

PART 20—LABOR SURPLUS AREA CONCERNS**20.103 [Amended]**

72. Section 20.103 is amended by removing the phrase "appropriate small purchase limitation in part 13" in paragraph (b) and inserting "simplified acquisition threshold in 13.101" in its place.

20.104 [Amended]

73. Section 20.104 is amended by removing the phrase "appropriate small purchase limitation in part 13" in the introductory text and inserting "simplified acquisition threshold in 13.101" in its place.

20.202 [Amended]

74. Section 20.202 is amended by removing the phrase "appropriate small purchase limitation in part 13" and inserting "simplified acquisition threshold in 13.101" in its place.

20.301 [Amended]

75. Section 20.301 is amended in paragraph (a) by removing the phrase "appropriate small purchase limitation in part 13" and inserting "simplified acquisition threshold in 13.101" in its place.

20.302 [Amended]

76. Section 20.302 is amended in paragraph (a) introductory text by removing the phrase "appropriate small purchase limitation in part 13" and inserting "simplified acquisition threshold in 13.101" in its place.

PART 22—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS**22.202 [Amended]**

77. Section 22.202 is amended in the introductory text by adding the phrase "above the micro-purchase threshold," after "contracts".

78. Section 22.305 is amended by revising the first sentence of the introductory text and paragraph (a), removing paragraph (b) and redesignating paragraphs (c) through (h) as (b) through (g) to read as follows:

22.305 Contract clause.

The contracting officer shall insert the clause at 52.222-4, Contract Work Hours and Safety Standards Act-Overtime Compensation, in solicitations and contracts (including, for this purpose, basic ordering agreements) when the contract may require or involve the employment of laborers or mechanics. * * *

(a) Contracts at or below the simplified acquisition threshold.

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22.1006 Contract clauses.

79. Section 22.1006 is amended by revising the heading to read as set forth above and by removing from the first two sentences of paragraphs (c)(1) and (c)(2) the phrase "small purchase limitation" and inserting "simplified acquisition threshold" in their places.

PART 23—ENVIRONMENT CONSERVATION, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE

80. Section 23.101 is amended by revising the first sentence to read as follows:

23.101 Applicability.

This subpart does not apply to contracts at or below the simplified acquisition threshold or to the use of facilities outside the United States.

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81. Section 23.501 is amended by revising paragraph (a) to read as follows:

23.501 Applicability.

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(a) Contracts at or below the simplified acquisition threshold; however, the requirements of this subpart shall apply to contracts of any value if the contract is awarded to an individual;

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82. Section 23.504 is amended by revising the introductory text of paragraph (a) to read as follows:

23.504 Policy.

(a) No offeror other than an individual shall be considered a responsible source (see 9.104-1) for a contract that exceeds the simplified acquisition threshold, unless it has certified, pursuant to 52.223-5, Certification Regarding a Drug-Free Workplace, that it will provide a drug-free workplace by—

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83. Section 23.505 is amended by revising paragraph (a)(2) to read as follows:

23.505 Solicitation provision and contract clause.

(a) * * *

(2) Expected to exceed the simplified acquisition threshold if the contract is expected to be awarded to other than an individual; or

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PART 25—FOREIGN ACQUISITION

84. Section 25.302 is amended by revising paragraph (b)(1) to read as follows:

25.302 Policy.

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(b) * * *

(1) The estimated cost of the product or service is at or below the simplified acquisition threshold in part 13.

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85. Section 25.703 is amended by revising the third sentence to read as follows:

25.703 Exceptions.

* * * The approval level for this exception is the contracting officer for acquisitions at or below the simplified acquisition threshold unless otherwise provided by agency procedures. In the case of contracts in excess of the simplified acquisition threshold, the approval level is the agency head. * * *

PART 27—PATENTS, DATA, AND COPYRIGHTS

86. Section 27.201-2 is amended by revising paragraph (a) to read as follows:

27.201-2 Clauses on authorization and consent.

(a) The contracting officer shall insert the clause at 52.227-1, Authorization and Consent, in solicitations and contracts (including those for construction; architect-engineer services; dismantling, demolition, or removal of improvements; and noncommon carrier communication services), except when using simplified acquisition procedures or both complete performance and delivery are outside the United States, its possessions, and Puerto Rico. Although the clause is not required when simplified acquisition procedures are used, it may be used with them.

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87. Section 27.202-2 is revised to read as follows:

27.202-2 Clause on notice and assistance.

The contracting officer shall insert the clause at 52.227-2, Notice and Assistance Regarding Patent and Copyright Infringement, in supply, service, or research and development solicitations and contracts (including construction and architect-engineer contracts) which anticipate a contract value above the simplified acquisition threshold, except when complete performance and delivery are outside the United States, its possessions, and Puerto Rico, unless the contracts indicate that the supplies or other