

**Open FAR Cases  
as of January 9, 2009**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2008-040		Corrections to Standard Form 26-Award/Contract	The Standard Form 26 – Award/Contract should be revised to make it clear on the face of the form itself that Block #18 (Award) should be checked ONLY when awarding a sealed bid contract.	12/16/2008, DARC opened case, final rule. DAR staff processing. Reclama 1/21/09.
2008-039	12 4 52	Federal Funding Accountability and Transparency Act (FFATA)		12/05/2008, DARC and CAAC chair opened case (Acquisition Technology Team), proposed FAR rule, DAR staff processing. Report due 2/11/09.
2008-038		Technical Changes for FedTEDS & GPE		12/05/2008, DARC and CAAC chair opened case (Acquisition Technology Team), interim FAR rule, DAR staff processing. Report due 1/21/2009.
2008-037		Financial Disclosure Requirements for Certain Recipients of Federal Award	Implement financial disclosures for contract awards as required by Sec. 6202 (HR 2642), enacted in the Supplemental Appropriations Act, 2008 (Public Law 110-252).	12/05/2008, DARC and CAAC chair opened case (Acquisition Technology Team), interim FAR rule, DAR staff processing. Report due 2/18/09.
2008-036		Trade Agreements- Costa Rica, Oman, Peru, and Taiwan	Implements the Free Trade Agreements with Costa Rica, Oman, and Peru, which are scheduled to take effect on January 1, 2009. Also adds Taiwan as a designated country under the World Trade Organization Government Procurement Agreement.	11/25/2008, DARC and CAAC Chair opened case (Staff Level), interim FAR rule. DAR staff processing. 11/25/2008, Reclama 12/10/08. 12/10/2008, DARC agreed to draft interim FAR rule. DAR staff processing. 12/10/2008, DAR staff notified FAR staff of DARC differences from Team report. DAR staff awaiting CAAC concurrence.

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2008-035		Disaster Response Registry	Implements Section 697 of the DHS Appropriations Act for FY 2007 (Pub. L. 109-295). Section 697 requires establishment of a Registry of Disaster Response Contractors. This registry will be incorporated into the Central Contractor Registration database. This case considers various associated changes to the FAR in Parts 4, 10, 18, and 26.	11/12/2008, DARC and CAAC chair opened case, interim FAR rule. DAR staff processing. 11/19/2008, Timeline due 12/10/08. Report due 2/11/09.
2008-034	15.403-1	Use of Commercial Services Item Authority	This rule will incorporate Section 868 of NDAA FY09 regarding when services "of a type" may be considered a commercial service item.	11/12/2008, DARC and CAAC Chair opened case, interim FAR rule. DAR staff processing. 11/19/2008, Report due 12/03/08. 12/3/2008, DARC will discuss on 12/10/08. 12/22/2008, DARC approved draft interim rule by Reclama. Rule submitted to FAR staff for submission to CAAC.
2008-032		Preventing Abuse of Interagency Contracts	This new FAR Case, interim rule, implements Section 865 of the National Defense Authorization Act for FY 2009 (Pub. L. 110-417). Section 865 addresses issues relating to interagency acquisitions.	11/10/2008, DARC and CAAC Chair opened case, interim FAR rule. DAR staf processing. 11/10/2008, Timeline due 11/26/08. Timeline due (1st ext) 12/10/08. Report due 2/11/09.
2008-031	15.4	Limitations on Tiering of Subcontractors	Implements Section 866 of the National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417). Section 866 addresses limitations on the tiering of subcontracts.	11/10/2008, DARC and CAAC Chair opened case, interim FAR rule. DAR staff processing. 11/10/2008, Tasked Acquisition Strategy Team. Timeline due 11/26/08. 12/3/2008, Tasked Acquisition Finance Team. Timeline due 12/17/2008. Report due 3/11/09.
2008-030	34	The Use of Cost Reimbursement Contracts	Implement section 864 of the National Defense Authorization Act FY 2009, enacted October 14, 2008. Section 864 requires the Federal Acquisition Regulation to be revised to address the use of cost-reimbursement contracts.	11/10/2008, DARC and CAAC Chair opened case (Acquisition Strategy) interim FAR rule. DAR staff processing. Timeline due 11/19/08. Timeline due (1st ext) 12/03/08. Report due 2/18/09.

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2008-028		Role of Interagency Committee on Debarment and Suspension	Implement section 873 of the National Defense Authorization Act for FY 2009 (Pub. L. 110-417), enacted 10/14/2008. Section 873 addresses the role of the Interagency Committee on Debarment and Suspension. It is effective upon enactment.	11/10/2008, DARC and CAAC Chair opened case, interim FAR rule. DAR staff processing. 11/10/2008, Timeline due 12/03/08. Report due 12/17/2008. 12/17/2008, DARC received Law Team draft final FAR rule. Time Certain 1/7/09. 01/07/2009, DARC agreed draft final FAR rule. DAR staff processing.
2008-027		Database for Contracting Officers and Suspension and Debarment Official	Implement section 872 of the National Defense Authorization Act for FY 2009 (Pub. L. 110-417), enacted 10/14/2008. Section 872 requires establishment of a database for Federal agency contract and grant officers and suspension and debarment officials, not later than one year after the date of enactment of the Act.	11/10/2008, DARC and CAAC Chair opened case, proposed FAR rule. DAR staff processing. 11/10/2008, Timeline due 12/03/08. Report due 1/21/2009.
2008-026	52.215-2	GAO Access to Contractor Employees	Implements Section 871 of National Defense Authorization Act FY 2009 (Pub. L. 100-417) . Section 871 directs the insertion of additional language regarding the examination by the Comptroller General and his representatives of the records of contractors and subcontractors. Specifically, the new language states that not only can records be examined, but any current employee may be interviewed regarding the transactions relating to the contract or subcontract.	11/10/2008, DARC and CAAC Chair opened case, interim FAR rule. DAR staff processing. 11/12/2008, Report due 11/26/08. 11/26/2008, DARC will discuss 12/10/08. 12/10/2008, DARC agreed to draft interim FAR rule. DAR staff processing. Case forwarded to GSA/CAAC.

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2008-025		Preventing Personal Conflicts of Interest by Contractor Employees Performing Acquisition Functions	Implement sec 841(a) of the FY09 NDAA (Pub. L. 110-417). Sec 841 requires OFPP, within 270 days after enactment, to develop and issue a policy to prevent personal conflicts of interest by contractor employees performing acquisition functions closely associated with inherently governmental functions for or on behalf of a Federal agency or department. Implementing clauses must take effect 300 days after the date of enactment.	10/21/2008, DARC and CAAC chair opened case (Acquisition Law Team), proposed FAR rule. DAR staff processing. 10/22/2008, DAR staff tasked Law Team to draft proposed FAR rule. Report due 12/10/08. 12/17/2008, DARC agreed to draft proposed rule. DAR staff processing.
2008-024		Inflation Adjustment of Acquisition-Related Thresholds	Implementing Section 35a of the OFPP Act. Section 35a of the OFPP Act requires that, on October 1 of each year that is evenly divisible by 5, the FAR Council shall adjust each acquisition-related threshold provided by law.	10/20/2008, DARC and CAAC Chair opened case, proposed FAR rule. DAR staff processing. 10/22/2008, All FAR teams will provide team reports to staff by 2/15/09.
2008-023		Clarification of criteria for sole source awards to Service-disabled Veteran-owned Small Business (SDVOSB) Concerns	In its decision on the MCS Portable Restroom Service case, GAO notes that there might be an unintended inconsistency between the plain wording of FAR 19.1406 (with regard to sole source awards to SDVOSBs) and the Veterans Benefit Act of 2003, and SBA's regulations that implement that Act. In its decision, GAO indicates that it will advise the FAR Council of this potential inconsistency so that the Council might review the matter.	10/06/2008, DARC and CAAC chair opened case (Acquisition Small Business), proposed FAR rule. DAR staff processing. Timeline due 10/15/08. Report due 11/5/08. 11/05/2008, DARC will discuss 11/19/08. 11/19/2008, DARC agreed to draft proposed FAR rule. DAR staff processing. 11/19/2008, Draft proposed rule from FAR Analyst to GSA legal. GSA legal reviewing. 12/24/2008, Draft proposed FAR rule from CAAC Chair to OFPP. OFPP reviewing.

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2008-021		Designated Countries--Least Developed Countries	Incorporate into the FAR the revised the list, provided by the USTR, of Least Developed Countries that are designated countries under the Trade Agreements Act. This case adds Liberia and removes Cape Verde.	<p>07/31/2008, DARC and CAAC Chair opened Case (Staff Level) final FAR rule. DAR and FAR staff processing.</p> <p>8/6/2008, DARC and CAAC received report from DAR and FAR staff. DARC reclama 8/13/2008.</p> <p>8/13/2008, DARC agreed to draft final rule.</p> <p>8/13/2008, DAR staff notified FAR staff that DARC agreed with draft rule as submitted by staff. Awaiting CAAC approval.</p> <p>8/18/2008, Councils agree. FAR staff preparing to send to GSA Legal.</p> <p>8/28/2008, GSA legal concurrence with draft final FAR rule. FAR staff preparing to send to OFPP.</p> <p>8/28/2008, FAR staff sent draft final FAR rule to OFPP. OFPP reviewing.</p> <p>10/14/2008, CAAC Chair sent draft final FAR rule to OIRA.</p> <p>10/23/2008, OIRA cleared final rule. FAR staff processing.</p> <p>10/23/2008, Final rule to FARSEC for preparation of FAC.</p>

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2008-020		Contract Closeout	<p>The Director of Defense Procurement and Acquisition Policy (DPAP) completed an assessment of public input on systemic issues related to contract closeout, as identified in a public meeting held on September 21, 2005. The assessment resulted in recommendations for revisions to policy, guidance, and training related to contract closeout responsibilities in both the FAR and DFARS. The DARC opened DFARS Case 2007-D015 and recommended changes to the DFARS text and PGI documents. There were several specific recommendations relating to the FAR, including the area of patent reports, closeout of task orders under the T&amp;M Clause 52.232-7, adequate final indirect cost proposals, training material for using quick closeout and CACWS</p>	<p>07/31/2008, DARC and CAAC Chair opened case ( Acquisition Implementation Team), proposed FAR rule. DAR staff processing. Timeline due 08/20/08. Report due 10/08/08. Report due (1st ext) 11/19/08. Report due (2nd ext) 12/17/08. Report due (3rd ext.) 2/4/09. 12/17/2008,Sent to FAR Law Team and FAR Finance Team for coordination. Coordination comments due 1/16/09.</p>

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2008-019		Authentic IT Procurements	Add language to FAR Part 12 and 39 requiring contractors to represent that the hardware/software being procured by the Government is genuine/authentic and that there is no limitation on their liability if the products are not genuine/authentic. In addition, resellers/distributors must represent that they are authorized by the original equipment manufacturer (OEM) to sell the hardware/software to the Government. The new language will limit security issues and risks surrounding counterfeit hardware/software.	07/11/2008, DARC and CAAC Chair opened case (Aquisition Technology) proposed FAR rule. DAR staff processing. 07/11/2008, Draft proposed FAR language prepared by FAR/DAR staff. FAR staff processing. Reclama 07/31/08. 07/31/2008, DARC agreed to draft FAR rule and ANPR. DAR staff notified FAR staff of differences. FAR staff processing. 11/18/2008, ANPR and notice of a 11 Dec 08 Public Meeting was published in the Federal Register. Public meeting held 12/11/08.

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2008-017		Federal Food Donation Act of 2008 (Pub. L. 110-247)	All contracts above \$25,000 for the provision, service, or sale of food in the United States, or for the lease or rental of Federal property to a private entity for events at which food is provided in the United States, shall include a clause that-- (1) encourages the donation of excess, apparently wholesome food to nonprofit organizations that provide assistance to food-insecure people in the United States; and (2) states the head of the executive agency shall not assume responsibility for the costs and logistics of collecting, transporting, maintaining the safety of, or distributing excess, apparently wholesome food to food-insecure people in the United States, and an executive agency (including an executive agency that enters into a contract with a contractor) and any contractor making donations pursuant to Pub. L. 110-247 shall be exempt from civil and criminal liability to the extent provided under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791).	06/23/2008, DARC and CAAC Chair opened case (Acquisition Strategy), interim FAR rule. DAR staff processing. 06/25/2008, Report due 08/27/08. 08/27/2008, DARC will discuss 09/10/08, time certain @ 1300, 09/10/08. 09/10/2008, DARC agreed to draft interim FAR rule. DAR staff processing. 10/16/2008, Resolved open issues. FAR staff processing. 10/20/2008, Draft interim FAR rule from FAR analyst to GSA legal. GSA Legal reviewing. 11/18/2008, Draft interim FAR rule from CAAC to OFPP. OFPP reviewing. 12/04/2008, OFPP concurrence with draft interim FAR rule. 12/19/2008, Interim FAR rule to FARSEC for preparation of FAC.



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2008-016		Termination for Default Reporting	The purpose of this case is to amend the FAR to require contracting officers to record all termination for default actions and instances of defective pricing in the Past Performance Information Retrieval System (PPIRS).	06/12/2008, DARC and CAAC chair opened case, proposed FAR rule. DAR staff processing. 06/25/2008, Assessment due 07/02/08 06/26/2008, DAR staff tasked Acquisition Implementation Team to draft proposed FAR rule. Report due 09/15/08. 11/05/2008, DARC will discuss 11/19/08. 11/19/2008, DARC agreed to draft proposed FAR rule subject to technical verification. DARC comments sent to CAAC on 1/5/09, Reclama 1/12/09.
2008-015		Financial requirements for A&E (SBA)	Consider amending the FAR to remove the mandatory requirement that a contracting officer withhold 10% of the payments due under Fixed-Price A&E contracts.	05/07/2008, DARC and CAAC Chair opened case, proposed FAR rule. CPF staff processing. 06/04/2008, Report due 09/03/08. Report due 10/01/2008 (1st ext). Report due (2nd ext.) 10/22/08. Report due (3rd ext.) 11/19/08. 11/19/2008, DARC will discuss on 12/03/08. 12/03/2008, DARC agreed to draft proposed FAR rule.
2008-014	22.404-5	Amendments to Incorporate New Wage Determinations	Amendments to incorporate new wage determinations", FAR 22.404-5(c)(3).	4/30/2008, DARC and CAAC Chair ppened FAR case, proposed rule. 06/16/2008, Report due (1st ext.) 06/25/08. 06/25/2008, Report submitted on 6/25/08. Reclama 07/16/08. 07/16/2008, DARC agreed to draft proposed FAR rule. DAR staff processing. 07/16/2008, CAAC approved as a final rule on 07/16/08. GSA legal review pending. 7/30/2008, FAR staff forwarded to OFPP. OFPP reviewing. 09/10/2008, OFPP concurrence with draft final FAR rule. FAR staff preparing to send to OIRA. 09/10/2008, CAAC sent draf final FAR rule to OIRA. 10/23/2008, OIRA cleared. 11/03/2008, Final FAR rule sent to FARSEC for preparation of FAC.

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2008-012	15.403	Clarification of Submission of Cost or Pricing Data on Noncommercial Modifications of Commercial Items	Implements Section 814 of NDAA FY08 by replacing the threshold for obtaining cost and pricing data with the threshold language at FAR 15.403-4 and clarifying that the value used in exempting this requirement is the total price of the contract at the time of contract award.	04/07/2008, DARC and CAAC Chair opened case, proposed FAR rule. Assign to staff on 04/09/08. 05/20/2008, CPF staff processing. 08/05/2008, Draft interim rule prepared by Acq Finance Team. CPF Processing. 08/27/2008, Finance report received, however team recommends that Case 2005-036 must publish first as it will incorporate new definition of cost and pricing data. 09/10/2008, DARC will discuss 09/24/08. 09/24/2008, DARC agreed to draft interim FAR rule. DAR staff processing. 10/23/2008, DARC approved interim rule on 09/24/08. CAAC approved rule on 10/08/08. GSA submitted to OFPP on 10/24/08. 10/24/2008, OFPP concurrence with draft interim FAR rule.
2008-011		Government Property	Revise FAR Part 45 and associated clauses, to add clarity and make minor corrections to the final FAR rule published under FAC 2005-17, FAR Case 2004-025.	04/01/2008, DARC and CAAC Chair opened case, proposed FAR rule. DAR staff processing. Report due 05/22/08. 06/18/2008, DARC will discuss draft proposed rule on 07/02/08. 07/02/2008, DARC agreed to draft proposed FAR rule. DAR staff processing. Reclama 09/17/08. 09/17/2008, DARC agreed to draft proposed FAR rule. DAR staff processing. 11/06/2008, Sent to GSA Legal for review.

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2008-009	4.12 52.209 9.1	Prohibition on Contracts with Inverted Domestic Corporations	Implements Section 745 of the Consolidated Appropriations Act of 2008 (Pub. L. 110-161), which prohibits use of funds appropriated or otherwise made available by this or any other Act for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835 (b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.	03/12/2008, DARC and CAAC Chair opened case, interim FAR rule. Tasked FAR Acquisition Law Team. Timeline due 03/26/08. Timeline due (1st ext) 04/23/08. Report due (1st ext) 04/30/08. Report due (2nd ext) 05/07/08. 05/07/2008, DARC will discuss 06/04/08. 6/4/08, DARC agrees to draft interim rule. DAR staff processing. 6/5/2008, DAR staff notified FAR staff of DARC difference from CAAC suggested changes. DAR and FAR staff resolving open issues. 6/12/2008, Councils agree, 6/12/2008, Draft interim FAR rule from FAR analyst to GSA Legal. GSA Legal reviewing. 6/12/2008, GSA Legal concurrence with draft interim FAR rule. FAR staff preparing to send to OFPP. 6/13/2008, FAR staff sent draft interim FAR rule to OFPP. OFPP reviewing. 9/12/2008, OFPP approved the draft interim FAR rule. 9/23/2008, CAAC Chair sent draft interim rule to OIRA. OIRA reviewing. 11/03/2008, OIRA did not clear interim FAR rule. Returned for revision. DAR and FAR staff awaiting receipt of 3 alternatives from OIRA.
2008-008	16.4	Award Fee Language Revision	Incorporates Section 867 of NDAA FY09 on the appropriate use of award and incentive fees in federal contracts.	03/13/2008, DARC and CAAC Chair opened case, proposed FAR rule. CPF staff processing. 3/26/2008, Tasked Finance Team. Report due 05/23/08. 08/13/2008, Finance team still working on proposed language. Report due (1st ext) 09/24/08. 09/24/2008, DARC will discuss 10/15/08. Discussion will continue on 10/22/08. 10/22/2008, Case being returned to Finance team to incorporate new language from Pub Law 110-417, NDAA FY09. Timeline due 10/29/08. Report due 2/25/09.

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2008-007		Additional Requirements for Market Research	<p>Implement additional requirement for market research under Section 826 of the FY 2008 National Defense Authorization Act. Section 826 established additional requirements to Subsection (c) of section 2377 of title 10, United States Code by adding the requirement to the Head of the Agency to conduct market research appropriate to the circumstances before awarding a task order or delivery order in excess of the simplified acquisition threshold. This will require agencies to ensure that adequate market research is accomplished and documented prior to award of an order. Section 826 also adds that an agency shall take appropriate steps to ensure that any prime contractor of a contract (or task order or delivery order) in an amount in excess of \$5,000,000 for the procurement of items other than commercial items engages in such market research as may be necessary before making purchases for or on behalf of the Department of Defense. This will require that prime conduct market research and provide the results of that research before issuing subcontracts for supplies.</p>	<p>03/04/2008, DARC and CAAC Chair opened interim FAR rule. DAR staff processing. 3/4/2008, Tasked staff analysts. Report due 04/23/08. Report due (1st ext) 05/21/08. Report due (2nd ext) 06/18/08. Report due (3rd ext) 07/09/08. Report due (4th ext.) 07/30/08. 07/30/2008, DARC will discuss draft interim rule on 08/13/08, time certain @ 0945. 08/13/2008, Case manager to provide draft for reclama. Reclama due 8/29/2008. 09/03/2008, DAR staff notified FAR staff that DARC agreed w/draft rule as modified by DARC. 11/12/2008, FAR staff notified DARC with a revised version of draft rule as modified by the CAAC.</p>

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2008-006		Enhanced Competition for Task and Delivery Order Contracts	Implements section 843 of the FY 2008 NDAA.	02/25/2008, DARC and CAAC Chair opened case, interim FAR rule. DAR staff processing. 2/25/2008, Tasked Strategy Team. Report due 03/12/08. Report due (1st ext.) 03/14/08. Discuss 03/26/08. 03/26/2008, DARC agreed to interim rule. DAR staff processing. 04/17/2008, FAR staff sent interim to CAAC. 04/30/2008, DARC agreed to interim rule. DAR staff processing. 05/14/08, FAR staff notified DAR Staff of CAAC differences from CAAC suggested changes. 9/17/2008, Published interim FAR rule in Federal Register (73 FR 54010). Public comment period ends 11/17/2008. 12/09/2008, Report due 2/11/09.

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2008-005		Procurement Goal for Native Hawaiian-serving Institutions and Alaska Native-serving Institutions	Revises the FAR to implement Section 891 of P.L. 110-181, Fiscal Year 2008 National Defense Authorization Act. Section 891 adds Native Hawaiian-serving institutions and Alaska Native-serving institutions to the list of entities identified in 10 U.S.C. 2323, "Contract goal for small disadvantaged businesses and certain institutions of higher education".	02/13/2008, DARC and CAAC Chair opened case, interim FAR rule. DAR staff processing. Timeline due 03/05/08. Report due 04/16/08. Discuss 04/23/08, time certain 0930. 04/23/2008, DARC agreed to interim FAR rule. DAR staff processing. 04/24/2008, DAR Staff notified FAR staff that DARC agreed with draft rule submitted by Team. 06/11/2008, Draft interim rule from FAR staff to GSA Legal. GSA legal reviewing. 06/25/08, GSA legal identified issues. GSA legal, FAR and DAR staff resolving issues. 6/27/08 DAR staff responded to FAR staff concerning issues. 7/14/2008 GSA legal concurred with draft interim rule. FAR staff preparing to send to OFPP. 7/14/2008, Draft interim FAR rule from CAAC to OFPP. OFPP reviewing. 7/21/2008, OFPP concurred with draft interim FAR rule. 7/23/2008, CAAC Chair sent draft interim FAR rule to OIRA. 10/23/2008, OIRA cleared interim FAR rule. FAR staff processing. 11/26/2008, Case on hold at the request of the DAR Council Chair while resolving issues raised in a United States Court of Appeals for the Federal Circuit decision.

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2008-004	15.102 25.11 25.7 4.1201 52.212-3 52.212-5 52.225-13 52.225-XX	Prohibition on Restricted Business Operations in Sudan and Imports from Burma	Implements the Sudan Accountability and Divestment Act of 2007 (Pub. L. 110-174). Requires all offerors to certify that they do not conduct restricted business operations in Sudan.	6/12/2008, Interim rule published in Federal Register (73 FR 33636). Comment period ends 8/11/2008. 8/11/2008, Comment period closed. Awaiting transmittal of public comments from FAR SEC. 8/15/2008, Public comments transmitted to DARC. DAR staff processing. 09/11/2008, DARC received staff report, draft final rule. DARC will discuss 9/24/08. 09/24/2008, DARC agreed to draft final DFARS rule. DAR staff processing. 9/25/2008, DAR staff notified FAR staff that DARC agreed with draft rule as submitted by Team. Awaiting CAAC concurrence. 10/1/2008, Councils agree. 10/1/2008, FAR analyst forwarded to GSA Legal. GSA Legal reviewing. 10/14/2008, FAR staff sent draft final FAR rule to OFPP. OFPP reviewing. 10/20/2008, Resent draft final FAR rule to OFPP.

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2008-003		Public disclosure of justification and approval documents for noncompetitive contracts	Implement Section 844 of the FY 2008 National Defense Authorization Act (Pub. L. 110-181). Sec 844 amends 10 U.S.C. 2304 and 41 U.S.C. 253 regarding procurements made under subsection (c) (i.e., other than competitive procedures) to require public availability of the J&As after award of the contracts, except for information exempt from public disclosure under 5 U.S.C. 552(b), via the awarding agency's website and a website prescribed by OFPP.	01/30/2008, DARC and CAAC Chair opened case, proposed rule. DAR staff processing. 02/27/2008, DAR staff tasked Acquisition Strategy team to draft proposed FAR rule. Report due 04/16/08. 04/16/2008, draft report with Councils 04/17/2008, DARC will discuss 04/30/2008, time certain @ 1030. 04/30/2008, DARC agreed to interim rule. DAR staff processing. 06/09/2008, DARC received CAAC revisions to draft interim rule. Legal review comments sent for DARC consideration on 6/25/08. 06/25/2008, GSA Legal identified draft interim FAR rule issues. GSA Legal, FAR and DAR staff resolving issues. 7/9/2008, Draft Interim FAR rule from CAAC to OFPP. OFPP reviewing. 7/9/2008, OFPP concurrence with draft interim FAR rule. CAAC preparing to send to OIRA. 7/22/2008, OIRA approved interim rule. FAR staff forward to FARSEC. Awaiting publication in FAC 2005-30.



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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2007-021	22.1006	Fair Labor Standards Act and Service Contract Act Price Adjustment Clauses	Requested by the Department of the Navy's Labor Advisor to revise the clause prescriptions at FAR 22.1006(c)(1) and (c)(2) to include the clauses at FAR 52.222-43 and 52.222-44 in time-and-materials and labor-hour service contracts. Currently, the clauses are required to be included in fixed-price service contracts only.	12/12/2007, DARC opened case proposed FAR rule. DAR staff processing. 12/12/2007, Tasked FAR Acquisition Law Team - Timeline due 01/09/2008. 01/09/2008, Team to draft proposed FAR rule. Report due 01/30/2008. 01/30/2008, DARC will discuss 02/13/08. 03/26/2008, Draft proposed FAR rule returned to Law Team for further justification. Research requirements of SCA and FLSA. Timeline due 4/9/2008. 03/31/2008, Case transferred to Angela Sawyer. Timeline due 4/09/2008. Report due 07/02/08. 7/10/2008, Law Team received input from Finance Team. Law Team report due (1st ext) 08/06/08. 07/23/2008, DARC will discuss on 08/06/08, time certain @ 1100. 08/06/2008, DARC agreed to draft proposed FAR rule. Provided to GSA case manager for CAAC review. 9/10/2008, Councils agree. FAR staff preparing to send to GSA Legal for review. 9/29/2008, GSA Legal concurrence with draft proposed FAR rule. FAR staff preparing to send to OFPP. 9/29/2008, FAR staff sent draft proposed FAR rule to OFPP. OFPP reviewing. 10/6/2008, OFPP concurs. 10/7/2008, CAAC Chair sent draft proposed FAR rule to OIRA. OIRA reviewing. 10/09/2008, OIRA cleared proposed FAR rule. 10/09/2008, Proposed FAR rule to FARSEC for preparation of FR notice. 10/28/08: OSD granted approval to publish.

**Open FAR Cases  
as of January 9, 2009**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2007-019		Contractor Access to Information	Consideration of how best to safeguard proprietary and confidential contractor and third party information by including provisions and clauses in solicitations and contracts regarding the use of non-disclosure agreements, information sharing among contractors, and remedies for improper disclosure.	12/6/2007, Opened FAR case, proposed rule. Timeline due 01/16/08. Report due 01/30/08. 1/16/2008, Report submitted to Councils. DARC will discuss 1/30/2008, time certain 0930. 1/30/2008, DARC agreed to draft proposed rule. DAR staff processing. 1/30/2008, DAR staff notified FAR staff of DARC differences from Team report. 4/16/2008, Received CAAC comments. 5/7/08, Forwarded CAAC comments to PD&C Chair. 6/18/2008, provided CAAC comments to DARC. Will discuss 6/25/2008. 06/25/2008, DARC agreed to draft proposed FAR rule. DAR staff processing. 6/30/2008, DAR staff notified FAR staff of DARC differences from CAAC suggested changes. DAR and FAR staff resolving open issues. 9/23/2008, This case is temporarily on hold until the DARC resolves issues with the DoD CIO. 11/05/2008, This case is no longer on hold. It is being prepared for CAAC discussion.
2007-018		Organizational Conflicts of Interest	Consideration of whether the FAR's current guidance on Organizational conflicts of interest adequately addresses the current needs of the acquisition community or whether providing standard provisions or clauses, or a set of such provisions and clauses, might be helpful.	03/26/2008, Published ANPR in Federal Register (73 FR 15962) Public comment period ends 5/27/2008. 03/31/2008, Case transferred to Angela Sawyer. Public comment period ends 5/27/2008. Will publish FR notice to extend comment period by 30 days from date of publication. 6/17/2008, Additional 30-day comment period for ANPR published in FR (73 FR 34686) Comment period ends 7/18/2008. 7/17/2008, Comment period on ANPR ended. Awaiting comments from FARSEC. 8/12/2008, Case was tasked to Acquisition Law Team to review ANPR comments and provide status on pursuing a proposed rule by 31 Oct. 08. 10/22/2008, Case put on hold at the direction of the DARC.

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as of January 9, 2009**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2007-017		Service Contractor Employee Personal Conflicts of Interest	Consideration of if, when, and how contractor employees' personal conflicts of interest need to be addressed, and whether greater disclosure, specific prohibitions, or reliance on specified principles would be most effective and efficient in promoting ethical behavior.	3/26/08, ANPR published in FR (73 FR 15961). Comment period ends 5/27/08. Will publish FR notice to extend comment period by 30 days from date of publication. 6/17/2008, Additional 30-day comment period for ANPR published in FR (73 FR 34599) Comment period ends 7/17/2008. 7/17/2008, Comment period on ANPR ended. Awaiting comments from FARSEC. 07/30/2008, Timeline due 08/20/08. 08/20/2008, Case manager will provide status report by 10/29/08. 10/22/2008, Case put on hold at the direction of the DARC until after 2008-025.
2007-016	22.1503 25.202 25.402 52.212-5 52.213-4 52.222.19	Trade Agreements--New Thresholds	Revises the trade agreements thresholds, as determined by the USTR in accordance with the formulas provided in the trade agreements. The thresholds are adjusted every two years, effective January 1.	2/28/2008, Published interim FAR rule in Federal Register (73 FR 10962). Public comment period ends 4/28/2008. 04/30/2008, DARC agrees to final rule. DAR staff processing. 4/30/2008, DAR staff notified FAR staff that DARC agreed with draft final rule. Awaiting CAAC concurrence. 6/2/2008, CAAC still awaiting FAR SEC confirmation that no public comments. 6/4/2008 - Councils agree. 6/4/2008, Draft final FAR rule from GSA analyst to GSA Legal. GSA Legal reviewing. 6/6/2008, GSA Legal concurs. FAR staff processing to send to OFPP. 6/10/2008, Draft final FAR rule to OFPP. OFPP reviewing. 7/11/2008, OFPP concurs with draft final FAR rule. FAR staff preparing to send to OIRA. 7/14/2008, CAAC Chair sent draft final FAR rule to OIRA. OIRA reviewing. 7/22/2008, OIRA cleared for publication. 7/23/2008, FAR analyst forwarded to FAR Secretariat for preparation of FAC.

**Open FAR Cases  
as of January 9, 2009**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2007-012		Enhancing Competition Procedures for Multiple Award Contracts	This case requires that post award debriefings be provided, as requested, to disappointed offerors on task and delivery orders in excess of \$5 million (including options). Also implements Section 863 of the National Defense Authorization Act for FY 2009 (Pub. L. 110-417)	<p>07/26/2007, DARC opened case, proposed FAR rule. DAR staff processing.</p> <p>08/06/2007, DAR staff tasked the Acquisition Strategy Team to draft proposed FAR rule. Timeline due 08/22/2007. Report due 10/10/2007.</p> <p>10/10/2007 DAR Council approved revised due date for Report of 10/31/07, and Chair proposed consolidation of FAR Cases 2007-010, 2007-011, and 2007-012. 10/17/2007 Report due 11/08/07.</p> <p>11/07/2007 DARC agreed to extend Report due date to 11/28/2007. Report due (2nd ext.) 12/5/07.</p> <p>12/05/2007, DARC will discuss 01/16/08.</p> <p>1/11/2008, Discussion date moved to 01/30/08. Discussion will be rescheduled. Timeline due 02/27/08.</p> <p>01/30/2008, DAR Case manager notified GSA Case manager to reopen Team Report for changes.</p> <p>02/27/2008, DAR staff tasked Acquisition Strategy team to draft proposed FAR rule. Report due 04/23/08. Report due (1st ext.) 06/04/08.</p> <p>Report due (3rd ext.) 06/25/08. Report due (4th ext.) 07-09-08. Report due (5th ext.) 07/23/08.</p> <p>07/23/2008, DARC received FAR Acquisition Team draft proposed FAR rule from DAR Case Mgr. DARC will discuss case on 08/20/2008, time certain @ 0945.</p> <p>08/20/2008, Case manager will revise rule and resubmit to DARC on 9/24/2008. A new discussion date TBD.</p> <p>09/24/2008, DARC concurs with Cmte request for extension to provide a CAAC comments and proposed action to update the draft rule.</p> <p>11/05/2008, Committee needs to revise rule to incorporate FA Case 2007-009 and implement Section 863 of the NDAA FY 09. Timeline due 11/12/08. 11/12/08, Extension, Committee due 12/10/08. Time Certain 1/7/09. Principals to have conference call to discuss BPA in rule by 1/13/09.</p>

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as of January 9, 2009**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2007-008	6.302-2	Limiting Length of Noncompetitive Contracts in 'Unusual and Compelling Urgency' Circumstances	This case would limit the length of contracts awarded noncompetitively under "unusual and compellin urgency" circumstances to the minimum contract period necessary to meet requirements, not to exceed one year unless approved by the head of the contracting activity.	01/31/2008, Published proposed rule at [73 FR 5784] public comment period ends 31 March. 04/30/2008, Tasked Acquisiiton Strategy Team. Report due 06/25/08. 06/25/2008, DARC will discuss 07/16/08, time certain @ 0930. 07/16/2008, DARC agreed to draft final FAR rule. DAR staff processing. Reclama 08/13/08. 08/13/2008, DARC agreed to draft final FAR rule. DAR staf processing. 8/18/2008, DAR Staff notified FAR staff that DARC agreed with draft final rule as submitted. 10/29/2008, DARC will discuss 11/12/2008. 11/05/2008, DARC will discuss again 11/19/08. 11/19/2008, DARC agreed to draft final FAR rule. DAR staff processing. 01/05/2009, DARC approved draft final rule-FAR staff processing.

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as of January 9, 2009**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2007-003		Payment on T&M/LH Contracts	Consider issues concerning the new T&M/LH regulations.	<p>6/13/2007, Opened FAR Case, proposed rule.  6/13/2007, FAR Acquisition Finance Team tasked to submit timeline to draft proposed FAR rule on 7/11/2007. Report due September 5. Report due (1st ext.) 10/03/07.  11/08/2007, DARC received Finance Team draft proposed rule. DARC discuss 11/28/2007.  11/21/2007, DARC received CAAC revisions to draft proposed FAR rule.  11/28/2007, DARC agreed to draft proposed FAR rule. DAR staff processing.  12/04/2007, DAR staff notified FAR staff that DARC agreed with draft rule as submitted by Team. DAR and FAR staff resolving open issues.  01/10/2008, Draft proposed FAR rule from FAR analyst to GSA legal. GSA legal reviewing.  08/13/2008, GSA legal identified draft proposed FAR rule issues. GSA legal and AcQ Finance team working to resolve issues. 1/8/09 GSA legal and GSA Case Manager working to resolve issues.</p>

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as of January 9, 2009**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2007-002		FAR Part 30, CAS Administration and Associated FAR Clauses	Revise the CAS clauses at FAR 52.230 in order to maintain consistency between the CAS and FAR by reflecting the CAS promulgated June 14, 2000.	<p>06/04/2007, DARC opened case, proposed DFARS rule. DAR staff processing.</p> <p>6/6/2007, Tasked staff to draft proposed FAR rule. Timeline due 06/20/07. Timeline due (1st ext.) 07/11/07.</p> <p>07/11/2007, DARC received draft interim FAR rule from staff. Discuss on 7/18/07.</p> <p>07/18/2007, DARC agreed to draft interim FAR rule. Case manager processing.</p> <p>7/18/07, FAR staff sent draft interim rule to CAAC. CAAC to discuss 08/01/2007.</p> <p>8/3/2007, GSA legal identified draft interim rule issues. GSA legal, FAR and DAR staff resolving issues.</p> <p>09/14/2007, GSA Legal concurrence with draft final FAR rule. FAR staff preparing to send to OFPP.</p> <p>11/14/2007, CAAC chair sent draft interim FAR rule to OIRA. OIRA reviewing.</p> <p>02/08/2008, Interim FAR rule to FARSEC for preparation of FAC.</p> <p>8/8/2008, Interim FAR rule in draft FAC 2005-27. To GSA Legal, DAR staff, and NASA staff for review.</p> <p>9/17/2008, Published interim FAR rule in Federal Register (73 FR 54011). Public comment period ends 11/17/2008.</p> <p>12/3/2008, Reclama 12/10/2008.</p> <p>12/10/2008, DARC agreed to draft final FAR rule. DAR staff processing.</p> <p>12/18/2008, GSA Legal concurrence with draft final FAR rule. FAR staff preparing to send to OFPP.</p>

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as of January 9, 2009**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-034	13.003 19.13 19.14 19.2 19.5 19.8	Socioeconomic Program Parity	Revise FAR to reflect SBA's interpretation of the Small Business Act and SBA's interpretation of its regulations regarding the relationship among the small business programs.	03/10/2008, Published proposed FAR rule in Federal Register. Public comment period ends 05/09/08. 05/09/2008, Public comment period ended. 6/2/2008, DARC Chair forwarded public comments to DAR staff. DAR staff processing. 6/11/2008, DAR staff tasked FAR Small Business Team to review public comments and submit draft final FAR rule. Report due 7/16/08. 07/02/2008, DARC will discuss draft final FAR rule on 07/23/08, time certain @ 1000. Rescheduled discussion for 08/13/08. Rescheduled discussion for 09/10/08, time certain @ 1000. 09/10/2008, DARC agreed to draft final FAR rule. DAR staffing process. 09/24/2008, The DARC requested that the case be placed in a "hold" status while resolving issues identified during review of the draft final rule, including issues raised in a decision by the Comptroller General.



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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-032		Small Business Size Rerepresentation	Implements in the FAR an SBA regulation issued on November 15, 2006 (71 FR 66434). The SBA regulation requires rerepresentation of size status prior to the 6th year of a contract and prior to the exercise of an option thereafter; when a small business changes its name, is acquired by or merges with another concern, regardless of whether there is a novation agreement.	<p>7/5/2007, Published interim FAR rule in Federal Register 72 FR 36852. Public comment period ends 9/4/2007.</p> <p>10/03/2007, Report due 11/14/07.</p> <p>11/14/07, Report submitted. DARC will discuss 11/28/07.</p> <p>11/28/2007 DARC discussed. Further discussion required after Air Force provides language for additional changes.</p> <p>01/15/2008, DAR staff provided FAR staff with draft final rule to which DARC agreed.</p> <p>01/29/2008, FAR analyst has sent this rule to GSA legal for review.</p> <p>4/28/2008, GSA legal identified draft final FAR rule issues. 6/10/2008, FAR analyst advised DAR analyst of GSA legal issues. 6/11/08 DAR analyst responded.</p> <p>7/22/2008, Draft final rule from CAAC to OFPP. OFPP reviewing.</p> <p>07/25/2008, OFPP concurrence with draft final FAR rule. (also on 8/5/2008)</p> <p>7/28/2008, CAAC Chair forwarded to OIRA.</p> <p>10/30/2008, Final rule to FARSEC for preparation of FAC.</p>

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as of January 9, 2009**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-030	11.101 23.701 23.702 23.705 23.706 39.101 52.212-5 52.223-10 52.223-16	Electronic Products Enviromental Assessment Tool	Revise FAR Subpart 23.7 to include a requirement for computer desktops, laptops, and monitors to procured in accordance with IEEE Standard 1680 ( voluntary consensus standard).	12/26/2007, Published interim FAR rule in Federal Register (72 FR 73215). Public comment period ends 02/25/2008. 02/29/2008, Public comment period ended. Public comments received from FAR Sec. DAR staff processing. 03/05/2008, DAR staff tasked Law Team to review public comments and draft a final FAR rule. Timeline due 03/19/2008. Report due 04/23/08. Report due (1st ext) 05/14/08. 05/09/2008, FAR staff received Law Team draft final FAR rule report. FAR staff reviewing. 05/12/2008, FAR staff sent draft final FAR rule to CAAC. Reclama due 05/19/2008. 05/19/2008, CAAC agreed to draft final rule. 05/21/2008, DAR staff sent draft final FAR rule to DARC. Reclama due 06/04/2008. 06/04/2008, Councils agree. FAR staff preparing to send to GSA Legal for review. 06/25/2008, Draft final FAR rule from FAR analyst to GSA Legal. GSA Legal reviewing. 06/26/2008, GSA Legal concurrence with draft final FAR rule. Draft final FAR rule from CAAC to OFPP. OFPP reviewing. 07/07/2008, OFPP concurrence with draft final FAR rule. FAR staff preparing to send to OIRA. 07/08/2008, CAAC sent draft final FAR rule to OIRA. 07/22/2008, OIRA cleared final FAR rule. FAR staff processing. 07/29/2008, Final rule to FARSEC for preparation of FAC.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-026	13.003 13.301 17.207 32.1108 4.1103 52.232-36 8.405-7	Government Purchase Card Restriction for Delinquent Federal Debt	Consider whether the use of the Government Purchase Cards should be authorized for vendors with delinquent Federal debt	12/31/2007. Published proposed FAR rule in Federal Register. Public comment period ends 02/29/08. 04/02/2008, Report due 04/02/2008. Report due 05/12/08. Report due (1st ext) 06/25/08. 06/25/2008, Report due (2nd ext) 07/16/08. Report due (3rd ext.) 08/13/08. 08/13/2008, DARC received FAR Acquisition Strategy team draft final FAR rule from DAR staff case manager. DARC will discuss 09/17/08, time certain @ 0945. 09/17/2008, DARC agreed to draft final FAR rule. DAR staff processing. 10/16/2008, Resolved draft final FAR rule open issues, FAR staff processing. 10/27/2008, Draft final FAR rule from FAR analyst to GSA Legal. GSA legal reviewing.
2006-024	31.205-46	Travel Cost Principle	Clarify how to determine allowable airfare costs.	12/20/2007, Published Proposed Rule, Comments due February 19, 2008. Report due 05/14/08. 05/30/2008, DARC will discuss on 06/11/08, time certain 0930. 06/11/2008, DARC agreed to proposed FAR rule. DAR staff processing. 06/11/2008, DAR staff notified FAR staff that DARC agreed with draft rule as submitted by Team. 10/22/2008, DARC will discuss draft proposed FAR rule on 10/29/08. 10/29/2008, DARC agreed to draft proposed FAR rule. DAR staff processing. Forwarded recommended changes to CAAC. 11/12/2008, Draft proposed FAR rule from FAR analyst to GSA Legal for reviewing. 1/7/2009 FAR Finance Team is proposing revised language.

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as of January 9, 2009**

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-023	1.603 33.205 43.000 50 52 7.105 18.1 28.308 32.4	SAFETY Act: Implementation of DHS Regulations	This case implements the DHS regulations on the SAFETY Act that were published as a final rule on June 8, 2006 at 71 FR 33147.	6/6/2007, Interim FAR rule to FAR Secretariat for preparation of FAC. 11/7/2007, Published interim FAR rule in Federal Register (72 FR 63027). 01/16/2008, Tasked FAR Acquisition Law Team. Timeline due 01/30/08. 1/30/2008, Timeline submitted. RD 3/12/08. 1/31/08, Comments officially received from FAR SEC. Report due (1st ext.) 03/19/08. 3/20/2008, DARC received Law Team draft final rule from DAR staff. Will discuss 4/2/2008,time certain @ 0930. 04/02/2008, DARC agreed to final FAR rule. DAR staff processing. 5/5/2008, Councils Agree. FAR staff preparing to send to GSA Legal for review. 5/15/2008, Draft final FAR rule to OFPP. OFPP reviewing. 6/12/2008, OFPP identified draft final FAR rule issues. FAR and DAR staff resolving issues. FAR staff response on 6/13/08. DAR staff comments to FAR staff on 6/16/08. FAR case analyst response to OFPP on 6/25/2008. 8/14/2008, OFFP concurs. FAR staff processing to send to OIRA. 8/19/2008 CAAC Chair sent to OIRA. 9/4/2008, OIRA cleared. FAR staff processing. 9/27/2008, Final FAR rule to FAR SEC.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-022	13.106-2 17.207 2.101 36.604 36.7 53 9.105-1 42.15	Contract Performance Information	To update the FAR with past performance procedures.	10/04/07, DARC version submitted to FAR analyst. 11/7/2007, Draft proposed FAR rule form FAR analyst to GSA Legal. GSA Legal reviewing. 1/24/2008, Draft proposed FAR rule form CAAC to OFPP, OFPP reviewing. 2/6/2008, CAAC sent draft proposed FAR rule to OIRA, OIRA reviewing. 3/12/2008, Proposed FAR rule to FARSEC for preparation of FR notice. 4/2/2008, Published proposed rule in Federal Register (73 FR 17945). Comment period ends June 2, 2008. 6/2/2008, Comment period ended. Awaiting public comments from FARSEC. 6/13/2008, DARC and CAAC received public comments from FAR Sec. FAR staff processing. 06/16/2008, DAR staff tasked Acquisition Implementation Team to prepare draft final FAR rule. Report due 08/16/08. 09/10/2008, DARC will discuss 09/24/08, time certain @ 0945. 09/24/2008, DARC agreed to draft final FAR rule. DAR staff processing. Reclama 11/05/08. 11/05/2008, Case manager resolution. 12/18/2008, Sent to GSA Legal for review.
2006-021	31.206-5	Post Retirement Benefits (PRB)	Amend the FAR to permit the contractor to measure accrued PRB costs using either the criteria in Internal Revenue Code (IRC) 419 or the criteria in Financial Accounting Standard (FAS) 106.	11/15/2007, Published Proposed Rule, Comments due 01/14/2008 01/31/2008, DAR staff tasked Finance Team to review public comments and draft final FAR rule. Report due 03/28/2008. Extended to 04/11/2008. Extended to 05/07/08. Report due (3rd ext) 06/11/08. DCAA submitted a dissenting report. Team working issues. Report due (4th ext.) 07/30/08. Report due (5th ext) 09/10/08. Report due (6th ext) 10/22/2008. Report due (7th ext.) 12/17/08. Time certain 1/21/09. 1/7/2009, Report provided to DAR Council. Discussion scheduled 1/21/2009.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-013	28.203-3	List of Approved Attorneys, Abstracters, and Title Companies	Replace FAR Part 28.203-3 reference to the "List of Approved Attorneys, Abstracters, and Title Companies" with Department of Justice standards.	<p>06/27/2007, DARC agreed to draft final FAR rule, DAR staff processing.</p> <p>06/27/2007, DAR staff notified FAR staff that DARC agreed with draft final rule as submitted by DAR case manager.</p> <p>07/11/2007, CAAC agreed to draft final rule. FAR staff processing.</p> <p>07/12/2007, Draft final FAR rule from FAR analyst to GSA Legal. GSA Legal reviewing.</p> <p>07/12/2007, GSA Legal identified draft final FAR rule issues. GSA Legal and FAR staff resolving issues.</p> <p>08/29/2007, GSA Legal concurrence with draft final FAR rule. FAR staff preparing to send to OFPP.</p> <p>10/25/2007, Draft final FAR rule from CAAC to OFPP. OFPP reviewing.</p> <p>12/21/2007, CAAC sent draft final FAR rule to OIRA, waiting for approval to publish.</p> <p>04/11/2008, CAAC pulled draft final rule out of OIRA review process due to receipt of a late public comment. GSA is evaluating comment and revising report. 10/23/2008, GSA legal still reviewing.</p> <p>01/08/2009, GSA Case Manager has submitted revised draft final rule to CAAC. CAAC reviewing.</p>

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-005	19.1 19.13 19.3 2.1 52.219	HUBZone Program Revisions	SBA has amended its regulations to implement changes to the HUBZone Program resulting from the Small Business Reauthorization Act of 2000. This case amends the FAR to address changes in the SBA regulations.	<p>07/26/2006, DARC discussed draft proposed rule; Case manager to revise by 8/9/06. Reclama by 8/23/06.</p> <p>08/23/2006, DARC agree to Proposed Rule.</p> <p>08/30/2006, DAR staff notified FAR staff of proposed rule agreed to by DARC. 5/10/07 FAR staff provided changes made by CAAC but package was returned because it was incomplete. Awaiting complete package.</p> <p>7/25/2007, FAR staff notified DAR staff of CAAC differences from DARC suggested changes. DAR and FAR staff resolving open issues.</p> <p>08/15/2007, DARC will discuss 08/22/07.</p> <p>08/22/2007, DARC agrees to draft proposed FAR rule. DAR staff processing.</p> <p>08/24/2007, DAR staff notified FAR staff of DARC differences with CAAC suggested changes.</p> <p>11/9 FAR staff notified DAR staff of remaining differences. DAR Council to discuss 11/28.</p> <p>11/28/2007, DARC agrees to draft proposed FAR rule. DAR staff processing.</p> <p>12/7/2007, DARC notified FAR staff that DARC agreed with CAAC version of the rule with minor changes.</p> <p>01/16/2008, Draft proposed FAR rule from FAR analyst to GSA legal. GSA legal reviewing.</p> <p>3/06/2008, GSA legal identified draft proposed FAR rule issues to FAR staff. 7/2/08 FAR staff sent GSA legal issues to DAR staff. 7/3/2008 DAR staff responded.</p> <p>10/07/2008, Draft proposed FAR rule from CAAC Chair to OFPP. OFPP reviewing.</p> <p>11/28/2008, CAAC Chair sent draft proposed rule to OIRA. OIRA reviewing.</p> <p>12/11/2008, OIRA cleared proposed FAR rule. FAR staff processing.</p> <p>12/16/2008, Proposed FAR rule to FARSEC for preparation of FR notice.</p>

**Open FAR Cases  
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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2005-041	12.201 12.202 12.202(e), 39.101 39.101 39.107 7.103 7.103, 12.202(e), 39.101 52.239-2	Internet Protocol Version 6 (IPv6)	Per OMB Memorandum M-05-22 all agencies must acquire IPv6 compatible hardware and software in the same manner using consistent policy and guidance for IT procurements.	04/18/2007, FAR staff sent DARC-approved draft final FAR rule to CAAC. Will discuss on 5/2/2007. 06/14/2007, FAR staff sent draft final FAR rule to CAAC for simplified review. Reclama due by 6/20/2007. 06/25/2007, OFPP notified FAR staff of desire to put case on hold pending NIST publication. Awaiting DAR staff concurrence. 06/28/2007, DAR staff notified FAR staff that DARC recommends moving case forward through review process. FAR staff processing. 08/15/2007, CAAC agreed to draft final rule with minor changes. FAR staff processing. 08/28/2007, FAR staff sent CAAC version of draft final rule to DAR Staff. DAR and FAR staff resolving open issues. 09/04/2007, Resolved draft final FAR rule open issues. FAR staff processing. 09/12/2007, Councils agree. Draft final FAR rule from FAR analyst to GSA Legal. GSA Legal reviewing. Resolving legal comments 9/13/2007. Sent back to Legal 10/18/2007, GSA Legal identified concerns. FAR and DAR staff resolving issues. 10/22/2007, Draft final FAR rule to GSA Legal. GSA Legal reviewing. 10/28/2007, GSA Legal review complete. 8/6/2008, FAR staff is holding rule pending finalization of the IPV6 standards, or other direction from OFPP/OIRA. 9/10/2008, NIST published IPV6 standards profile. Case is no longer on hold, and is being reviewed by GSA GC.



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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2005-040	1.106 1.602-2 11.102 11.201 19.7 19.704 19.705-7 2.101 39.101 4 52.219-9 52.219-9, 52.219-25 52.239-1 53.219 53.3 7.103 7.105 52.219-25	Electronic Subcontracting Reporting System (eSRS)	Implements OFPP memo dtd Nov 3, 2005 that directs use of eSRS for both summary and individual subcontracting reporting.	04/23/2008, Interim rule published. Public comment period closes 06/23/08. 06/25/08, DAR staff received public comments from FARSEC. DAR staff processing. 07/02/2008, DAR staff tasked Small Business Team to review public comments. Report due 09/10/08. 09/10/2008, DARC will discuss 10/01/08, time certain @ 1000. 10/01/2008, DARC agreed to draft final FAR rule. DAR staff processing. 10/09/2008, DAR staff notified FAR staff that DARC agreed with draft rule as submitted by team. 11/18/2008, FAR staff notified DAR staff of CAAC differences from DAR Council suggested changes. DAR and FAR staff resolving open issues.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2005-037	13.106 6.302 8.406 5.102 8.405	Brand Name Specifications	Consider requiring publication of brand name justifications.	09/28/2006, Published interim rule in Federal Register(71 FR 57357). Public comment period ends 11/27/2006. 11/27/2006, Public comment period ends. 01/26/2007, DAR staff tasked staff level (Delaney/Davis) to review public comments, draft final FAR rule. RD 5/30/2007. 05/30/2007, GSA Ad Hoc Committee not yet finished with responses to comments. Report due date extended to 06/13/2007. Report due (2nd ext.) 06/27/07. 10/23/2007, GSA Ad Hoc Committe reviewing comments with OFPP. GSA Ad Hoc Committee will request an extension to the Report due date following meeting with OFPP on 10/24/2007. 01/22/2008, FAR/DAR staff reveiwng public comments. 06/11/2008, DAR staff received GSA Ad Hoc draft final FAR rule. DAR staff reviewing. Report due date established as 08/27/08. Report due (5th ext.) 09/17/08. Report due (6th ext.) 09/24/08. Report due (7th ext.) 10/08/08 10/08/2008, DARC will discuss 11/05/08, time certain @ 1000. 11/05/2008, A strawman diagram to Council by 12/03/08. Principals to have conference call to dicuss BPA in rule by 1/13/09.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2005-036	15.4 2.101	Definition of Cost or Pricing Data	<p>This case addresses three aspects of contract pricing:</p> <ul style="list-style-type: none"> <li>- Judgemental factors as cost or pricing data (related to recent AF defective pricing cases);</li> <li>- Pricing of sole source commercial item contracts; and</li> <li>- Adequacy of the FAR 2.101 definitions for cost or pricing data and information other than cost or pricing data.</li> </ul>	<p>04/23/2007, Published proposed FAR rule in Federal Register (72 FR 77). Public comment period ends June 22, 2007.</p> <p>7/13/2007, Public Comments Received</p> <p>07/18/2007, AFT Tasked to review comments and draft final rule, Report due 10/10/2007</p> <p>09/27/2007, Case is on hold as OFPP Directed a public meeting</p> <p>12/11/2007, Report submitted to DARC, Discussion scheduled for 12/19/2007</p> <p>12/19/2007, DARC agrees to final FAR rule. DAR staff processing.</p> <p>12/19/2007, DAR staff notified FAR staff (GSA) that DARC agreed to rule</p> <p>06/02/2008, DHS had several concerns. Team working through issues.</p> <p>06/02/2008, FAR staff notified DAR staff of CAAC differences from Team Report or CAAC's suggested changes. DAR and FAR staff resolving open issues.</p> <p>08/13/2008, Currently at CAAC for review and approval.</p> <p>10/22/2008, DARC will discuss draft final FAR rule on 10/29/08, time certain @ 1000. Continue discussion on 11/05/08.</p> <p>11/05/2008, DARC agreed to draft final FAR rule. DAR staff processing. Forwarded recommended changes to CAAC.</p> <p>11/18/2008. CAAC agreed to draft final rule. FAR staff processing.</p>

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2005-032	32.000 32.501 32.503 52.232-16	Contractor Request for Progress Payments - SF 1443	Evaluate changes to the SF 1443 recommended by the Contract Finance Team.	4/8/2008, Published proposed rule in Federal Register (73 FR 19035). Comment period ends June 9, 2008. 6/9/2008, Comment period closed. 6/13/2008, Public comments received from FAR SEC. DAR staff processing. 07/07/2008, DAR staff tasked Finance Team to draft final FAR rule. Report due 10/15/08. Awaiting input on AIA claimed cost impact from SBA. 10/01/2008, DARC will discuss draft final FAR rule on 10/08/08. 10/08/2008, DARC agreed to draft final FAR rule. DAR staff processing. 10/09/2008, Draft final FAR rule from FAR analyst to GSA Legal. GSA Legal reviewing. FAR staff processing.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2005-014	12.212 39.101 7.103 7.105 8.900 8.901 8.902 8.903 8.904	SmartBUY - Mandatory Use Software Program	This proposed rule will prescribe policies and procedures for acquisition of commercial software and software support under the Government-wide Enterprise Software Licensing Program also known as SmartBUY.	10/31/2007, Published proposed FAR rule in Federal Register (72 FR 61603). Public comment period ends 12/31/2007. 12/31/2007, Public comment period ended. Received public comments from FAR Sec. FAR Staff processing. 01/30/2008, FAR staff tasked FAR Acquisition Technology Team to review public comments and draft a final FAR rule. Report due 04/30/2008. 04/30/2008, Report due 5/28/2008 (1 extension). 05/22/2008, Report due (2nd ext) 07/31/08. 07/31/2008, FAR/DAR staff received draft final rule report. FAR/DAR staff sent final FAR to CAAC/DARC. DARC discussed on 08/20/2008. Reclama 09/05/2008. 09/10/2008, Confirmed no additional DARC changes. Draft proposed rule changes sent to CAAC. 10/01/2008, DARC will discuss draft proposed FAR rule on 10/22/08. 10/22/2008, DARC agreed to draft proposed FAR rule. DAR staff processing. Forwarded recommended changes to CAAC. 12/3/2008, CAAC agreed to a draft rule. 12/3/2008, Draft proposed FAR rule from FAR analyst to GSA Legal. GSA Legal reviewing.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2005-012	12.503 25.301 52.225	Implementation of Section 3(b) of the Trafficking Victims Protection Reauthorization Act of 2003	As amended by Pub. L. 109-164, Section 3(b) of Pub. L. 108-193 provides that contracts shall include a provision that authorizes termination without penalty, if the contractor or any subcontractor engages in certain forms of human trafficking.	08/17/2007, Published 2nd interim FAR rule in Federal Register (72 FR 159). Public comment period ends 10/16/2007. 10/31/2007, DAR staff/NASA policy member tasked Ad-Hoc Team to review public comments and draft a final FAR rule. Timeline due 11/14/2007. 11/14/2007, Ad-Hoc Team submitted timeline for reviewing public comments and drafting a final FAR rule. Report due 01/30/2008. 02/13/2008, DARC will discuss on 02/27/08. 02/27/2008, DARC agreed to draft final FAR rule w/minor changes. DAR staff processing. 03/06/2008, DAR staff notified FAR staff that DARC agreed with draft final rule w/minor changes. FAR Staff processing. Discuss 04/30/08 time certain @ 0930. Reclama 05/07/08. 05/07/2008, DARC agreed to draft final FAR rule. DAR staff processing. 05/16/2008, CAAC approved Final rule. 05/23/2008, GSA legal approvd final rule, GSA to send to OFPP. 6/13/2008, FAR staff sent draft final FAR rule to OFPP. OFPP reviewing. 07/10/2008, OFPP approved. 07/18/2008, CAAC Chair sent draft final FAR rule to OIRA. 09/25/2008, OIRA cleared final FAR rule. FAR staff processing. 11/10/2008, Final rule to FARSEC for preparation of FAC.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2004-038	1.106 4.601 4.602 4.603 52.204-6 4.604 4.803 12.301 19.308 52.212-1	Implementation of the Federal Procurement Data System (FPDS)	Standardize rules for procurement reporting to facilitate implementation of FPDS-NG across the Federal Government.	04/22/2008, Published interim FAR rule in Federal Register (73 FR 21773). Public comment period ends 06/23/2008. 06/23/2008, public comment period ended. Awaiting to receive public comments from FAR SEC. 07/08/2008, Received public comments from FAR Sec. 07/10/2008, FAR staff tasked Acq Tech Team to review public comments, draft final FAR rule). Timeline due July 30, 2008. 07/30/2008, FAR/DAR staff sent draft final FAR rule to CAAC/DARC. DARC to discuss on 8/13/2008 and CAAC to discuss on 8/27/2008. 08/13/2008, DARC agrees to draft final FAR rule. DAR staff processing. 08/14/2008, Draft final FAR rule from FAR Analyst to GSA Legal. GSA Legal reviewing. 08/18/2008, Approved by CACC. 10/3/2008, OFPP concurrence with draft final FAR rule. 10/03/2008, CAAC sent draft final FAR rule to OIRA. 10/09/2008, OIRA cleared final FAR rule. FAR staff processing. 10/23/2008, Final rule to FARSEC for preparation of FAC.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2001-004	15.102 17.109 4.12 52.212-1 52.212-3 52.212-4 52.212-5 52.222 22.10	Exemption of Certain Service Contracts from the Service Contract Act	Implement a Department of Labor final rule (66 FR 5328) that exempts certain contracts for services from coverage under the Service Contract Act if certain conditions are met.	11/7/2007, Published interim rule in Federal Register (72 FR 63076). Public comment period ends 1/7/2008. 01/16/2008, Tasked Ad Hoc Committee. Timeline due 01/30/08. 1/30/2008, Timeline received, RD 3/12/2008. 12/29/2008, Received official set of public comments from FAR Secretariat. DAR staff processing. Report due (1st ext) 04/09/08. 4/9/2008, Ad Hoc Team submitted report to DARC. Discuss 04/23/08. 4/23/2008, DARC agrees to draft final rule. DAR staff processing. 4/25/2008, DAR staff notified FAR staff of DARC differences from Team report. Awaiting CAAC input. 5/28/2008, CAAC agrees. Councils agree. 6/3/2008, Draft final rule to GSA Legal. GSA Legal reviewing. 6/6/2008, GSA Legal concurs. FAR staff preparing to send to OFPP. 6/10/2008, Draft final FAR rule to OFPP. OFPP reviewing. 7/9/2008, OFPP concurs with draft final FAR rule. FAR staff processing. 7/17/2008, CAAC Chair sent draft final FAR rule to OIRA. OIRA reviewing. 7/22/2008, OIRA cleared for publication. 7/30/2008, FAR analyst forwarded to FAR SEC for publication in FAC.



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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2000-305	12 2 22 23 25 27 3 44 47 52	Commercially Available Off-The-Shelf (COTS) Items	Implement section 4203 of the FY96 Defense Authorization Act by revising the FAR to include a list of provisions that are inapplicable to contracts for the procurement of commercially available off-the-shelf items.	10/12/05, placed on hold until further notice. 10/16/2005, Resubmitted FAR Acquisition Law Team analysis to OFPP. OFPP reviewing. 12/11 DARC/CAAC Chairs briefed Law Team analysis to OFPP Administrator. 2/28/2007, DARC received FAR Acquisition Law Team recommendation with regard to laws to waive for COTS. Will discuss 3/14/2007. 03/14/2007, DARC agrees to recommendation with regard to waivers. 03/14/2007, DAR staff notified FAR staff of DAR Council recommendation with regard to waivers. 05/14/2007, CAAC consensus position to OFPP and DARC. DAR and FAR staff resolving open issues. 05/30/2007, Resolved open issues. FAR staff processing. 05/30/2007, DARC/CAAC consensus to OFPP. OFPP reviewing. 02/27/2008, Report due 04/23/08. 04/23/2008, Report received. Discuss 05/07/08. 05/07/2008, DARC agreed to draft final FAR rule. DAR staff processing. 5/8/2008, DAR staff notified CAAC of DARC agreements with draft final rule. Awaiting CAAC response. 6/18/2008, CAAC agrees with draft final rule as revised by DAR staff. FAR staff preparing to send to GSA Legal for review. 6/18/2008, Draft final FAR rule from FAR analyst to GSA Legal. 6/20/2008, GSA Legal concurs. 6/20/2008, FAR staff sent draft final FAR rule to OFPP. OFPP reviewing. 9/10/2008, OFPP identified issues. 9/18/2008, GSA and DoD provided response to OFPP. 10/3/2008, OFPP concurs with draft final FAR rule. 10/7/2008, CAAC Chair snet draft final FAR rule to OIRA. OIRA reviewing. 10/9/2008, OIRA cleared final FAR rule. 10/9/2008, Final FAR rule to FARSEC for preparation of FAC.

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