

| | | | | | | | |
|------------------------|---|-----------------|-------|-----------------------------|-------------|-------------------------|------------------------|
| Case Number | 2019-D009 | FAR Type | DFARS | Associated Divisions | Procurement | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | Use of Supplier Performance Risk System (SPRS) Assessments | | | | | | |
| <u>Synopsis</u> | The purpose of this case is to amend the DFARS to incorporate SPRS risk assessments, to include price, item and supplier risk, in the evaluation of offerors and the determination of responsibility. DFARS Case 2017-D003 has been closed into DFARS case 2019-D009. | | | | | | |
| <u>Status</u> | 01/09/2019 DARC Director tasked Ad Hoc Team to draft proposed DFARS rule. Report due 02/20/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2019-D008 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Review of Defense Solicitations by Procurement Center Representatives | | | | | | |
| <u>Synopsis</u> | Implements the Small Business Administration (SBA) proposed rule published December 4, 2018 (83 FR 62516), which implements section 1811 of the National Defense Authorization Act for Fiscal Year 2017 (Pub. L. 114-328). Section 1811 excludes certain solicitations issued by or for DoD from review by SBA procurement center representatives. | | | | | | |
| <u>Status</u> | 01/09/2019 DARC Director tasked Acquisition Small Business (DFARS) Team to draft proposed DFARS rule. Report due 03/06/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-------|-----------------------------|-------------|-------------------------|------------------------|
| Case Number | 2019-D007 | FAR Type | DFARS | Associated Divisions | Procurement | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | Repeal of DFARS Provision "Availability of Specifications, Standards, and Data Item Descriptions Not Listed in the Acquisition Streamlining and Standardization Information System (ASSIST), and Plans, Drawings, and Other Pertinent Documents" | | | | | | |
| <u>Synopsis</u> | Repeals DFARS clause 252.211-7001, Availability of Specifications, Standards, and Data Item Descriptions Not Listed in the Acquisition Streamlining and Standardization Information System (ASSIST), and Plans, Drawings, and Other Pertinent Documents, pursuant to action taken by the DoD Regulatory Reform Task Force. | | | | | | |
| <u>Status</u> | 01/03/2019 DARC Director tasked DARS Staff to draft final DFARS rule. Report due 03/27/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|--|-----------------|-------|-----------------------------|-------------|-------------------------|-------------------------|
| <u>Case Number</u> | 2019-D006 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (R) Repeal of DFARS Clause "Oral Attestation of Security Responsibilities" | | | | | | |
| <u>Synopsis</u> | Repeals DFARS clause 252.204-7005, Oral Attestation of Security Responsibilities, pursuant to action taken by the DoD Regulatory Reform Task Force | | | | | | |
| <u>Status</u> | 01/03/2019 DARC Director tasked DARS Staff to draft final DFARS rule. Report due 03/13/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2019-D005 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Labor Categories for Task Orders | | | | | | |
| <u>Synopsis</u> | <p>Implements Recommendation 1 of the . DODIG-2019 -029, DoD Task Orders Issued Under One Acquisition Solution for Integrated Services Contracts, 11/27/2018. Recommendation 1 requests Director, DPC, to develop policy for applicable ID/IQ services contracts to develop verification procedures for labor categories within QASP; identification of relevancy and application of education and work experience requirements for labor categories in RFPs; and documentation of deviations from requirements and related resolution of deviations in the contract files during performance of service contracts.</p> | | | | | | |
| <u>Status</u> | <p>12/19/2018 DARC Director tasked Acquisition Strategy (DFARS) Services Sub Team to draft proposed DFARS rule. Report due 02/13/2019.</p> | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|---|-----------------|-------|-----------------------------|-------|-------------------------|------------------------|
| Case Number | 2019-D004 | FAR Type | DFARS | Associated Divisions | SmBiz | Rulemaking Stage | Case Open, Pre-Comment |
| Title | (S) Revision of Nonmanufacturer Rule for 8 (a) Participants | | | | | | |
| Synopsis | Implements SBA's final rule (81 FR 34243) for section 1651 of the NDAA for FY 2013 (Pub. L. 112- 239), which revised the nonmanufacturer rule. The "nonmanufacturer rule" is an exception to the small business set-asides requirement that the prime contract holder must cover at least 50% of product manufacturing costs. This rule permits small businesses to supply products to the government that they did not manufacture, if a different small business manufactured the products. | | | | | | |
| Status | 11/16/2018 DARC Director tasked staff to draft proposed DFARS rule. Report due 02/2019. | | | | | | |
| Notes | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|--------------------------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2019-D003 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Systems Engineering, Armaments | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Reliability and Maintainability in Weapon System Design | | | | | | |
| <u>Synopsis</u> | <p>DFARS case implements section 834 "Requirement to Emphasize Reliability and Maintainability in Weapon System Design" of the NDAA for FY 2018. Section 834 adds 10 U.S.C. 2443 Sustainment factor requirements in weapons system design.</p> | | | | | | |
| <u>Status</u> | <p>10/31/2018 DARC Director tasked Acquisition Strategy (DFARS) / Systems Acquisition Team to draft proposed DFARS rule. Report due 01/16/2019.</p> | | | | | | |
| <u>Notes</u> | | | | | | | |

| Case Number | 2019-D002 | FAR Type | DFARS | Associated Divisions | Procurement | Rulemaking Stage | Case Open, Pre-Comment |
|-------------|--|----------|-------|----------------------|-------------|------------------|------------------------|
| Title | (S) Preference for Performance-Based Payments | | | | | | |
| Synopsis | Implements the NDAA for FY 2017 (Pub. L. 114-328) section 831, Preference for Performance-Based Contract Payments. | | | | | | |
| Status | 01/03/2019 Case manager forwarded draft proposed rule to DARS Regulatory Control Officer. DARS Regulatory Control Officer reviewing. | | | | | | |
| Notes | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2019-D001 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Contract Financing | | | | | | |
| <u>Synopsis</u> | Revises contract financing policies for DoD contracts, in order to increase DoD's overall effectiveness and efficiency. | | | | | | |
| <u>Status</u> | 12/12/2018 Published in FRN (83 FR 63846) announcement of public meetings on 1/19/2019, 1/22/2019, and 2/19/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|--|-----------------|-------|-----------------------------|-------------|-------------------------|------------------------|
| <u>Case Number</u> | 2018-D076 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Repeal of Congressional Notification for Certain Task and Delivery-Order Contracts | | | | | | |
| <u>Synopsis</u> | Amends the DFARS to clarify that the Congressional notification required by FAR 16.504(c)(1)(ii)(D)(2) is not applicable to DoD and removes the requirement for single source determinations to be submitted to Defense Pricing and Contracting. | | | | | | |
| <u>Status</u> | 01/08/2019 DARC received draft final DFARS rule from Staff Team. Will discuss on 01/23/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D075 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Exceptional Circumstances Waivers of Certified Cost or Pricing Data | | | | | | |
| <u>Synopsis</u> | Implements section 825 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY)2019, which amends section 817(b)(2) of the NDAA for FY 2003 to modify the requirements for exceptional circumstances waivers of certified cost or pricing data. | | | | | | |
| <u>Status</u> | 08/22/2018 DARC Director tasked DRAFS Finance Team to draft proposed DFARS rule. Report due date extended to 01/16/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|--|-----------------|-------|-----------------------------|-------------|-------------------------|------------------------|
| Case Number | 2018-D074 | FAR Type | DFARS | Associated Divisions | Procurement | Rulemaking Stage | Case Open, Pre-Comment |
| Title | (S) Inapplicability of Additional Defense-Unique Laws to Commercial Items | | | | | | |
| Synopsis | Partially implements section 837(a) of the NDAA for FY 2019. to address commercial item applicability for DFARS-unique statutes and associated contract clauses issued from October 13, 1994, through December 31, 2014. Nonstatutory FAR contract clauses issued in this same time period are being reviewed on or after January 1, 2015, are being reviewed under FAR Case 2018-019. DFARS Case 2017-D010 addresses applicability of defense-unique statutes and associated clauses issued in the period on or after January 1, 2015. The requirements of section 837(b) and (c) will be addressed under DFARS Case 2018-D066. | | | | | | |
| Status | 10/18/2018 DARC Director tasked ad hoc Cmte. to draft proposed DFARS rule. This case rolls in DFARS Case 2018-D067, Limitation on Applicability to DoD Commercial Contracts of certain DFARS clauses. Report due date extended to 01/23/2019. | | | | | | |
| Notes | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|-----------------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D070 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Technical Information | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Continuation of Technical Data Rights during Challenges | | | | | | |
| <u>Synopsis</u> | Implements section 866 of the NDAA for FY 2019. Section 866 provides for the Secretary of Defense to authorize, in certain circumstances, continued Government use of technical data that is the subject of a dispute under the contract dispute statute. | | | | | | |
| <u>Status</u> | 08/23/2018 Case on hold, pending recommendation of Section 813 Panel. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-------|-----------------------------|-----------------------|-------------------------|------------------------|
| Case Number | 2018-D069 | FAR Type | DFARS | Associated Divisions | Technical Information | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | (S) Validation of Proprietary and Technical Data | | | | | | |
| <u>Synopsis</u> | Implements section 865 of the NDAA for FY 2019. Section 865 provides for a presumption of development exclusively at private expense under a contract for commercial items, unless DoD demonstrates the item was not developed exclusively at private expense. | | | | | | |
| <u>Status</u> | 08/23/2018 Case on hold, pending recommendation of Section 813 Panel. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D068 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Prompt Payments of Small Business Contractors | | | | | | |
| <u>Synopsis</u> | Implements section 852 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY)2019, which requires accelerated payment dates for small business prime contractors and prime contractors that subcontract with small business concerns. | | | | | | |
| <u>Status</u> | 08/22/2018 DARC Director tasked DFARS Finance Team to draft proposed DFARS rule.Report due date extended to 02/13/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D066 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Revision of Definition of Commercial Item | | | | | | |
| <u>Synopsis</u> | Partially implements sections 836 and 837 of the NDAA for FY 2019 (Pub. L. 115-232). Section 836 separates the definition of "commercial item" into two definitions: one for commercial products and another for commercial services. The effective date of the new definition is January 1, 2020. Section 837, paragraphs (b) and (c), implements the new definition for commercial products in 10 U.S.C. 2533a, regarding the Berry Amendment, and 10 U.S.C. 2533b, regarding specialty metals. | | | | | | |
| <u>Status</u> | 08/22/2018 DARC Director tasked Acquisition Strategy Team to draft proposed DFARS rule. Report due date extended to 02/06/2018. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|---|-----------------|-------|-----------------------------|------------------------------------|-------------------------|------------------------|
| Case Number | 2018-D063 | FAR Type | DFARS | Associated Divisions | Technical Information, Procurement | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | (S) Data Collection and Inventory for Services Contracts | | | | | | |
| <u>Synopsis</u> | This new DFARS case implements section 819 of the NDAA for FY19 (Pub. L. 115-232). Section 819 modifies reference of Under Secretary of Defense for Acquisition, Technology and Logistics to Under Secretary of Defense for Acquisition and Sustainment.. This DFARS case also implements revision to 10 U.S.C. 2330a by adding "contracts closely associated with inherently governmental functions" to the categories of data collection for DoD service contracts. | | | | | | |
| <u>Status</u> | 08/22/2018 DARC Director tasked Acquisition Strategy Team to draft proposed DFARS rule.DFARS case 2017-D035 closed into this case. Report due date extended to 01/30/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| Case Number | 2018-D059 | FAR Type | DFARS | Associated Divisions | Procurement | Rulemaking Stage | Case Open, Pre-Comment |
|-----------------|---|----------|-------|----------------------|-------------|------------------|------------------------|
| <u>Title</u> | (S) Repeal of Certain Defense Acquisition Laws | | | | | | |
| <u>Synopsis</u> | Implements Section 812 of FY19 NDAA which repeals numerous defense acquisition laws. | | | | | | |
| <u>Status</u> | 08/22/2018 DARC Director tasked an Ad Hoc Team to draft proposed DFARS rule. Report due date extended to 01/23/2019 | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|-----------------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D058 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Health Affairs, Human | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Demonstration Project for Contractors Employing Persons with Disabilities | | | | | | |
| <u>Synopsis</u> | Implements section 888 of the NDAA for FY 2019. Section 888 requires the DFARS to be updated to include an instruction on the program authorized in section 853 of the NDAA for FY 2004 for contractors employing persons with disabilities. | | | | | | |
| <u>Status</u> | 08/22/2018 DARC Director tasked Acquisition Small Business Team to draft proposed DFARS rule. Report due date extended to 01/16/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-------|-----------------------------|-------|-------------------------|------------------------|
| Case Number | 2018-D057 | FAR Type | DFARS | Associated Divisions | SmBiz | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | (S) Small Business Set-Aside for Architect-Engineer and Construction Design Contracts | | | | | | |
| <u>Synopsis</u> | Implements section 2804 of the NDAA for FY 2019. Section 2804 removes the dollar limit on small business set-asides of contracts for architectural and engineering services and for construction design, in connection with military construction projects and military family housing projects. | | | | | | |
| <u>Status</u> | 12/04/2018 Published proposed DFARS rule in Federal Register (83 FR 62554). Public comment period ends 02/04/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|--------------------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2018-D056 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement, SmBiz | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Definition of Micro-Purchase Threshold | | | | | | |
| <u>Synopsis</u> | Implements section 821 of the NDAA for FY 2019 (Pub. L. 115-232). Section 821 amends 10 U.S.C. 2338 by increasing the micro-purchase threshold for the Department of Defense from \$5,000 to \$10,000. This increase will be included in FAR Case 2018-004, so this case removes the obsolete text from the DFARS. | | | | | | |
| <u>Status</u> | 10/15/2018 Case on hold, pending publication of FAR Case 2018-004. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|---|-----------------|-------|-----------------------------|--------------------|-------------------------|------------------------|
| Case Number | 2018-D055 | FAR Type | DFARS | Associated Divisions | SmBiz, Procurement | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | (S) Past Performance of Subcontractors and Joint Venture Partners | | | | | | |
| <u>Synopsis</u> | Implements section 823 of the NDAA for FY 2019. Section 823 requires the development of policies and revisions to DFARS part 242 for the inclusion of best available information regarding past performance of subcontractors and joint venture partners when awarding contracts. | | | | | | |
| <u>Status</u> | 08/22/2018 DARC Director tasked Acquisition Environmental & Contract Management - Contract Administration Team to draft proposed DFARS rule. Report due date extended to 02/27/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-------|-----------------------------|---------------|-------------------------|------------------------|
| Case Number | 2018-D054 | FAR Type | DFARS | Associated Divisions | International | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | (S) Restriction on Acquisition of Certain Rare Earth Magnets and Tungsten | | | | | | |
| <u>Synopsis</u> | <p>Implements section 871 of the NDAA for FY 2019 (Pub. L. 115-232). Section 871 codified at 10 U.S.C. 2533c, prohibits the acquisition of any covered material melted or produced in any covered nation (North Korea, China, Russia, or Iran) or any end item that contains a covered material manufactured in any covered nation, with some exceptions. A covered material means samarium -cobalt magnets; neodymium-iron-boron magnets; tungsten metal powder; and tungsten heavy alloy or any finished or semi-finished component containing tungsten heavy alloy.</p> | | | | | | |
| <u>Status</u> | 12/12/2018 DARC agreed to draft proposed DFARS rule. Case manager processing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|---------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D053 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | International | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Export-Controlled items | | | | | | |
| <u>Synopsis</u> | Require contractors to provide any export control license to the contract administration office, in order to facilitate the use of existing host nation agreements. | | | | | | |
| <u>Status</u> | 08/22/2018 DARC Director tasked Acquisition Law Team to draft proposed DFARS rule. Report due date extended to 01/30/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|-------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D051 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | SmBiz | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (R) Modification of DFARS Clause, "Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns" | | | | | | |
| <u>Synopsis</u> | Modifies DFARS clause 252.226-7001, Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns," pursuant to action taken by the DoD Regulatory Reform Task Force. | | | | | | |
| <u>Status</u> | 12/21/2018 DARC Director tasked DARS Staff to draft final DFARS rule. Informational copy due 02/13/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D050 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (R) Modification of DFARS Clause "Payment for Subline Items Not Separately Priced" | | | | | | |
| <u>Synopsis</u> | Modifies DFARS clause 252.204-7002, Payment for Subline Items Not Separately Priced, pursuant to action taken by the DoD Regulatory Reform Task Force. | | | | | | |
| <u>Status</u> | 12/21/2018 DARC Director tasked DARS Staff to draft DFARS proposed rule. Report due 02/27/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|---|-----------------|-------|-----------------------------|-------------|-------------------------|------------------------|
| Case Number | 2018-D047 | FAR Type | DFARS | Associated Divisions | Space, Test | Rulemaking Stage | Case Open, Pre-Comment |
| Title | (R) Modification of DFARS Clause "Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles" | | | | | | |
| Synopsis | Modifies DFARS clause 252.228-7005, Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles, pursuant to action taken by the DoD Regulatory Reform Task Force. | | | | | | |
| Status | 12/21/2018 DARC Director tasked DARS Staff to draft DFARS proposed rule. Report due 02/20/2019. | | | | | | |
| Notes | | | | | | | |

| | | | | | | | |
|------------------------|---|-----------------|-------|-----------------------------|-------------|-------------------------|------------------------|
| Case Number | 2018-D046 | FAR Type | DFARS | Associated Divisions | Procurement | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | (R) Modification of DFARS Clause "Obligation of the Government" | | | | | | |
| <u>Synopsis</u> | Modifies DFARS clause 252.239-7013, Obligation of the Government, pursuant to action taken by the DoD Regulatory Reform Task Force. | | | | | | |
| <u>Status</u> | 12/21/2018 DARC Director tasked DARS Staff to draft proposed DFARS rule. Report due 02/27/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D045 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (R) Modification of DFARS Clause "Orders for Facilities and Services" | | | | | | |
| <u>Synopsis</u> | Modifies DFARS clause 252.239-7004, Orders for Facilities and Services, pursuant to action taken by the DoD Regulatory Reform Task Force. | | | | | | |
| <u>Status</u> | 12/21/2018 DARC Director tasked DARS Staff to draft proposed DFARS rule. Report due 02/27/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|---|-----------------|-------|-----------------------------|---------------|-------------------------|-------------------------|
| <u>Case Number</u> | 2018-D044 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | International | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (R) Repeal of DFARS clause "Tariff Information" | | | | | | |
| <u>Synopsis</u> | Repeals DFARS clause 252.239-7006, Tariff Information, pursuant to action taken by the DoD Regulatory Reform Task Force. | | | | | | |
| <u>Status</u> | 11/15/2018 Case manager forwarded draft final DFARS rule to DARS Regulatory Control Officer. DARS Regulatory Control Officer reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|-------------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2018-D031 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (R) Repeal of DFARS clause "Supplemental Cost Principles" | | | | | | |
| <u>Synopsis</u> | Repeals DFARS clause 252.231-7000, Supplemental Cost Principles, pursuant to action taken by the DoD Regulatory Reform Task Force. | | | | | | |
| <u>Status</u> | 01/03/2019 DARC Director tasked DARS Staff to draft proposed DFARS rule. Report due 03/06/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|--------------------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2018-D028 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement, SmBiz | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (R) Modification of DFARS clause "Transportation of Supplies By Sea" | | | | | | |
| <u>Synopsis</u> | Repeals DFARS provision 252.247-7023, Transportation of Supplies By Sea, pursuant to action taken by the DoD Regulatory Reform Task Force. | | | | | | |
| <u>Status</u> | 12/20/2018 Case manager forwarded draft final DFARS rule to DARS Regulatory Control Officer. DARS Regulatory Control Officer reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D023 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Applicability of Inflation Adjustments of Acquisition Related Thresholds | | | | | | |
| <u>Synopsis</u> | Implements section 821 of the NDAA for FY 2018 for DoD -unique thresholds. Section 821 amends 41 U.S.C. 1908(d) to make inflation adjustments of statutory acquisition-related thresholds under 41 U.S.C. 1908(d) applicable to existing contracts and subcontracts in effect on the date of the adjustment. | | | | | | |
| <u>Status</u> | 12/21/2018 Published proposed DFARS rule in Federal Register (83 FR 65618). Public comment period ends 02/19/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|----------------------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D022 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement, Cybersecurity | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Covered Telecommunications Equipment or Services | | | | | | |
| <u>Synopsis</u> | Implements section 1656 of the NDAA for FY 2018. Section 1656 provides that DoD may not procure or obtain or extend or renew a contract to provide or obtain any equipment, system, or service to carry out the DoD nuclear deterrence mission or the DoD homeland defense mission that uses covered telecommunications equipment or services as a substantial or essential component of any system or as a critical technology as a part of any system. | | | | | | |
| <u>Status</u> | 01/10/2018 DARC Director tasked IA Cmte. to draft proposed DFARS rule. Report due 03/07/2018. Report due date extended to 01/23/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|--|-----------------|-------|-----------------------------|-------------|-------------------------|-------------------------|
| <u>Case Number</u> | 2018-D021 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Definition of "Competitive Procedures" | | | | | | |
| <u>Synopsis</u> | Implements section 221 of the NDAA for FY 2018. Section 221 replaces the word "basic research" with "science and technology" in the definition of "competitive procedures" at 10 USC 2302(2)(B). | | | | | | |
| <u>Status</u> | 01/07/2019 DARC received draft final DFARS rule from Acquisition Strategy (DFARS) Team. Reclama on 01/16/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|---|-----------------|-------|-----------------------------|---------------|-------------------------|---------------------|
| Case Number | 2018-D020 | FAR Type | DFARS | Associated Divisions | Cybersecurity | Rulemaking Stage | Comment Period Open |
| <u>Title</u> | (S) Foreign Commercial Satellite Services and Certain Items on the Commerce Control List | | | | | | |
| <u>Synopsis</u> | <p>Implements section 1603 of the NDAA for FY 2018 and section 1296 of the NDAA for FY 2017. Section 1603 amends 10 U.S.C. 2279 to impose additional prohibitions with regard to acquisition of certain foreign commercial satellite services. It addresses cybersecurity risks and the source of satellites and launch vehicles used to provide the foreign satellite services. Section 1296 amends section 1211 of the NDAA for FY 2006 (Pub. L. 109-163), which was also amended by the NDAA for FY 2012 (Pub. L. 112-81). It prohibits purchase of items from a Communist Chinese military company that meet the definition of goods and services controlled as munitions items when moved to the 600 series of the Commerce Control List of the Export Administration Regulations of the Department of Commerce.</p> | | | | | | |
| <u>Status</u> | 12/21/2018 Published interim DFARS rule in Federal Register (83 FR 66066). Effective upon publication. Public comment period ends 02/19/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|---|-----------------|-------|-----------------------------|-----|-------------------------|------------------------|
| Case Number | 2018-D018 | FAR Type | DFARS | Associated Divisions | CET | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | (S) Noncommercial Computer Software | | | | | | |
| <u>Synopsis</u> | Implements section 871 of the NDAA for FY 2018. Section 871 adds new section 10 U.S.C. 2322a, Requirement for consideration of certain matters during acquisition of noncommercial computer software. | | | | | | |
| <u>Status</u> | 01/10/2018 Case on hold, pending conclusion of 813 Panel. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|---------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D014 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | MT, Armaments | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Licensing of Intellectual Property to Support Major Weapon Systems | | | | | | |
| <u>Synopsis</u> | Implements section 835 of the NDAA for FY 2018. Section 835 adds 10 U.S.C. 2439, Negotiation of price for technical data before development or production of major weapon systems. | | | | | | |
| <u>Status</u> | 01/10/2018 Case on hold, pending conclusion of 813 Panel. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-------|-----------------------------|-------------|-------------------------|-------------------------|
| Case Number | 2018-D012 | FAR Type | DFARS | Associated Divisions | Procurement | Rulemaking Stage | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Contract Closeout Authority | | | | | | |
| <u>Synopsis</u> | Implements section 824 of the NDAA for FY 2018. Section 824 amends section 836(b)(1) of the NDAA for FY 2017. Section 836 of the NDAA for FY 2017 permits closeout of certain contracts or groups of contracts without completing a reconciliation audit or other corrective action. Rolls DFARS Case 2017D026 into this case. | | | | | | |
| <u>Status</u> | 08/31/2018 DARC Director tasked Contract Administration Team to review public comments, draft final DFARS rule. Report due date extended to 01/16/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-------|-----------------------------|-------------|-------------------------|-------------------------|
| Case Number | 2018-D011 | FAR Type | DFARS | Associated Divisions | Procurement | Rulemaking Stage | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Exemption from Design-Build Selection Procedures | | | | | | |
| <u>Synopsis</u> | Implements section 823 of the NDAA for FY 2018. Section 823 amends 10 U.S.C. 2305a to provide exemptions from design-build selection procedures for contracts that exceed \$4 million. | | | | | | |
| <u>Status</u> | 12/13/2018 Case manager DARS Regulatory Control Officer reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|---|-----------------|-------|-----------------------------|-------------|-------------------------|-------------------------|
| Case Number | 2018-D010 | FAR Type | DFARS | Associated Divisions | Procurement | Rulemaking Stage | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Restrictions on Use of Lowest Price Technically Acceptable Source Selection Process | | | | | | |
| <u>Synopsis</u> | <p>Implements sections 822, 832, and 882 of the NDAA for FY 2018. Section 822 amends section 813(b) of the NDAA for FY 2017 to add additional circumstances when use of LPTA is prohibited. Section 832 adds 10 U.S.C. 24442 to prohibit use of LPTA source selection process for major defense acquisition programs. Section 882 amends section 814(a) of the NDAA for FY 2017 to include aviation critical safety items. Also implements sections 813, 814, and 892 of the NDAA for FY 2017 (Pub. L. 114-328). Section 813 implements policy to avoid using LPTA source selection criteria in situations in some circumstances. Section 814 repeals and replaces section 884 of the NDAA for FY 2016 (Pub. L. 11492). Section 814 establishes a preference for the use of best value contracting methods, and prohibits the use of reverse auctions or lowest priced technically acceptable contracting methods, when purchasing personal protective equipment and the level of quality or failure of the item could result in combat casualties. Section 892 requires selection of service providers for auditing services and audit readiness services based on the best value to DoD, rather than the lowest price technically acceptable service provider. Case 2017-D017 is rolled into this case.</p> | | | | | | |
| <u>Status</u> | 12/31/2018 Public comment period ended. DAR staff processing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D009 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Post-Award Debriefings | | | | | | |
| <u>Synopsis</u> | Implements section 818 of the NDAA for FY 2018. Section 818 requires amendment of the DFARS to provide enhanced debriefing rights for contracts and task or delivery orders that exceed \$10 million. | | | | | | |
| <u>Status</u> | 09/24/2018 Case manager forwarded draft proposed rule to DARS Regulatory Control Officer. DARS Regulatory Control Officer reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-D008 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Undefinitized Contract Actions | | | | | | |
| <u>Synopsis</u> | Implements section 815 of the NDAA for FY 2018 and section 811 of the NDAA for FY 2017, which amend 10 U.S.C. 2326 to revise the requirements for undefinitized contract actions. | | | | | | |
| <u>Status</u> | 12/19/2018 Case manager forwarded draft proposed rule to DARS Regulatory Control Officer. DARS Regulatory Control Officer reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-024 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Use of Interagency Fleet Management System Vehicles and Related Services | | | | | | |
| <u>Synopsis</u> | Amends FAR clause 52.251-1, Interagency Fleet Management System Vehicles and Related Services, to provide contractors that have been authorized to use fleet vehicles with additional information on how to request the vehicles from the Government. | | | | | | |
| <u>Status</u> | 09/14/2018 DARC Director tasked Acquisition Strategy Team to draft proposed FAR rule. Report due date extended to 01/30/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-----|------------------------------------|----------------------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-023 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | International, Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Taxes - Foreign Contracts in Afghanistan | | | | | | |
| <u>Synopsis</u> | Implements the provisions on taxes, duties, and fees contained in the Security and Defense Cooperation Agreement (dated 2014) and the North Atlantic Treaty Organization Status of Forces Agreement (dated 2014) with Afghanistan. | | | | | | |
| <u>Status</u> | 09/14/2018 DARC Director tasked Finance Team to draft proposed FAR rule. Report due 01/30/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-022 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Issued Orders via Fax or Electronic Commerce | | | | | | |
| <u>Synopsis</u> | Amends FAR clause 52.216-18, Ordering, to authorize issuance of orders via fax or email and clarify when an order is considered to be issued when utilizing these methods | | | | | | |
| <u>Status</u> | 09/14/2018 DARC Director tasked Acquisition Strategy Team to draft proposed FAR rule. Report due date extended to 01/23/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-021 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Reserve Officer Training Corps and Military Recruiting on Campus | | | | | | |
| <u>Synopsis</u> | Implements 10 U.S.C. 983 which prohibits the award of certain Federal contracts or grants to institutions of higher education that prohibit Senior Reserve Officer Training Corps units or military recruiting on campus. | | | | | | |
| <u>Status</u> | 11/29/2018 DAR staff notified FAR staff that DARC agreed to draft proposed FAR rule. Awaiting CAAC concurrence. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|--|-----------------|-----|-----------------------------|-------|-------------------------|------------------------|
| <u>Case Number</u> | 2018-020 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | SmBiz | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Construction Contract Administration | | | | | | |
| <u>Synopsis</u> | Implements section 855 of the NDAA for FY 2019. Section 855 requires, for solicitations for construction contracts anticipated to be awarded to a small business, notification to prospective offerors regarding agency policies or practices in complying with FAR requirements relating to the timely definitization of requests for equitable adjustment and agency past performance in definitizing such requests. | | | | | | |
| <u>Status</u> | 12/04/2018 DARC received Acquisition Small Business (FAR) Team draft proposed FAR rule from DAR staff. Discuss on 12/19/2018. DAR staff preparing revisions, due 2/13/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-----|-----------------------------|-------------|-------------------------|------------------------|
| Case Number | 2018-019 | FAR Type | FAR | Associated Divisions | Procurement | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | (S) Review of Commercial Contract Clause Requirements and Flowdown | | | | | | |
| <u>Synopsis</u> | <p>Implements section 839 of the NDAA for FY 2019, paragraphs (b) and (c). Paragraph (b) requires the FAR Council to review the FAR to assess every regulation that requires a specific clause in contracts for commercial products or commercial services, unless the regulation is required by law or Executive Order. Paragraph (b) also requires that revisions to the FAR be proposed to eliminate those regulations unless the FAR Council makes a determination not to eliminate a regulation. Paragraph (c) requires assessment of every regulation that requires a prime contractor to include specific clause in subcontracts for commercially available off-the-shelf items, unless the clause is required by law or Executive Order. Paragraph (c) also requires that revisions to the FAR be proposed to eliminate those regulations unless the FAR Council makes a determination not to eliminate a regulation. Paragraphs (b) and (c) require these revisions to be proposed within one year of the date of the enactment of section 839.</p> | | | | | | |
| <u>Status</u> | <p>9/17/2018, DoD, GSA, and NASA staff will research and prepare recommendation. Coordinate with Acquisition Strategy as appropriate. Report due date extended to 01/16/2019.</p> | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|---|-----------------|-----|-----------------------------|-------------|-------------------------|------------------------|
| Case Number | 2018-018 | FAR Type | FAR | Associated Divisions | Procurement | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | Revision of Commercial Item for Purpose of Federal Acquisition Statutes | | | | | | |
| <u>Synopsis</u> | Partially implements section 836 of the NDAA for FY 2019 (Pub. L. 115-232). Section 836 separates the “commercial item” definition into definitions of “commercial product” and “commercial service.” Section 836 set the effective date of the new definitions to January 1, 2020. | | | | | | |
| <u>Status</u> | 08/29/2018 DARC Director tasked Ad Hoc Team to draft proposed FAR rule. Report due date extended to 02/06/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-----|------------------------------------|----------------------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-017 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Cybersecurity, Electronics | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Telecommunications and Video Surveillance Services or Equipment | | | | | | |
| <u>Synopsis</u> | Implements section 889 of the NDAA for FY 2019 which prohibits the procurement of covered equipment and services from Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Technology Company or Dahua Technology Company, to include any subsidiaries or affiliates. | | | | | | |
| <u>Status</u> | 08/22/2018 DARC Director tasked Acquisition Technology & Information Team to draft proposed FAR rule. Report due date extended to 02/13/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-016 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Lowest Price Technically Acceptable Source Selection Process | | | | | | |
| <u>Synopsis</u> | Implements section 880 of the NDAA for FY 2019 (Pub. L. 115-232). Section 880 provides limitations and additional guidance on the situations in which lowest-priced, technically acceptable source selection criteria should be used in procurement | | | | | | |
| <u>Status</u> | 08/22/2018 DARC Director tasked Acquisition Strategy Team to draft proposed FAR rule. Report due date extended to 01/16/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|-------------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2018-015 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Governmentwide and other Interagency Contracts | | | | | | |
| <u>Synopsis</u> | Implements section 875 of the NDAA for FY 2019 (Pub. L. 115-232). Section 875 amends section 865 of the NDAA for FY 2009 to revise documentation requirements for interagency acquisitions. | | | | | | |
| <u>Status</u> | 12/10/2018 Draft final FAR rule from FAR analyst to OFPP. OFPP reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|---|-----------------|-----|-----------------------------|-------------|-------------------------|------------------------|
| <u>Case Number</u> | 2018-014 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Increasing Task-order Level Competition | | | | | | |
| <u>Synopsis</u> | Implements section 876 of the NDAA for FY 2019 (Pub. L. 115-232). Section 876 amends 41 U.S.C. 3306(c) by providing an exception to the requirement to consider price as an evaluation factor for the award of certain indefinite-delivery, indefinite-quantity contracts and Federal Supply Schedule contracts | | | | | | |
| <u>Status</u> | 08/22/2018 DARC Director tasked Acquisition Strategy Team to draft proposed FAR rule. 11/30/2018, Case transferred to FAR Acquisition Environmental and Contract Management Team. Report due date extended to 01/30/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|---|-----------------|-----|-----------------------------|--------------------|-------------------------|------------------------|
| Case Number | 2018-013 | FAR Type | FAR | Associated Divisions | Procurement, SmBiz | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | (S) Exemption of Contracts for Commercial Products and Commercial Services, and Flowdown to Commercially Available Off-the-Shelf Items from Certain Laws and Regulations. | | | | | | |
| <u>Synopsis</u> | <p>Implements section 839(a) of the NDAA for FY 2019 and section 849(a) of the NDAA for FY 2018.. Section 839 (a)of the NDAA for FY 2019 requires a review of FAR Council determinations not to exempt contracts and subcontracts for commercial products, commercial services, and commercially available off-the-shelf items from certain laws and propose revisions to the FAR to provide an exemption from each law subject to such determination unless the FAR Council determines that there is a specific reason not to provide the exemption pursuant to 41 U.S.C. 1906 or the Administrator for Federal procurement Policy makes the comparable determination pursuant to 41 U.S.C. 1907. section 849 (a) of the NDAA for FY 2018 required the same review by the Department of Defense.</p> | | | | | | |
| <u>Status</u> | 08/29/2018 DARC Director tasked Acquisition Strategy Team to draft proposed FAR rule. Report due date extended to 01/16/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-----|------------------------------------|--------------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-012 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement, SmBiz | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Rights to Federally Funded Inventions and Licensing of Government Owned Inventions | | | | | | |
| <u>Synopsis</u> | Implements the change to 37 CFR Parts 401 and 404, Rights to Federally Funded Inventions and Licensing of Government Owned Inventions, dated 14 May 2018. The change reduces regulatory burdens, provides greater clarity to large businesses by codifying the applicability of Bayh-Dole as directed in Executive Order 12591, and provides greater clarity to all federal funding recipients by updating regulatory provisions to align with provisions of the Leahy-Smith America Invents Act in terms of definitions and time frames | | | | | | |
| <u>Status</u> | 07/11/2018 DARC Director tasked staff member to draft proposed FAR rule. Report due date extended to 01/23/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-----|-----------------------------|---------------|-------------------------|-------------------------|
| Case Number | 2018-010 | FAR Type | FAR | Associated Divisions | Cybersecurity | Rulemaking Stage | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Use of Products and Services of Kaspersky Lab | | | | | | |
| <u>Synopsis</u> | Implements section 1634 of the NDAA for FY 2018. Section 1634 prohibits the use of products and services developed or provided by Kaspersky Lab. | | | | | | |
| <u>Status</u> | 09/14/2018 DARC Director tasked Technology Team to review public comments, draft final FAR rule. Report due 01/16/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-008 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Definition of "Commercial Item" | | | | | | |
| <u>Synopsis</u> | Implements section 847 of the NDAA for FY 2018. Section 847 amends the definition of "commercial item" at 41 U.S.C. 103(8), but does not affect the commercial items covered at 10 U.S.C. 2464(a)(5), core logistic capabilities. | | | | | | |
| <u>Status</u> | 10/11/2018 OIRA returned the rule with comments. FAR staff preparing to resend to OIRA. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|--------------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-007 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement, SmBiz | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Applicability of Inflation Adjustments of Acquisition Related Thresholds | | | | | | |
| <u>Synopsis</u> | Implements section 821 of the NDAA for FY 2018. Section 821 amends 41 U.S.C. 1908(d) to make inflation adjustments of statutory acquisition-related thresholds under 41 U.S.C. 1908(d) applicable to existing contracts and subcontracts in effect on the date of the adjustment. | | | | | | |
| <u>Status</u> | 12/20/2018 Draft proposed FAR rule from FAR analyst to CAAC Legal. CAAC Legal reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|--------------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2018-006 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | SmBiz, Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Provisions and Clauses for Commercial Items and Simplified Acquisitions | | | | | | |
| <u>Synopsis</u> | Implements section 820 of the NDAA for FY 2018. Section 820 amends 41 U.S.C. 1906(c)(1) to change the definition of "subcontract" in certain circumstances. Implements a new approach to the prescription and flowdown for provisions and clauses applicable to acquisitions of commercial items or acquisitions that do not exceed the simplified acquisition threshold. | | | | | | |
| <u>Status</u> | 01/10/2018 DARC Director tasked ad hoc Team to draft proposed FAR rule. Report due 02/14/2018. Combined with FAR Case 2015-004 and changed title. Report due date extended to 01/30/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-----|------------------------------------|--------------------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2018-005 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | SmBiz, Procurement | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Modifications to Cost or Pricing Data and Reporting Requirements | | | | | | |
| <u>Synopsis</u> | Implements section 811 of the NDAA for FY 2018. Section 811 modifies 10 U.S.C. 2306a and 41 U.S.C. 3502 to increase the TINA threshold to \$2 million and require other than certified cost or pricing data. | | | | | | |
| <u>Status</u> | 10/31/2018 Draft proposed FAR rule from FAR analyst to OFPP. OFPP reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-----|-----------------------------|--------------------|-------------------------|------------------------|
| Case Number | 2018-004 | FAR Type | FAR | Associated Divisions | SmBiz, Procurement | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | (S) Increased Micro-Purchase and Simplified Acquisition Thresholds | | | | | | |
| <u>Synopsis</u> | Implements sections 805, 806, and 1702(a) of the NDAA for FY 2018. Section 805 increases the MPT to \$10,000 and limits use of convenience checks to not more than 1/2 the MPT. Section 805 increases the SAT to \$250,000. Section 1702(a) amends section 15(j)(1) of the Small Business Act (15 U.S.C. 644(j)(1) to replace specific dollar thresholds with the terms "micro-purchase threshold" and "simplified acquisition threshold." | | | | | | |
| <u>Status</u> | 09/10/2018 OFPP identified draft proposed FAR rule issues. OFPP, FAR and DAR staff resolving issues. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|--|-----------------|-----|-----------------------------|-------|-------------------------|------------------------|
| <u>Case Number</u> | 2018-003 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | SmBiz | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Credit for Lower-Tier Small Business Subcontracting | | | | | | |
| <u>Synopsis</u> | Implements section 1614 of the NDAA for FY 2014, as implemented in the SBA regulations on 12/23/2016 (81 FR 94246), which allows prime contractors to receive credit toward goals in their small business subcontracting plans for subcontracts awarded by their subcontractors. | | | | | | |
| <u>Status</u> | 09/14/2018 DAR staff notified FAR staff that DARC agreed to draft proposed FAR rule. Awaiting CAAC concurrence. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|---|-----------------|-----|-----------------------------|-----------------------|-------------------------|-------------------------|
| Case Number | 2018-002 | FAR Type | FAR | Associated Divisions | Health Affairs, Human | Rulemaking Stage | Post-Comment, Pre-Final |
| <u>Title</u> | Protecting Life in Global Health Assistance | | | | | | |
| <u>Synopsis</u> | Implements Presidential memorandum of January 13, 2017, "The Mexico City Policy," in accordance with the interagency implementation plan, "Protecting Life in Global Health Assistance," prepared by the Secretary of State on May 9, 2017. | | | | | | |
| <u>Status</u> | 11/01/2018 DARC Director tasked Strategy Team to draft proposed FAR rule. 11/30/2018, transferred case to FAR Acquisition Law Team. Report due 01/30/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2017-D042 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Expediting Contract Closeout | | | | | | |
| <u>Synopsis</u> | Permits closeout of contracts without reconciliation of low dollar residual amounts (to be determined) arising under a contract. | | | | | | |
| <u>Status</u> | 06/20/2018 DARC agreed to draft proposed DFARS rule. Case manager processing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|---|-----------------|-------|-----------------------------|-------------|-------------------------|-------------------------|
| <u>Case Number</u> | 2017-D040 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Brand Name or Equal | | | | | | |
| <u>Synopsis</u> | Implements section 888 of the NDAA for FY 2017 (Pub. L. 113-291). Section 888 requires that competition not be limited through the use of specifying brand names or brand name or equivalent descriptions, or proprietary specifications or standards, unless a justification for such specification is provided and approved in accordance with 10 U.S.C. 2304(f). | | | | | | |
| <u>Status</u> | 12/31/2018 Public comment period ended. DAR staff processing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2017-D038 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Contractor Purchasing System Review Threshold | | | | | | |
| <u>Synopsis</u> | Establishes a dollar threshold for conducting contractor purchasing system reviews. | | | | | | |
| <u>Status</u> | 06/18/2018 Case manager forwarded draft proposed rule to DARS Regulatory Control Officer. DARS Regulatory Control Officer reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2017-D036 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Payment Instructions | | | | | | |
| <u>Synopsis</u> | Considers the recommendations of an Ad Hoc of representatives from DFAS, OUSD Comptroller and CFO, the military services, and DPAP), which concluded that the appropriate accounting treatment for payments can be derived from the type of item acquired and the type of payment. | | | | | | |
| <u>Status</u> | 10/25/2017 DARC Director tasked DARS Staff to draft proposed DFARS rule. Revised report due 01/03/2018. Revised report due date extended to 10/30/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|-----|--------------------------------|------------------------|
| <u>Case Number</u> | 2017-D028 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | CET | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Repeal of Major Automated Information Systems Provisions | | | | | | |
| <u>Synopsis</u> | Implements section 846 of the NDAA for FY 2017 (Pub. L. 114-328), which repeals 10 U.S.C. Chapter 144A and amends 10 U.S.C. 2334(a)(2). Section 846 is effective on September 30, 2017. | | | | | | |
| <u>Status</u> | 04/12/2017 Case on hold, pending guidance from C3Cyber and CAPE. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2017-D024 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Use of Fixed-Priced Contracts | | | | | | |
| <u>Synopsis</u> | Implements sections 829 and 830 of the NDAA for FY 2017 (Pub. L. 114-328). Section 829 establishes a preference for fixed-priced contract types and requires review and approval for certain contract types at specified thresholds. Section 830 requires the use of firm-fixed-price contracts for foreign military sales unless an exception applies or a waiver is executed. | | | | | | |
| <u>Status</u> | 01/11/2017 DARC Director tasked Contract Placement Cmte. to draft proposed DFARS rule. Report due 03/01/2017. Report due date extended to 01/16/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|--------------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2017-D021 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement, SmBiz | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Contractor Business Systems | | | | | | |
| <u>Synopsis</u> | Implements sections 893 of the NDAA for FY 2017 (Pub. L. 114-328) to revise the requirements for review of contractor business systems. | | | | | | |
| <u>Status</u> | 01/11/2017 DARC Director tasked Ad Hoc Cmte. to draft proposed DFARS rule. Report due 03/08/2017. Report due date extended to 01/23/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|---|-----------------|-------|-----------------------------|----------|-------------------------|------------------------|
| Case Number | 2017-D018 | FAR Type | DFARS | Associated Divisions | SET, CET | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | (S) Treatment of Incurred Independent Research and Development Costs | | | | | | |
| <u>Synopsis</u> | Implements section 824 of the NDAA for FY 2017 (Pub. L. 114-328), which amends 10 U.S.C. 2372 to require regulations governing the payment by the DoD of expenses incurred by contractors for independent research and development costs. | | | | | | |
| <u>Status</u> | 01/11/2017 DARC Director tasked Pricing Cmte. to draft proposed DFARS rule. Report due 03/08/2017. Report due date extended to 01/23/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|-----------------------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2017-D014 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Technical Information | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Use of Commercial or Non-Government Standards | | | | | | |
| <u>Synopsis</u> | Implements section 875 of the NDAA for FY 2017 (Pub. L. 114-328), which requires DoD to use commercial or non-Government standards in lieu of military specifications and standards, and encourage contractors to propose commercial or non-Government standards and industry-wide practices that meet the intent of the military specifications and standards. | | | | | | |
| <u>Status</u> | 01/10/2019 Case manager forwarded draft final DFARS rule to DARS Regulatory Control Officer. DARS Regulatory Control Officer reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-------|-----------------------------|---------------|-------------------------|-------------------------|
| Case Number | 2017-D011 | FAR Type | DFARS | Associated Divisions | International | Rulemaking Stage | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Restrictions on Acquisitions from Foreign Sources | | | | | | |
| <u>Synopsis</u> | <p>Implements sections 817, 881(b), and 1296 of the NDAA for FY 2017 (Pub. L. 114-328). Section 817 amends 37 U.S.C. 418, adding new paragraph (d), which extends domestic source requirements to acquisitions at or below the simplified acquisition threshold when acquiring athletic footwear to be furnished to enlisted members of the Armed Forces upon their initial entry into the Armed Forces. Section 881(b) amends 10 U.S.C. 2500(1) by adding Australia and the United Kingdom to the definition of "National Technology and Industrial Base." 10 U.S.C. 2534 restricts acquisition of certain items to items from manufacturers that are part of the national technology and industrial base. Section 1296 amends section 1211 of the NDAA for FY 2006 (Pub. L. 109-163), which was also amended by the NDAA for FY 2012 (Pub. L. 112-81). It prohibits purchase of items from a Communist Chinese military company that meet the definition of goods and services controlled as munitions items when moved to the 600 series of the Commerce Control List of the Export Administration Regulations of the Department of Commerce.</p> | | | | | | |
| <u>Status</u> | 12/21/2018 Published final DF0ARS rule in Federal Register (83 FR 65560). Effective upon publication. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|--|-----------------|-------|-----------------------------|-------------|-------------------------|-------------------------|
| Case Number | 2017-D010 | FAR Type | DFARS | Associated Divisions | Procurement | Rulemaking Stage | Post-Comment, Pre-Final |
| Title | (S) Inapplicability of Certain Laws and Regulations to Commercial Items | | | | | | |
| Synopsis | <p>Implements section 874 of the NDAA for FY 2017 (Pub. L. 114-328). Section 874 amends 10 U.S.C. 2375 to address the relationship of commercial item provisions to other provisions of law and regulation. The DFARS will include lists of defense-unique statutes, and Governmentwide contract clause requirements not expressly authorized by statute that are not applicable to contracts or subcontracts for the acquisition of commercial items or contracts for the acquisition of commercially available off-the-shelf items. To the maximum extent practicable, the DFARS will limit the flowdown of contracts clauses to subcontracts under contracts for the procurement of commercial items unless required by law or Executive order.</p> | | | | | | |
| Status | 10/31/2018 DARC Director tasked Staff Level Team to review public comments, draft final DFARS rule. Report due 01/30/2019. | | | | | | |
| Notes | | | | | | | |

| | | | | | | | |
|--------------------|--|-----------------|-------|-----------------------------|-------------|-------------------------|-------------------------|
| <u>Case Number</u> | 2017-D009 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Only One Offer | | | | | | |
| <u>Synopsis</u> | Implements section 822 of the NDAA for FY 2017 (Pub. L. 114-328) in conjunction with FAR Case 2017-006, which amends the standards for adequate price competition for DoD, NASA, and the Coast Guard. Requires that cost or pricing data be certified when only one offer is received in response to a competitive solicitation, unless another exception to the requirement for certified cost or pricing data applies. | | | | | | |
| <u>Status</u> | 09/05/2018 DARC Director tasked staff to review public comments, draft final DFARS rule. Report due date extended to 01/30/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|-------------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2017-D005 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | Submission of Summary Subcontract Reports | | | | | | |
| <u>Synopsis</u> | Clarifies the entity to which Summary Subcontract Reports are to be submitted and the entity that acknowledges receipt of, or rejects, the reports. | | | | | | |
| <u>Status</u> | 12/21/2018 Published final DFARS rule in Federal Register (83 FR 65562). Effective upon publication. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|--------------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2017-D003 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement, SmBiz | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Past Performance | | | | | | |
| <u>Synopsis</u> | Incorporates price risk, item risk and supplier risk Information Retrieval System- factors into "Notice to Supplier Provision" and past Statistical Reporting performance evaluation procedures. | | | | | | |
| <u>Status</u> | 12/07/2016 DARC Director tasked DARS Staff to draft proposed DFARS rule. Report due 01/18/2017. Report due extended to 01/09/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-----|------------------------------------|-------------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2017-020 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | Ombudsman for Indefinite Delivery Contracts | | | | | | |
| <u>Synopsis</u> | Provides new clause, with contact information for the agency task and delivery order ombudsman as required by FAR 16.504(a)(4)(v). | | | | | | |
| <u>Status</u> | 12/31/2018 Public comment period ended. Awaiting public comments from FAR SEC. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|---|-----------------|-----|-----------------------------|--------------------|-------------------------|------------------------|
| Case Number | 2017-019 | FAR Type | FAR | Associated Divisions | Procurement, SmBiz | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | Policy on Joint Ventures | | | | | | |
| <u>Synopsis</u> | Implements regulatory changes regarding joint ventures made by the Small Business Administration (SBA) in their final rule published in the Federal Register on July 25, 2016 (81 FR 48558). Also clarifies that 8(a) joint ventures are not "certified" in the 8(a) Program and that 8(a) joint venture agreements must be approved by SBA prior to award of an 8(a) contract. | | | | | | |
| <u>Status</u> | 03/20/2018 DAR staff notified FAR staff that DARC agreed to draft proposed FAR rule. Awaiting CAAC concurrence. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-----|-----------------------------|--------------------------|-------------------------|-------------------------|
| Case Number | 2017-018 | FAR Type | FAR | Associated Divisions | International, Armaments | Rulemaking Stage | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Violation of Arms Control Treaties or Agreements with the United States | | | | | | |
| <u>Synopsis</u> | Implements 28 U.S.C. 2593e (as added by section 1290 of the NDAA for FY 2017), which requires certification by offerors that the offeror, or any of its subsidiaries, does not engage in any activity that contributed to or is a significant factor in the determination that a country is not in full compliance with its obligations undertaken in all arms control, nonproliferation, and disarmament agreements or commitments to which the United States is a participating state. | | | | | | |
| <u>Status</u> | 09/05/2018 DARC Director tasked Law Team to review public comments, draft final FAR rule. Report due date extended to 01/30/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|-------------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2017-017 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | Rental Cost Analysis for Equipment Acquisitions | | | | | | |
| <u>Synopsis</u> | Implements language in the FAR to address the renting of equipment and the cost considerations to be made prior to an acquisition for equipment rental. | | | | | | |
| <u>Status</u> | 11/16/2018 DARC Director tasked Strategy Team to review public comments, draft final FAR rule. Report due 02/20/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-----|------------------------------------|-----|--------------------------------|------------------------|
| <u>Case Number</u> | 2017-016 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | CET | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Controlled Unclassified Information | | | | | | |
| <u>Synopsis</u> | <p>Implements the National Archives and Records Administration (NARA) Controlled Unclassified information (CUI) program of E.O. 13556. As the executive agent designated to oversee the Governmentwide CUI program, NARA issued implementing regulations in late 2016 to address agency policies for designating, safeguarding, disseminating, marking, decontrolling, and disposing of CUI.</p> | | | | | | |
| <u>Status</u> | 11/14/2018 DARC agreed to draft proposed FAR rule. DAR staff processing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-----|-----------------------------|-------------|-------------------------|-------------------------|
| Case Number | 2017-014 | FAR Type | FAR | Associated Divisions | Procurement | Rulemaking Stage | Post-Comment, Pre-Final |
| <u>Title</u> | Use of Acquisition 360 to Encourage Vendor Feedback | | | | | | |
| <u>Synopsis</u> | Implements the OFPP memorandum "Acquisition 360-- Improving the Acquisition Process through Timely Feedback from External and Internal Stakeholders" (March 2015), which builds on OFPP efforts to increase communication between Government and industry. Acquisition 360 is a survey tool with a centralized survey portal on the OMB Survey platform, allowing for real time data access by OMB and agencies. | | | | | | |
| <u>Status</u> | 10/17/2018 DARC Director tasked Acquisition Environmental and Contract Management Team to draft proposed FAR rule. Report due 01/30/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|---------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2017-013 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Cybersecurity | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Breaches of Personally Identifiable Information | | | | | | |
| <u>Synopsis</u> | <p>Implements OMB Memorandum M-17-12, Preparing for and Responding to a Breach of Personally Identifiable Information (January 3, 2017). The guidance applies to PII breaches occurring in cyberspace or through physical acts. This case will provide for appropriate contract terms to apply when a contractor has access to, creates, collects, or maintains personally identifiable information on behalf of the agency or operates an information system on behalf of the agency that may have personally identifiable information residing in or transiting through the information system.</p> | | | | | | |
| <u>Status</u> | 08/30/2017 DAR staff notified FAR staff that DARC agreed to draft proposed FAR rule. Awaiting CAAC concurrence. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-----|------------------------------------|----------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2017-011 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | IPM, Logistics | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Section 508-Based Standards in Information and Communication Technology | | | | | | |
| <u>Synopsis</u> | Implements the U.S. Access Board's final rule updating section 508-based standards, published in the Federal register on 1/18/2017 (82 FR 5790). | | | | | | |
| <u>Status</u> | 10/11/2017 FAR staff notified DAR staff of CAAC differences from team report or DARC suggested changes. DAR and FAR staff resolving draft proposed FAR rule open issues. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-----|-----------------------------|-------------|-------------------------|-------------------------|
| Case Number | 2017-010 | FAR Type | FAR | Associated Divisions | Procurement | Rulemaking Stage | Post-Comment, Pre-Final |
| <u>Title</u> | Evaluation Factors for Multiple-Award Contracts | | | | | | |
| <u>Synopsis</u> | Implements section 825 of the NDAA for FY 2017 (Pub. L. 114-328). Section 825 amends 10 U.S.C. 2305(a)(3) to address the requirement to include cost or price to the Government as a factor in the evaluation of proposals for certain multiple-award task- or delivery-order contracts and 2304c(b) to modify the exceptions to fair opportunity. Applicable to DoD, NASA, and Coast Guard. | | | | | | |
| <u>Status</u> | 12/19/2018 DARC Director tasked Strategy Team to review public comments, draft final FAR rule. Report due 02/06/2019. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-----|------------------------------------|----------------------------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2017-009 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement, Cybersecurity | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Special Emergency Procurement Authority | | | | | | |
| <u>Synopsis</u> | Implements section 816 and 1641 of the NDAA for FY 2017 (Pub. L. 114-328). Section 816 amends 41 U.S.C. 1903(a) to add special emergency procurement authority to support requests to facilitate the provision of international disaster assistance pursuant to the Foreign Assistance Act of 1961 (22 U.S.C. 2292 et seq.) and to support emergency or major disaster under the Stafford Act (42 U.S.C. 5122). Section 1641 amends 41 U.S.C. 1903(a)(2) to add special emergency procurement authority to facilitate defense against or recovery from a cyber attack. | | | | | | |
| <u>Status</u> | 11/09/2018 Draft final FAR rule from FAR analyst to OFPP. OFPP reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|---|-----------------|-----|-----------------------------|-------------|-------------------------|-------------------------|
| Case Number | 2017-006 | FAR Type | FAR | Associated Divisions | Procurement | Rulemaking Stage | Post-Comment, Pre-Final |
| <u>Title</u> | Exception From Certified Cost or Pricing Data Requirements—Adequate Price Competition | | | | | | |
| <u>Synopsis</u> | DoD, GSA, and NASA are proposing to amend the Federal Acquisition Regulation (FAR) to provide guidance to DoD, NASA, and the Coast Guard, consistent with a section of the National Defense Authorization Act for Fiscal Year 2017 that addresses the exception from certified cost or pricing data requirements when price is based on adequate price competition. DoD, GSA, and NASA are proposing to provide a separate standard for “adequate price competition” in the FAR, applicable only to DoD, NASA, and the Coast Guard, consistent with the requirements of section 822 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2017 (Pub. L. 114–328). Setting forth the separate standard for DoD, NASA, and the Coast Guard in the FAR provides a top-level framework to facilitate consistent implementation of section 822 at the agency level by DoD, NASA, and the Coast Guard. Section 822 modifies 10 U.S.C. 2306a, the Truth in Negotiations Act, which is applicable only to DoD, NASA, and the Coast Guard. Section 822 limits the price based exception for on adequate price competition to circumstances in which there is adequate competition that results in at least two or more responsive and viable competing bids. | | | | | | |
| <u>Status</u> | 12/17/2018 Draft final FAR rule from FAR analyst to OFPP. OFPP reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|--|-----------------|-----|-----------------------------|-------|-------------------------|---------------------|
| Case Number | 2017-005 | FAR Type | FAR | Associated Divisions | Human | Rulemaking Stage | Comment Period Open |
| Title | (S) Whistleblower Protection for Contractor Employees | | | | | | |
| Synopsis | Implements Public Law 114-261, which makes permanent the pilot program to enhance whistleblower protection for contractor employees. | | | | | | |
| Status | 12/26/2018 Published proposed FAR rule in Federal Register (83 FR 66223). Public comment period ends 02/25/2019. | | | | | | |
| Notes | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-----|------------------------------------|-------|--------------------------------|------------------------|
| <u>Case Number</u> | 2017-003 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | SmBiz | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Individual Sureties | | | | | | |
| <u>Synopsis</u> | Addresses section 874 of the NDAA for FY 2016 (Pub. L. 114-92), which adds 31 U.S.C. 9310, Individual sureties, by changing the kinds of assets that individual sureties may use as collateral. This is consistent with 31 USC 9303. | | | | | | |
| <u>Status</u> | 12/04/2018 CAAC Chair withdrew the draft proposed FAR rule from OIRA. FAR staff preparing to re-send to OIRA. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-------|------------------------------------|---------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2016-D021 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | International | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Contractor Personnel Supporting U.S. Armed Forces Outside the United States | | | | | | |
| <u>Synopsis</u> | Updates and incorporates the class deviations into the clause for the changing environments. | | | | | | |
| <u>Status</u> | 05/09/2018 Case manager forwarded draft proposed rule to DARS Regulatory Control Officer. DARS Regulatory Control Officer reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|--------------------|--|-----------------|-------|-----------------------------|------------------|-------------------------|-------------------------|
| Case Number | 2016-D017 | FAR Type | DFARS | Associated Divisions | Procurement, SET | Rulemaking Stage | Post-Comment, Pre-Final |
| Title | Independent Research and Development Expenses | | | | | | |
| Synopsis | DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement (DFARS) to ensure that substantial future independent research and development expenses, as a means to reduce evaluated bid prices in competitive source selections, are evaluated in a uniform way during competitive source selections. Precludes use of substantial future independent research and development (IRAD) expenses as a means to reduce evaluated bid prices in competitive source selections. | | | | | | |
| Status | 02/08/2017 DARC Director tasked Ad Hoc Cmte. to review public comments, draft final DFARS rule. Report due 04/12/2017. Report due date extended to 11/07/2018. | | | | | | |
| Notes | 2/2/17, NDIA lead; 2/2/17 | | | | | | |

| | | | | | | | |
|--------------------|----------|-----------------|-----|-----------------------------|---------------|-------------------------|------------------------|
| Case Number | 2016-013 | FAR Type | FAR | Associated Divisions | International | Rulemaking Stage | Case Open, Pre-Comment |
|--------------------|----------|-----------------|-----|-----------------------------|---------------|-------------------------|------------------------|

| | |
|--------------|--|
| Title | (S) Tax on Certain Foreign Procurement |
|--------------|--|

| | |
|-----------------|--|
| Synopsis | Implements the final regulations (81 FR 55133) under section 5000C of the Internal Revenue Code relating to the 2 percent tax on payments made by the U.S. Government to foreign entities pursuant to certain contracts. Section 5000C was added pursuant to section 301 of the James Zagdroga 9/11 Health and Compensation Act of 2010 (Pub. L. 111-347). |
|-----------------|--|

| | |
|---------------|--|
| Status | 07/16/2018 DARC received CAAC revisions to draft proposed FAR rule. DAR and FAR staff resolving draft proposed FAR rule open issues. |
|---------------|--|

| | |
|--------------|--|
| Notes | |
|--------------|--|

| | | | | | | | |
|--------------------|----------|-----------------|-----|-----------------------------|--------------------|-------------------------|------------------------|
| Case Number | 2016-012 | FAR Type | FAR | Associated Divisions | Procurement, SmBiz | Rulemaking Stage | Case Open, Pre-Comment |
|--------------------|----------|-----------------|-----|-----------------------------|--------------------|-------------------------|------------------------|

| | |
|--------------|--|
| Title | Incremental Funding of Fixed-Price Contracting Actions |
|--------------|--|

| | |
|-----------------|---|
| Synopsis | Provides coverage for the incremental funding of certain fixed-price contracting actions. |
|-----------------|---|

| | |
|---------------|---|
| Status | 06/20/2018 FAR Principals received memo from Team chair. FAR principals wil ldiscuss. |
|---------------|---|

| | |
|--------------|--|
| Notes | |
|--------------|--|

| | | | | | | | |
|--------------------|----------|-----------------|-----|-----------------------------|-------|-------------------------|---------------------|
| Case Number | 2016-011 | FAR Type | FAR | Associated Divisions | SmBiz | Rulemaking Stage | Comment Period Open |
|--------------------|----------|-----------------|-----|-----------------------------|-------|-------------------------|---------------------|

| | |
|--------------|---|
| Title | (S) Revision of Limitations on Subcontracting |
|--------------|---|

| | |
|-----------------|--|
| Synopsis | Implements SBA's final rule (81 FR 34243) for section 1651 of the NDAA for FY 2013 (Pub. L. 112-239), which revised the limitations on subcontracting and the nonmanufacturer rule. Also implements SBA's regulatory clarifications concerning application of the limitations on subcontracting, nonmanufacturer rule, and size determination of joint ventures. |
|-----------------|--|

| | |
|---------------|--|
| Status | 12/04/2018 Published proposed FAR rule in Federal Register (83 FR 62540). Public comment period ends 02/04/2019. |
|---------------|--|

| | |
|--------------|--|
| Notes | |
|--------------|--|

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|---------|--------------------------------|------------------------|
| <u>Case Number</u> | 2015-D038 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Systems | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Earned Value Management Applicability | | | | | | |
| <u>Synopsis</u> | Addresses applicability of Earned Value Management (EVM). | | | | | | |
| <u>Status</u> | 09/18/2017 DARS Regulatory Control Officer identified issues with draft proposed rule to case manager. Case manager and DARS Regulatory Control Officer resolving issues. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-------|------------------------------------|-------------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2015-D035 | <u>FAR Type</u> | DFARS | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | Use of the Government Property Clause | | | | | | |
| <u>Synopsis</u> | Expands the prescription for use of FAR clause 52.245-1, Government Property, to all purchase orders for repair, regardless of the acquisition cost of items to be repaired; and all commercial contracts where the Government is providing property, regardless of the acquisition cost of the property. | | | | | | |
| <u>Status</u> | 04/18/2018 Case manager forwarded draft final DFARS rule to DARS Regulatory Control Officer. DARS Regulatory Control Officer reviewing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-----|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2015-038 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Reverse Auction Guidance | | | | | | |
| <u>Synopsis</u> | Implements OFPP memorandum, "Effective Use of Reverse Auctions." The memorandum provides guidance on the usage of reverse auctions, and was issued in response to recommendations within GAO report (Reverse Auctions: Guidance is Needed to Maximize Competition and Achieve Cost Savings, GAO-14-108). | | | | | | |
| <u>Status</u> | 08/31/2018 FAR staff provided revised draft proposed FAR rule. Awaiting DAR staff concurrence. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-----|------------------------------------|-----|--------------------------------|------------------------|
| <u>Case Number</u> | 2015-037 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | CET | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Definition of "Information Technology" | | | | | | |
| <u>Synopsis</u> | Revises the definition of "information technology" in the FAR, as directed in the Office of Management and Budget Memo, M-15-14 titled Management Oversight of Federal Information Technology. | | | | | | |
| <u>Status</u> | 04/17/2017 Case on hold, pending direction from OFPP. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-----|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2015-033 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (EO) Sustainable Acquisition | | | | | | |
| <u>Synopsis</u> | Implements E.O. 13693, Planning for Federal Sustainability in the Next Decade, March 19, 2015. E.O. 13693 supersedes E.O.s 13423 and 13514. This rule will amend the FAR to provide a new definition for sustainable products and services; updates several existing definitions in the FAR germane to sustainable acquisition; and provides two new websites to help contractors understand the requirements for sustainable acquisitions and access to a listing of products and services that are deemed by the Federal Government to be sustainable. | | | | | | |
| <u>Status</u> | 02/09/2018 Case on hold, pending further guidance. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|--|------------------------|-----|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2015-021 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | Determination of Fair and Reasonable Prices on Orders under Multiple-Award Contracts | | | | | | |
| <u>Synopsis</u> | Clarifies the responsibilities for ordering activity contracting officers to determine fair and reasonable prices when using Federal Supply Schedules. | | | | | | |
| <u>Status</u> | 03/14/2017 CAAC Legal identified draft proposed FAR rule issues. CAAC legal, FAR and DAR staff resolving issues. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|---------------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2015-017 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | International | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | Combating Trafficking in Persons--Definition of "Recruitment Fees" | | | | | | |
| <u>Synopsis</u> | Considers a definition for the term "recruitment fees" at the request of the Senior Policy Operating Group (SPOG) for Combating Trafficking in Persons. | | | | | | |
| <u>Status</u> | 11/08/2018 Final rule to FARSEC for preparation of FAC 2019-01. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|-------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2015-015 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Strategic Sourcing Documentation | | | | | | |
| <u>Synopsis</u> | Implements section 836 of the NDAA for FY 2015 (Pub. L. 113-291). Section 836 requires that when purchasing services and supplies that are offered under the Federal Strategic Sourcing Initiative but the Initiative is not used, the contract file shall include an analysis of comparative value, including price and nonprice factors, between the services and supplies offered under such Initiative and services and supplies offered under the source or sources used for the purchase. | | | | | | |
| <u>Status</u> | 02/16/2018 Case on hold pending further guidance. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|------------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2015-014 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Procurement, CET | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Prohibition on Providing Funds to the Enemy | | | | | | |
| <u>Synopsis</u> | Implements sections 841 - 843 of the NDAA for FY 2015 (Pub. L. 113-291). Section 841 prohibits providing funds to the enemy. Section 842 provides additional access to records. Section 843 provides definitions. | | | | | | |
| <u>Status</u> | 04/15/2015 DAR staff notified FAR staff that DARC agreed to draft proposed FAR rule. Awaiting CAAC concurrence. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|------------------------|--|-----------------|-----|-----------------------------|----------------------------|-------------------------|------------------------|
| Case Number | 2015-002 | FAR Type | FAR | Associated Divisions | Procurement, Cybersecurity | Rulemaking Stage | Case Open, Pre-Comment |
| <u>Title</u> | Requirements for DD Form 254, Contract Security Classification Specification | | | | | | |
| <u>Synopsis</u> | Updates FAR 4.403 to require the use of Wide Area Workflow for the submission of the DD Form 254, Contract Security Classification Specification. Also clarifies that a unique CAGE code is required for each location of performance listed on a DD Form 254 and that SAM registration is only required for the business location listed on the contract. | | | | | | |
| <u>Status</u> | 07/11/2018 OFPP identified draft proposed FAR rule issues. OFPP, FAR and DAR staff resolving issues. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|-------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2014-002 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | SmBiz | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Set-Asides Under Multiple- Award Contracts | | | | | | |
| <u>Synopsis</u> | Implements SBA's final rule (78 FR 61114) for sections 1311 and 1331 of the Small Business Jobs Act of 2010 (Pub. L. 111-240), which provides Governmentwide policy for partial set-asides and reserves, and setting aside orders for small business concerns under multiple-award contracts. | | | | | | |
| <u>Status</u> | 11/30/2018 Resolved draft final FAR rule open issues. FAR staff processing. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|--------------------|--------------------------------|-------------------------|
| <u>Case Number</u> | 2013-002 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Cybersecurity, IPM | <u>Rulemaking Stage</u> | Post-Comment, Pre-Final |
| <u>Title</u> | (S) Reporting of Nonconforming Items to the Government-Industry Data Exchange Program additional nonconforming items Governmentwide. | | | | | | |
| <u>Synopsis</u> | Implements section 818(c)(4) and (5) of the NDAA for FY2012 for DoD, as well as reporting of additional nonconforming items Governmentwide. | | | | | | |
| <u>Status</u> | 12/14/2018 OIRA returned draft final FAR rule. FAR staff preparing to resend to OIRA. | | | | | | |
| <u>Notes</u> | | | | | | | |

| | | | | | | | |
|---------------------------|---|------------------------|-----|------------------------------------|---------------|--------------------------------|------------------------|
| <u>Case Number</u> | 2011-001 | <u>FAR Type</u> | FAR | <u>Associated Divisions</u> | Cybersecurity | <u>Rulemaking Stage</u> | Case Open, Pre-Comment |
| <u>Title</u> | (S) Organizational Conflicts of Interest and Unequal Access to Information | | | | | | |
| <u>Synopsis</u> | Implements section 841 of the NDAA for FY 2009 (Pub. L. 110-417). Section 841 requires consideration of how to address the current needs of the acquisition community with regard to organizational conflicts of interest. Separately addresses issues regarding unequal access to information. | | | | | | |
| <u>Status</u> | 03/16/2017 Case on hold pending review under E.O.13777. | | | | | | |
| <u>Notes</u> | | | | | | | |