procedures of the agency issuing the policy, regulation, procedure or form, or has a significant cost or administrative impact on contractors or offerors. This final rule is not required to be published for public comment, because it does not constitute a significant DFARS revision within the meaning of FAR 1.501-1 and does not have a significant cost or administrative impact on contractors or offerors. Latvia is added to the list of 26 other countries that have similar reciprocal defense procurement agreements with DoD. These requirements affect only the internal operating procedures of the Government.

IV. Executive Orders 12866 and 13563

Executive Order (E.O.) 12866, Regulatory Planning and Review, and E.O. 13563, Improving Regulation and Regulatory Review, direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation