

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

[Docket No. FAR–2022–0051, Sequence No. 6]

**Federal Acquisition Regulation;
Federal Acquisition Circular 2023–01;
Introduction****AGENCY:** Department of Defense (DoD),
General Services Administration (GSA),and National Aeronautics and Space
Administration (NASA).**ACTION:** Summary presentation of final
rules.**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) 2023–01. A
companion document, the *Small Entity
Compliance Guide* (SECG), follows this
FAC.**DATES:** For effective dates see the
separate documents, which follow.**FOR FURTHER INFORMATION CONTACT:** The
analyst whose name appears in the table
below in relation to the FAR case. For
information pertaining to status or
publication schedules, contact the
Regulatory Secretariat Division at 202–
501–4755 or GSARegSec@gsa.gov.**RULES LISTED IN FAC 2023–01**

Item	Subject	FAR case	Analyst
I	Updates to Title 10 Citations	2022–005	Moore.
II	Effective Communication Between Government and Industry	2016–005	Jackson.
III	United States-Mexico-Canada Agreement	2020–014	Jackson.
IV	Technical Amendments.		

ADDRESSES: The FAC, including the
SECG, is available at [https://
www.regulations.gov](https://www.regulations.gov).**SUPPLEMENTARY INFORMATION:**Summaries for each FAR rule follow.
For the actual revisions and/or
amendments made by these FAR rules,
refer to the specific item numbers and
subjects set forth in the documents
following these item summaries. FAC
2023–01 amends the FAR as follows:**Item I—Update to Title 10 Citations
(FAR Case 2022–005)**This final rule amends the Federal
Acquisition Regulation to update
statutory references to Title 10 of the
United States Code, which were revised
by Title XVIII of the William M. (Mac)
Thornberry National Defense
Authorization Act (NDAA) for Fiscal
Year (FY) 2021 (Pub. L. 116–283),
Transfer and Reorganization of Defense
Acquisition Statutes, and Title XVII of
the NDAA for FY 2022 (Pub. L. 117–81),
Technical Amendments Related to the
Transfer and Reorganization of Defense
Acquisition Statutes. The final rule will
not have a significant economic impact
on a substantial number of small entities
because it simply updates statutory
references in existing regulations.**Item II—Effective Communication
Between Government and Industry
(FAR Case 2016–005)**This final rule amends the FAR to
implement section 887 of the National
Defense Authorization Act (NDAA) for
Fiscal Year (FY) 2016 (Pub. L. 114–92).This rule clarifies that agency
acquisition personnel are permitted and
encouraged to engage in responsible and
constructive exchanges with industry,
so long as those exchanges are
consistent with existing laws and
regulations, and do not promote an
unfair competitive advantage to
particular firms.DoD, GSA, and NASA do not expect
this final rule to have a significant
economic impact on a substantial
number of small entities. Any effect to
small businesses should be positive.
Small businesses will benefit from
better communication with the
Government.**Item III—United States-Mexico-Canada
Agreement (FAR Case 2020–014)**This final rule implements the United
States-Mexico-Canada Agreement
Implementation Act (Pub. L. 116–113).
The rule makes changes in the FAR to
conform to Chapter 13 of the United
States-Mexico-Canada Agreement
(USMCA), which sets forth certain
obligations between the United States
and Mexico with respect to Government
procurement of goods and services, as
specified in Annex 13–A of the USMCA.
Chapter 13 of the USMCA applies only
between Mexico and the United States
and does not cover Canada. Although
Canada is still a designated country
under the World Trade Organization
Government Procurement Agreement,
Canada is no longer a Free Trade
Agreement country. Therefore,
references to Canada as a Free TradeAgreement country in the FAR are
deleted, including the \$25,000
threshold. DoD, GSA, and NASA do not
expect this rule to have a significant
economic impact on a substantial
number of small entities. The effect on
contracting officers is expected to be
minimal as they will continue to apply
the rule implementing the USMCA to
contracts to which the North American
Free Trade Agreement (NAFTA)
applied, at the higher threshold for
Mexico.**Item IV—Technical Amendments**Administrative changes are made at
FAR 17.701, and 53.300.**William F. Clark,***Director, Office of Government-Wide
Acquisition Policy, Office of Acquisition
Policy, Office of Government-Wide Policy.*Federal Acquisition Circular (FAC)
2023–01 is issued under the authority of
the Secretary of Defense, the
Administrator of General Services, and
the Administrator of National
Aeronautics and Space Administration.Unless otherwise specified, all
Federal Acquisition Regulation (FAR)
and other directive material contained
in FAC 2023–01 is effective December 1,
2022 except for Items I through IV,
which are effective December 30, 2022.John M. Tenaglia,
*Principal Director, Defense Pricing and
Contracting, Department of Defense.*
Jeffrey A. Koses,

Senior Procurement Executive/Deputy CAO,
Office of Acquisition Policy, U.S. General
Services Administration.

Karla Smith Jackson,
Assistant Administrator for Procurement,
Senior Procurement Executive, National
Aeronautics and Space Administration.

[FR Doc. 2022-25957 Filed 11-30-22; 8:45 am]

BILLING CODE 6820-EP-P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 17 and 53

[FAC 2023-01; Item IV; Docket No. FAR-
2022-0052; Sequence No. 4]

Federal Acquisition Regulation; Technical Amendments

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

ACTION: Final rule.

SUMMARY: This document makes
amendments to the Federal Acquisition
Regulation (FAR) in order to make
needed editorial changes.

DATES: *Effective:* December 30, 2022.

FOR FURTHER INFORMATION CONTACT: Ms.
Lois Mandell, Regulatory Secretariat
Division (MVCB), at 202-501-4755 or
GSARegSec@gsa.gov. Please cite FAC
2023-01, Technical Amendments.

SUPPLEMENTARY INFORMATION: This
document makes editorial changes to 48
CFR parts 17 and 53.

List of Subjects in 48 CFR Parts 17 and 53

Government procurement.

William F. Clark,

Director, Office of Government-Wide
Acquisition Policy, Office of Acquisition
Policy, Office of Government-Wide Policy.

Therefore, DoD, GSA, and NASA
amend 48 CFR parts 17 and 53 as set
forth below:

■ 1. The authority citation for 48 CFR
parts 17 and 53 continues to read as
follows:

Authority: 40 U.S.C. 121(c); 10 U.S.C.
chapter 4 and 10 U.S.C. chapter 137 legacy
provisions (see 10 U.S.C. 3016); and 51
U.S.C. 20113.

PART 17—SPECIAL CONTRACTING METHODS

17.701 [Amended]

■ 2. Amend section 17.701 in the
introductory text of the definition of
“Nondefense agency that is an element
of the intelligence community” by
removing the phrase “50 U.S.C.
401a(4)” and adding the phrase “50
U.S.C. 3003(4)” in its place.

PART 53—FORMS

■ 3. Amend section 53.300, in Table 53-
1 in paragraph (a), by revising the entry
for “SF 273” to read as follows:

53.300 Listing of Standard, Optional, and Agency forms.

* * * * *

(a) * * *

TABLE 53-1—FORMS IN THE GSA
FORMS LIBRARY

Form No.	Form title
* * * * *	
SF 273	Reinsurance Agreement for a Bonds Statute Performance Bond.
* * * * *	
* * * * *	

[FR Doc. 2022-25961 Filed 11-30-22; 8:45 am]

BILLING CODE 6820-EP-P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Chapter 1

[Docket No. FAR-2022-0051, Sequence No.
6]

Federal Acquisition Regulation; Federal Acquisition Circular 2023-01; Small Entity Compliance Guide

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

ACTION: Small Entity Compliance Guide
(SECG).

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 the rules appearing in
Federal Acquisition Circular (FAC)
2023-01, which amends the Federal
Acquisition Regulation (FAR).
Interested parties may obtain further
information regarding these rules by
referring to FAC 2023-01, which
precedes this document.

DATES: December 1, 2022.

ADDRESSES: The FAC, including the
SECG, is available at [https://
www.regulations.gov](https://www.regulations.gov).

FOR FURTHER INFORMATION CONTACT: For
clarification of content, contact the
analyst whose name appears in the table
below. Please cite FAC 2023-01 and the
FAR Case number. For information
pertaining to status or publication
schedules, contact the Regulatory
Secretariat Division at 202-501-4755 or
GSARegSec@gsa.gov. An asterisk (*)
next to a rule indicates that a regulatory
flexibility analysis has been prepared.

RULES LISTED IN FAC 2023-01

Item	Subject	FAR case	Analyst
I	Updates to Title 10 Citations	2022-005	Moore.
*II	Effective Communication Between Government and Industry	2016-005	Jackson.
*III	United States-Mexico-Canada Agreement	2020-014	Jackson.
IV	Technical Amendments.		

SUPPLEMENTARY INFORMATION:

Summaries for each FAR rule follow.

For the actual revisions and/or
amendments made by these FAR rules,

refer to the specific item numbers and
subjects set forth in the documents