

**DEPARTMENT OF DEFENSE****GENERAL SERVICES  
ADMINISTRATION****NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION****48 CFR Chapter 1**

[Docket FAR 2012–0080, Sequence 7]

**Federal Acquisition Regulation;  
Federal Acquisition Circular 2005–62;  
Introduction**AGENCIES: Department of Defense (DoD),  
General Services Administration (GSA),and National Aeronautics and Space  
Administration (NASA).**ACTION:** Summary presentation of a final  
and interim rule.**SUMMARY:** This document summarizes  
the Federal Acquisition Regulation  
(FAR) rules agreed to by the Civilian  
Agency Acquisition Council and the  
Defense Acquisition Regulations  
Council (Councils) in this Federal  
Acquisition Circular (FAC) 2005–62. 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:** The  
analyst whose name appears in the table  
below in relation to each FAR case.  
Please cite FAC 2005–62 and the  
specific FAR case numbers. For  
information pertaining to status or  
publication schedules, contact the  
Regulatory Secretariat at 202–501–4755.

## LIST OF RULES IN FAC 2005–62

Item	Subject	FAR case	Analyst
I .....	Updates to Contract Reporting and Central Contractor Registration .....	2010–014	Loeb.
II .....	Interagency Acquisitions: Compliance by Nondefense Agencies with Defense Procurement Requirements.	2012–010	Corrigan.
III .....	Free Trade Agreement—Panama .....	2012–027	Davis.

**SUPPLEMENTARY INFORMATION:**

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 subjects set forth in the documents following these item summaries. FAC 2005–62 amends the FAR as specified below:

**Item I—Updates to Contract Reporting  
and Central Contractor Registration  
(FAR Case 2010–014)**

GSA, DOD, and NASA published a proposed rule in the **Federal Register** at 76 FR 73564 on November 29, 2011 to revise the practice for and limit the use of generic Data Universal Numbering System (DUNS) Numbers, update policies on reporting into the Federal Procurement Data System (FPDS), and revise clauses for Central Contractor Registration (CCR) and DUNS Number reporting. The rule increases transparency by reducing the use of generic DUNS, but may require more small businesses to register in CCR. The rule clarifies that non-appropriated fund awards will generally not be included in FPDS. The rule also clarifies requirements for agencies to submit and review contract action reports in FPDS. This rule uses the existing term “Central Contractor Registration” rather than “System for Award Management,” because FAR Case 2012–033 will address the terminology update to “System for Award Management” throughout the FAR.

**Item II—Interagency Acquisitions:  
Compliance by Nondefense Agencies  
With Defense Procurement  
Requirements (FAR Case 2012–010)**

This interim rule amends the FAR to implement section 801 of the National Defense Authorization Act for Fiscal Year 2008 (Pub. L. 110–181), as amended (10 U.S.C. 2304 note). Section 801 requires compliance certifications by non-defense agencies that purchase on behalf of DoD, and clarifies which DoD laws and regulations apply. The agencies must comply with new FAR subpart 17.7, in addition to complying with FAR subpart 17.5. To provide clarification for small business and contracting officers, existing policy for small business goal credit for assisted acquisitions is added to section FAR 4.603(c).

**Item III—Free Trade Agreement—  
Panama (FAR Case 2012–027)**

This interim rule implements a new Free Trade Agreement with Panama (see the United States–Panama Trade Promotion Agreement Implementation Act (Pub. L. 112–43) (19 U.S.C. 3805 note)).

This Trade Promotion Agreement is a free trade agreement that provides for mutually non-discriminatory treatment of eligible products and services from Panama. This interim rule is not expected to have a significant economic impact on a substantial number of small entities.

Federal Acquisition Circular (FAC) 2005–62 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 2005–62 is effective November 20, 2012, except for Item I which is effective December 20, 2012.

Dated: November 9, 2012.

**Laura Auletta,**

Director, Office of Governmentwide  
Acquisition Policy, Office of Acquisition  
Policy, Office of Governmentwide Policy.

Dated: November 6, 2012.

**Richard Ginman,**

Deputy Director, Defense Procurement and  
Acquisition Policy.

Dated: November 5, 2012.

**Joseph A. Neurauter,**

Senior Procurement Executive/Deputy CAO,  
Office of Acquisition Policy, U.S. General  
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Dated: November 5, 2012.

**William P. McNally,**

Assistant Administrator for Procurement,  
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