

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

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2009-D001	203.1003(b)	DoD Office of the Inspector General Address	This is a new DFARS case, final rule, to provide the address for the agency Office of the Inspector General, as referenced at FAR 3.1003(b)(1). This implements the AT&L memo of December 29, 2008.	01/06/2009, DARC opened case final rule. DAR staff processing. 1/7/2009, Reclama 1/14/09.
2008-D050	211 252	Government Furnished Equipment Marking		12/17/2008, Report due 2/25/09.
2008-D049		Reporting of Government Property Losses		12/17/2008, Report due 2/25/09.
2008-D048	211 252	Government Property IUID Reporting		12/17/2008, Report due 2/25/09.
2008-D047	211 252	Government Assigned Serial Number		12/17/2008, Report due 2/25/09.
2008-D046		Trade Agreements with Costa Rica, Oman, Peru and Taiwan	At the request of the USTR, we are implementing the Free Trade Agreements with Costa Rica, Oman, and Peru, to take effect on January 1, 2009. The Oman FTA does not apply to DoD acquisitions. Also adds Taiwan as a designated country under the World Trade Organization Government Procurement Agreement.	11/25/2008, DARC opened case interim DFARS rule. DAR staff processing. 11/25/2008, Reclama due 12/10/08. 12/10/2008, DARC agreed to draft interim DFARS rule. DAR Staff processing. 12/10/2008, Case manager forwarded to editor. Editor waiting for USTR finalization of agreements.

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2008-D044		Commercial Software Reuse Preference	implementing section 803 of the National Defense Authorization Act FY 2009, enacted October 14, 2008. Section 803 requires contracting officials identify and evaluate, at all stages of the acquisition process (including concept refinement, concept decision, and technology development), opportunities for the use of commercial computer software and other non-developmental software.	11/10/2008, DARC opened DFARS case. DAR staff processing. Timeline due 11/19/08. Report due 2/4/09.
2008-D042	234	Preservation of Tooling for Major Defense Acquisition Programs	Implement section 815 of the National Defense Authorization Act FY 2009, enacted October 14, 2008. Section 815 requires the preservation and storage of unique tooling associated with the production of hardware for a major defense acquisition program through the end of the service life of the end item associated with such a program.	11/10/2008, DARC opened case, interim DFARS rule. DAR staff processing. 11/12/2008, DARS staff tasked System Acquisition/R&D cmte to draft interim DFARS rule. Timeline 11/19/08. Report due 1/07/09. Report due (2nd ext.) 1/28/09.
2008-D041	237	Guidance on Personal Services Contracts	Implement section 831 of the National Defense Authorization Act FY 2009, enacted October 14, 2008. Section 831 requires the development of guidance related to personal services contracts.	11/10/2008, DARC opened case, interim DFARS rule. DAR staff processing. 11/12/2008, DAR staff tasked Contract Services cmte. to draft interim DFARS rule. Report due 12/17/08. Report due (2nd ext) 2/4/09.

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2008-D040	247	Motor Carrier Fuel Surcharge	Implement section 884 of the National Defense Authorization Act FY 2009, enacted October 14, 2008. Section 884 requires the Secretary of Defense to take appropriate actions to ensure that, the maximum extent practical, in all carriage contracts in which fuel-related adjustment is provided for, any fuel-related adjustment is passed through to the person who bears the cost of the fuel that the adjustment relates to.	11/10/2008, DARC opened case, interim DFARS rule. DAR staff processing. 11/12/2008, DAR staff tasked Transportation cmte to draft interim DFARS rule. Report due 12/17/08. Discuss 1/14/09.
2008-D039	227	Government Rights in the Design of DoD Vessels	Implement section 825 of the National Defense Authorization Act FY 2009, enacted October 14, 2008. Section 825 clarifies the Government's rights in technical data in the designs fo DoD vessels, boats, craft and components thereof.	11/10/2008, DARC opened case, interim DFARS rule. DAR staff processing. 11/12/2008, DAR staff tasked Patents, Data, and Copyright cmte. to draft interim DFARS rule. Timeline due 11/19/08. Timeline due (1st ext) 12/03/08. Timeline due (2nd Ext.) 12/17/2008. Report due 1/28/09.
2008-D038		Steel for Military Construction Projects	Implement section 108 of Division E of the Consolifdated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Pub. L. 110-329), enacted 9/30/2008. Division E is entitles "Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2009." Section 108 prohibits procurement of steel for construction projects or activities for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.	11/10/2008, DARC and CAAC Chair opened case, interim DFARS rule. DAR staff processing. 11/10/2008, Timeline due 12/03/08. 11/14/2008, DARC received IA Cmte Draft interim DFARS rule. Reclama 11/26/08. 12/02/2008, Case manager forwarded to DAR editor. DAR editor reviewing. 12/08/2008, DAR editor send draft interim DFARS rule to OIRA. OIRA reviewing. 12/17/2008, OIRA cleared interim DFARS rule. DAR staff preparing for publication.

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2008-D037	203.170	Separation of Senior Leader roles in Source Selection	Reinforces the DPAP Policy Memo dated Sep 17, 2008 regarding the separation of duties of senior leaders on source selections. Includes the internal Government requirement to certify biannually that senior leaders have not performed multiple roles in source selections for major system or major service acquisitions.	10/31/2008, DARC opened case, final rule. DAR staff processing. 11/05/2008, DARC will discuss 11/19/08. 11/19/08, DARC approved draft final rule. Case Manager submitted rule to DAR editor on 11/20/08. 12/10/08, DAR editor sent final draft rule to OIRA. OIRA reviewing. 12/17/08, OIRA cleared final DFARS rule. DAR editor preparing for publication.
2008-D036		Remove North Korea from List of Terrorist Countries	Implements the rescission by the Secretary of State of the designation of North Korea as a State Sponsor of Terrorism (see U.S. Department of State Press Statement of October 11, 2008).	10/27/2008, DARC opened case, final DFARS rule. DAR staff processing. 10/29/2008, Reclama 11/05/08. 11/05/2008, DARC agreed to draft proposed DFARS rule. DAR staff processing. 11/14/2008, Case manager forwarded draft final DFARS rule to DAR editor. DAR editor reviewing. 12/08/2008, DAR editor sent draft final DFARS rule to OIRA. OIRA reviewing.
2008-D035		Peer Reviews of Contracts for Supplies and Services	Implement the DPAP memorandum regarding "Peer Review of Contracts for Supplies and Services," dated September 29,2008. The Department has issued a policy to require Peer Reviews of Solicitations for supplies and/or services in excess of \$1 billion dollars. Peer Reviews will be required at the pre-award stage in certain circumstances, and the post-award stage. The procedures outlined in the memorandum will be captured in the DFARS rule.	10/20/2008, DARC opened case, final rule. DAR staff processing. 11/05/2008, Staff level to draft proposed FARS rule. Report due 11/19/08. Report due (1st ext) 11/26/08. Discuss 12/17/2008. Time Certain 12/17. Time Certain 1/14/09.

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2008-D034		Revision to DFARS definition of "UCA" to include change orders	Expands the definition of the term "contract action." Presently, DFARS 217.7401 states that "contract action" is "an action which results in a contract" and "does not include change orders, administrative changes, funding modifications, or other contract modification that are within the scope and under the terms of the contract, e.g. engineering change proposals, value engineering change proposals, and over and above work requests as described in Subpart 217.77." It is recognized that a significant amount of the undefinitized contract actions issued throughout the Department are issued as change orders or other unpriced modifications to existing contracts. In order to provide full accountability and management oversight of this contracting approach, the definition of UCA will be broadened.	10/10/2008, DARC opened case, proposed DFARS rule. DAR staff processing. 10/29/2008, Staff level to draft proposed FARS rule. Report due 11/12/08. Report due (1st ext) 11/19/08. Report due (2nd ext) 11/26/08. Time Certain 12/17/2008. Time Certain 1/14/09.
2008-D032		Service Contract Surveillance	The DoD Improvement Plan for the GAO High Risk Area - Contract Management includes a commitment for the Department to review the existing DFARS and DFARS PGI realting to ensuring appropriate surveillance plans are included in contracts for services, and to provide any clarifications and/or enhancements that may necessary.	09/24/2008, DARC opened case, proposed DFARS rule. DAR staff processing. 9/24/2008, Tasked Cmte. Timeline due 10/08/08. Timeline (1st ext) 10/15/08. Timeline due (2nd ext) 10/22/08. Report due 01/14/09.

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2008-D030	212.7002	Modification and Extension of Pilot Program for Transition to Follow-on Contracting after use of OTA	This case extends authority of Pilot program to Sep 30, 2010 and expands program to include research projects.	09/18/2008, DARC opened case, final rule. DAR staff processing. 10/29/2008, Reclama 11/05/08. 11/05/2008, DARC approved, Case Manager submitted to DARS Editor. 12/10/2008, DAR Editor sent draft interim (changed to Interim). OIRA reviewing. 12/24/2008, OIRA cleared draft interim rule for publication.
2008-D029		Implementation and Enforcement of Requirements Applicable to Unfinalized Contractual Actions	Implement Section 809 of the FY08 NDAA and DPAP Memo "Management Oversight of Unfinalized Contractual Actions" dated August 29, 2008. Section 809 requires guidance, with detailed implementation instructions, for the Department of Defense to ensure the implementation and enforcement of requirements applicable to unfinalized contractual actions.	09/15/2008, DARC opened case, interim DFARS rule. DFARS staff processing. 09/15/2008, Report due 10/08/08. 10/15/2008, DARC will discuss 10/15/08. Case will be rescheduled, date TBD. 10/31/2008, DARC will discuss 11/05/08. 11/05/2008, DARC agreed to draft interim DFARS rule. DAR staff processing.
2008-D028		Controlled Unclassified Information (CUI)	Establish an ad hoc team to evaluate whether or not changes should be made to the DFARS to implement CUI standards and structures.	9/10/2008, DARC opened case, proposed DFARS rule. DAR staff processing. Timeline due 10/08/08. Timeline (1st ext) 10/15/08. Report due 12/17/08. Report due (1st ext.) 1/7/09. Discuss 1/28/09.
2008-D027		Cost and Software Data Reporting	Amend the DFARS to ensure that the cost and software data reporting (CSDR) system requirements are in place on MDAP and MAIS program contracts in accordance with DoD 5000.2 and DoD 5000.4-M-1, CSDR Manual.	09/09/2008, DARC opened case, proposed DFARS rule. DAR staff processing. 9/10/2008, Tasked Systems Acquisition/R&D Cmte. Timeline due 09/24/2008. Report due 11/26/08. Report due (1st Ext.) 12/17/08. Report due (2nd ext.) 1/14/09.

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2008-D026	202.1 218.270	Contract Actions Supporting Contingency Operations or Facilitating Defense Against or Recovery from Nuclear, Biological, Chemical or Radiological Atta	Class Deviation 2008-O0006 rescinded and replaced Class Deviation 2003-O0002 on September 3, 2008. Both 358iations permit DoD to replace the term "Head of the Agency" with "Head of the Contracting Activity" when using the emergency acquisition flexibilities identified in the FAR. This case incorporates the Deviation language into the DFARS.	09/04/2008, DARC opened case, final rule, DAR staff processing. Reclama 09/10/08. 09/10/2008, DARC will discuss draft final DFARS rule on 09/24/08. 09/24/2008, DARC agreed to final rule. DAR staff processing. 10/23/2008, DARC agreed to final rule. Case manager forwarded case to DARS editor on 09/24/08. 12/08/2008, DAR Editor forwarded draft final rule to OIRA. OIRA reviewing. 12/24/2008, OIRA cleared draft final rule for publication.
2008-D025		List of Firms Owned or Controlled by the Government of a Terrorist Country	Revises the DFARS to provide a point of contact for agencies to provide information to DPAP(CPIC) regarding a firm or a subsidiary of a firm that the agency has reason to believe meets the criteria for ownership pr control by the Government of a terrorist country. This is to enable SECDEF to comply with its statutory obligations under 10 U.S.C. 2327(d) to develop and maintain a list of all firms and subsidiaries of firms that the Secretary has identified as being subject to the prohibition in 10 U.S.C. 2327(b).	8/29/2008, Opened DFARS Case, proposed rule. 8/29/2008, Case manager provided draft interim rule to DAR Council. Reclama on 9/10/2008. 09/10/2008, DARC agreed to draft final FAR rule. DAR staff processing. 9/29/2008, Case manager forwarded to DAR editor. DAR editor reviewing. 12/16/2008, DAR editor send draft final DFARS rule to OIRA. OIRA reviewing.

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2008-D024		Para-aramid Fibers and Yarns Manufactured in a Qualifying Country	Implements the OUSD(AT&L) Determination, dated August 15, 2008, authorizing acquisition of articles containing para-aramid fibers and yarns manufactured in a qualifying country, in accordance with Section 807 of the National Defense Authorization Act for FY 1999 (Pub. L. 105-261).	8/29/2008, Opened DFARS case, interim rule. 8/29/2008, DARC received draft inteirm rule from case manager. Will reclama 9/10/2008. 9/10/2008, DARC agrees to draft interim rule. DAR staff processing. 9/11/2008, Case manager forwarded to DAR editor. DAR editor reviewing. 11/19/2008, DAR editor sent draft interim DFARS rule to OIRA. OIRA reviewing. 12/04/2008, OIRA cleared interim DFARS rule. DAR staff preparing for publication. 12/18/2008, Published interim DFARS rule in Federal Register (73 FR 76970) Public comment period ends 2/17/09.
2008-D023		Additional Requirements Applicable to Multiyear Contracts	Implements Section 811 of FY08 NDAA which amends 10 U.S.C. 2306b to impose several additional requirements applicable to multiyear contracts for the acquisition of property, including deletion of one requirement but the addition of six new requirements that SecDef must certify in writing in the year he requests legislative authority to enter into a multiyear contract. Sec. 811 requires the SecDef to certify in writing, by no later than March 1 of a year in which the Secretary requests legislative authority to enter into a multiyear contract with respect to a major defense acquisition program (MDAP), that the SecDef has made certain cost savings determinations with regard to such contract.	08/25/2008, DARC opened case, proposed DFARS rule. DAR staff processing. Timeline due 09/24/08. 09/24/2008, DARC staff tasked Contract Placement Cmte. to draft interim DFARS rule. Report due 11/14/08. Report due (1st ext) 11/26/08. Report due (2nd ext.) 12/10/08. Time Certain 1/7/09. 01/07/2009, DARC agreed to draft interim DFARS rule. DAR staff processing. 01/07/2009, Reclama 1/14/09.



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2008-D022		Responsible Prospective Contractors, PGI 209 Revision	Address recent changes made to PGI 212.4 and PGI 242.47 regarding contract termination information. DPAP memo dated 23 July 2008 [attached] entitled "Termination Notification" which requires contracting officer's to report to DPAP the termination for cause or default. The PGI at 209 must be revised as a result of the DPAP memo to clearly identify the procedures the CO must follow when executing a termination for cause or default. This change will highlight the list of sources the Contracting Officer must reference when making a determination of responsibility prior to award of a contract.	08/25/2008, DARC opened case, proposed DFARS rule. DAR staff processing. Timeline due 09/10/08. 09/10/2008, Report due 10/15/08. 10/15/2008, DARC will discuss 10/29/08, time certain @ 1400. 10/29/2008, DARC agreed to draft final FAR rule. DAR staff processing. 11/21/2008, Case manager forwarded to DAR editor. DARS editor reviewing.
2008-D020		Contractor Use of DLA as a Source of Supply (Part 251)	Under the guidelines set forth in Federal Acquisition Regulation (FAR) 51.1, Contractor Use of Government Supply Sources, contracting officers do not have the flexibility to authorize contractors to use Government supply sources in the performance of other than cost-reimbursement Government contracts, unless a substantial dollar portion of the contractor's contracts are of a Government cost-reimbursement nature. This restriction limits the ability of the Military Services to effectively use DLA as a source of supply for spare parts and may result in the Services paying higher prices for many of the spare parts required for their missions.	08/12/2008, DARC opened case, proposed DFARS rule. DAR staff processing. 08/13/2008, Report due 09/03/08. 09/10/2008, DARC will discuss 09/24/2008. Discussion reschedule for 10/29/08, time certain @ 1300. Continue discussion 11/12/08. Case manager will provide status of draft position paper to DARC by 12/10/08.

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2008-D018		Defense Trade Cooperation Treaties with the United Kingdom and Australia	Implements the DTC Treaties with the U.K. and Australia.	7/30/2008, Opened DFARS Case, interim rule. 7/30/2008, Tasked IA Committee to provide timeline by August 13, 2008. Report due 09/10/08. 09/10/2008, DARC will discuss 9/17/08, Time certain @ 0900. 09/17/2008, DARC agreed to draft interim DFARS rule. DAR staff processing. 11/10/2008, Case on hold at the request of DARC director, until Treaty legislation enacted and State Department regulations codified.
2008-D017		Delegation of Authority for Single Awards Greater than \$100M	Implement the DPAP memorandum dated 23 May 2008 regarding the effectivity of section 843 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181). Specifically, recognizing that the Head of the Agency may delegate the authority to make the determinations associated with a single award task or delivery order contract greater than \$100,000,000.	06/16/2008, DARC opened case, interim DFARS rule. DAR staff processing. 06/18/2008, DARC received draft interim DFARS rule from T. Brooks (CPIC) and DAR staff case manager. Will discuss on 06/25/2008 time certain @ 1030. 06/25/2008, DARC agreed to draft interim DFARS rule. 7/9/2008, DAR Case Manager forwarded to DAR Editor. DAR Editor reviewing. 11/17/2008, DARC will discuss on 11/19/08. 11/19/2008, DARC agreed to draft final DFARS rule. DAR staff processing.
2008-D015		Competition Requirements for Purchases from Federal Prison Industries	Implement Section 827 of the National Defense Authorization Act for Fiscal Year 2008. The statute requires DoD to use competitive procedures when procuring products for which FPI has significant market share. A DPAP memorandum was issued on 28 March 2008 identifying which FSC codes FPI has significant market share, and the procedures addressing those requirements. This DFARS case will implement the procedures in the memorandum at DFARS 208.6.	04/29/2008, DARC opened interim DFARS rule. DAR staff processing. Report due 05/28/08. Reclama 06/11/08. 06/16/2008, Draft Interim Rule forwarded to DAR Editor. 07/21/2008, OIRA approval to publish. 8/12/2008, Published interim DFARS rule in Federal Register (73 FR 46816). Public comment period ends 10/14/2008. 10/29/2008, Timeline due 11/05/08. 11/05/2008, Report due 12/17/08. Time Certain 1/7/09. 01/07/2009, DARC agreed to draft final DFARS rule. DAR staff processing.

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2008-D014		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 instituions to the list of entities identified in 10 U.S.C. 2323, "Contract goal for small disadvantaged businesses and certain institutions of higher education".	04/25/2008, DARC open case, interim DFARS rule. DAR staff processing. Timeline due 05/14/08. 5/14/2008, Timeline submitted. DAR staff tasked DFARS Small Business Committee to draft interim DFARS rule. Report due 6/20/08. Report submitted 6/18/2008. 06/18/2008, DARC will discuss draft interim DFARS rule on 07/02/08. Time certain @ 1030. 07/02/2008, DARC agreed to draft interim DFARS rule. DAR staff processing. 07/02/2008, Case manager forwarded to DAR editor. DAR editor reviewing. Case is being held pending resolution of the companion FAR case 2008-005. 10/10/2008, Case on hold pending resolution of companion FAR case.
2008-D012	203.900 252.203-7000	Whistleblower Protections for Contractors	Section 846 in the NDAA 08 language amends Section 2409 of Title 10 describing "Protection for Contractor Employees From Reprisal For Disclosure of Certain Information". The language specifically adds DoD in the investigation of complaints process. recommend this new case be opened to establish a new DFARS cite (203.9) to incorporate this language.	04/21/2008, DARC opened case, proposed DFARS rule. DAR staff processsing. 04/23//2008, Timeline due 05/07/08. 05/28/2008, DSBE Committee preparing rule, Report due 06/25/08. Report due (1st ext) 07/16/08. 07/16/2008, DARC will discuss draft proposed DFARS rule on 08/06/08. 08/06/2008, DARC agreed to draft interim DFARS rule. DAR staff processing. Reclama 08/20/08. 08/20/2008, DARC agreed to draft interim DFARS rule.Submitted to DARS editor. 10/29/2008, DARC will discuss 11/05/08 11/05/2008, DARC approved rule. Case Manager submitted rule to DARS editor. 12/16/2008, Draft Interim Rule submitted to OIRA. OIRA Reviewing. 12/24/2008, OIRA cleared rule for publication.

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2008-D011	212.2 234.7002	Procurement of Commercial Items and Services	Relates to Sections 805 & 815 of the FY08NDAA.	03/28/2008, DARC opened case, proposed DFARS rule. DAR staff processing. 08/13/2008, Action is being coordinated with Sue Hildner's office. 08/28/2008, Action has been tasked to an Adhoc cmtc. 09/10/2008, DAR staff tasked Adhoc team to draft proposed FAR rule. Report due 09/24/08. 09/24/2008, DARC will discuss 10/15/08. 10/15/2008, DARC agreed to draft nterim DFARS rule. DAR staff processing.
2008-D010		Clarification of PIIN and CCR Data	Established to clarify the instruction for PIIN identification and the use of vendor information related to the CCR.	03/05/2008, DARC open proposed DFARS case. DAR tasked Contract Admin Committee to draft proposed DFARS rule. Timeline due 03/12/2008. 03/12/2008, Contract Admin Committee report and draft proposed rule due 04/23/2008. 04/22/2008, DCMA policy member/DAR Staff received Contract Admin Committee draft proposed DFARS rule. 04/23/2008, DARC will discuss draft proposed DFARS rule on 05/07/2008, time certain @ 1100. 05/07/2008, DARC agreed to draft proposed DFARS rule. Case manager processing. Will provide to DAR editor by 05/09/2008. 05/09/2008, Case manager forwarded to DAR editor. DAR editor reviewing. 9/05/2008, DAR editor notified OIRA of intent to publish. 9/11/2008, OIRA requested case be put into ROCIS. 10/20/2008, Published proposed DFARS rule in Federal Register (73 FR 62239). Public comment period ends 12/19/2008.

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2008-D009		Conforming Changes - Statutory Waivers for COTS Items	Make the required changes to conform the DFARS to the changes being implemented under FAR Case 2000-305.	02/28/2008, DARC opened case, proposed DFARS rule. DAR staff processing. 2/28/08, Tasked IA Committee. Report due 04/23/08. 4/23/2008, DARC received report from IA COmmittee. Will discuss 5/7/2008. 05/07/2008, DARC agreed to interim rule. DAR staff processing. 05/08/2008, To DAR editor. DAR editor reviewing. 10/16/2008, Case manager requested DoD approval to publish draft interim DFAR rule. 10/17/2008, Case manager received DoD approval to publish draft interim DFARS rule. 10/20/2008, DAR editor sent draft interim DFARS rule to OIRA. OIRA reviewing. 11/03/2008, OIRA cleared interim DFARS rule. Publish after FAR rule.
2008-D007	203.171 209.406 252.203-7000	Senior DoD Officials Seeking Employment with Defense Contractors	Implement Section 847 of the National Defense Authorization Act for Fiscal Year 2008. Section 847 establishes requirements for DoD contractors with regard to compensation of former DoD officials.	02/28/2008, DARC opened case, interim DFARS rule. DAR staff processing. Timeline due 03/12/08. 03/05/2008, DARC reassigned case to DS&BE committee. Timeline due 03/19/2008. 03/19/2008, DS&BE report due 04/30/08. 03/31/2008, Case transferred to Angela Sawyer, DS&BE report due 4/30/2008. 04/30/2008, Revised report to be resubmitted on May 28, 2008. 05/21/2008, Case Manager met with DSBE for report editing. 5/28/2008, Received DS&BE report. Will discuss 6/18/2008. Time certain @ 0930. 06/18/2008, DARC agreed to draft interim DFARS rule. DAR staff processing. 6/26/2008, Case Manager forwarded to DAR editor. DAR editor reviewing. 12/10/2008, DAR Editor forwarded draft inteirm rule to OIRA. OIRA reviewing. 12/24/2008, OIRA cleared draft Interim rule for publication.

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2008-D006		Multiyear Contract Authority for Electricity from Renewable Energy Sources	Implement Section 828 of the National Defense Authorization Act for Fiscal Year 2008 (see attached). Section 828 authorized DoD to award multiyear contracts for the purchase of electricity from source of renewable energy. The case is assigned to the DFARS Enviromental Committee.	02/28/2008, DARC opened case, interim DFARS rule. DAR staff processing. Timeline due 03/12/08. 03/05/2008, DARC reassigned case to DFARS Utilities Committee. Timeline due 03/19/2008. 7/09/2008, DAR staff forming Ad Hoc committee to process case. Timeline due 12/10/08. Timeline due (1st. ext.) 12/17/08. Report due 2/27/09.
2008-D005		Limitation on Procurements on Behalf of DoD	Implements section 801(b) and (c) of the FY08 National Defense Authorization Act.	02/25/2008, DAR opened case, interim DFARS rule. DAR staff processing. Timeline due 03/12/08. Report due 06/06/08. Report due (1st ext) 06/25/08. Report due (2nd ext.) 07/09/2008. 07/09/2008, DARC received CPC draft interim DFARS rule from DAR case manager. Will discuss on 7/16/2008. 07/16/2008, Case manager will provide an update by 07/23/08. 08/04/2008, DARC received CPC draft interim rule from DAR case manager. Request RECLAMA by 8 Aug 2008. 08/08/2008, DARC agreed to draft interim DFARS rule. DAR Staff processing. 08/18/2008, DAR case manager forwarded to DAR Editor. DAR Editor reviewing.

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2008-D003	202.1 204.12 212.5 225.70 252.225	Restriction on Acquisition of Specialty Metals	Implement 10 U.S.C. 2533b, as modified by sections 804 and 884 of the FY 2008 National Defense Authorization Act (Pub. L. 110-181, enacted January 28, 2008). 10 U.S.C. 2533b was established by section 842 of the NDAA for FY 2007 (Pub. L. 109-364).	01/11/2008, DARC chair opened case, interim DFARS rule. DAR staff processing. Report due 01/23/08. 01/23/2008, DARC received draft interim rule from case analyst. Discuss on 02/13/08, time certain @ 0900. 2/13/2008, DARC discussed. Case analyst to provide clean copy to DARC for reclama. 2/14/2008, Case analyst provided clean copy to DARC for reclama by 2/27/2008. Reclama 03/12/08. 3/7/2008, Forwarded draft interim rule and PGI to DAR editor. DAR editor reviewing. 4/30/2008, Case manager requested DoD approval to publish draft interim rule. 2008-0332-DPAP 5/6/2008, Case manager received DoD approval to publish draft interim DFARS rule. 5/6/2008, Case manager sent draft interim DFARS rule to OIRA. OIRA reviewing. 5/21/2008, OIRA requested more time. 6/10/2008, Case manager requested DoD approval to publish draft proposed DFARS rule. 6/12/2008, Received DoD approval to publish draft proposed rule. 6/12/2008, OIRA cleared interim DFARS rule. 6/12/2008, Case manager sent draft proposed DFARS rule to OIRA. OIRA reviewing. 7/21/2008, Published proposed DFARS rule in Federal Register (73 FR 42300). Public comment period ends 9/19/2008. 10/8/2008, DARC tasked staff to provide assessment. Assessment due 10/15/2008. Report due 11/12/08. Report due (1st ext) 12/10/08. Report due (2nd Ext.) 12/17/08. Report received from staff. Time Certain 1/7/09. 01/07/2009, DARC agreed to draft final DFARS rule. DAR 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>
2008-D002	206.3 225.70 252.206	Acquisition of Products and Services in Support of Operations in Iraq or Afghanistan	Implements sections 886 and 892 of the Fiscal Year 2008 National Defense Authorization Act (Pub. L. 110-181), enacted January 28, 2008. These sections provide authority to limit competition in the acquisition of products or services, other than small arms, acquired in support of operations in Iraq or Afghanistan.	01/11/2008, DARC chair opened case, interim DFARS rule. DAR staff processing. 1/16/2008, Tasked IA Committee. Timeline due 1/30/2008. 1/30/2008, Timeline submitted. RD 3/12/2008. Report due (1st ext.) 03/26/08. Report due (2nd ext) 04/09/08. Report due (3rd ext) 04/23/08. Report due (4th ext) 04/30/08 04/30/2008, Discuss 05/07/08 5/7/2008, DARC agreed to draft inter rule. Case manager processing. 5/7/2008, Case manager forwarded to DAR editor. DAR editor reviewing. 6/25/2008, DAR editor identified issues to case manager. Case manager and DAR editor resolving issues. 7/7/2008, DAR editor requested DoD approval to publish draft interim DFARS rule. 7/8/2008, DAR editor received DoD approval to publish draft interim DFARS rule. 7/9/2008, Case manager sent draft interim DFARS rule to OIRA. OIRA reviewing. 8/21/2008, OIRA cleared. DAR editor preparing for publication. 9/15/2008, Published interim DFARS rule in Federal register (73 FR 53151). Public comment period ends 11/14/2008. 11/14/2008, Comment period ended. DAR staff processing. Report due 1/14/2009.



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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-D026		Correcting the Definition of "Congressional Defense Committees"	Change the definition of "congressional defense committees" to reflect the definition in 10 U.S.C. 101 as well as the alternate definition that should be used in DFARS Part 217.	12/14/2007, DARC opened proposed DFARS rule. DAR staff processing. Reclama 01/09/08. 01/14/2008, DARC will discuss 01/16/08. 01/16/2008, DARC agreed to final DFARS rule, submitted to DARS editor to be published in FRN. 05/01/2008, Transferred from Dustin Pitsch to Michael Benavides. 6/12/2008, DAR editor requested DoD approval to publish draft final DFARS rule. 06/30/2008, DAR staff received DoD approval to publish draft final DFARS rule on 06/25/08. 8/01/2008, Case manager resolving outstanding issue.
2007-D025		Remove Exception for Not Providing a Material Inspection and Receiving Report Under Fast Payment Procedures	Established to remove an exception at DFARS Apendix F, f-102 (a).	11/28/2007, DARC agrees to open case. DAR staff processing. Timeline due 12/12/07. Report due 01/30/08. Case manager processing. 01/30/2008, DAR staff submitted report for DARC review. 02/05/2008, DARC received draft proposed rule. Discuss 02/20/2008; time certain 9:30am. 02/20/2008, DARC meeting cancelled. DARC will discuss on 02/27/08, time certain @ 0930. 02/27/2008, DARC will discuss again 03/26/2008 (tenatively). DARC will discuss 04/02/2008. 04/02/2008, DARC agreed to proposed DFARS rule w/changes. Reclama by 04/16/2008. 04/16/2008, DARC expressed concerns regarding proposed language. Discuss 04/23/08. DARC will discuss 04/30/08. Rescheduled to discuss 05/07/08. 05/07/2008, DARC agreed to place case "on hold" for six months. Reactivate on 11/05/2008. Case on hold at the direction of Council.

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

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2007-D024		Correcting Statutory References Related to the Higher Education Act of 1965	Corrects references in the DFARS to sections of the Higher Education Act of 1965 and Title 20 of the US Code as they relate to minority institutions and Hispanic-serving institutions. This is the follow-on administrative action related to 2006-D061 Procurement Goal for Hispanic-serving Institutions. Companion case to FAR case 2007-020.	11/15/2007, DARC opened proposed DFARS rule. DAR staff processing. 11/19/2007, DARC will discuss 12/05/07. 12/5/2007, DARC agreed to proposed rule. 12/5/2007, Case manager forwarded to DAR editor. DAR editor reviewing. 10/10/2008, Case is on hold. Expect the changes under this case to be incorporated into 2008-D014 and for this case to be cancelled.
2007-D022	209.405	Clean Air Act/Clean Water Act Exemption	Align requirements at 209.405 for notice to EPA debarring official when an agency makes an award to a code "h" ineligible contractor with requirements of E.O. 11738 section 8..	11/07/2007, DARC opened case, direct final DFARS rule. DAR staff processing. 11/28/2007, Timeline due 12/12/07. Report due 01/30/2008. 01/30/2008, DAR staff received committee draft final DFARS rule. DAR Staff reviewing. 02/01/2008, DARC received committee draft final DFARS rule from DAR staff. Will discuss on 02/27/2008. 02/27/2008, DARC agreed to draft proposed DFARS rule, w/minor changes. DAR staff processing. Send to DARC for reclama. 03/19/2008, DARC agreed to proposed DFARS rule. DAR staff processing. 03/25/2008, Case manager forwarded proposed DFARS rule to DAR editor. DAR editor reviewing. 03/31/2008, Case transferred to Angela Sawyer, DAR Editor reviewing. 12/10/2008, DAR Editor sent draft final rule to OIRA. OIRA reviewing. 12/24/2008, OIRA cleared rule for publication.

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

<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2007-D020		Government Property	Government Property DFARS Re-write	<p>7/18/2007, DARC opened case, proposed DFARS rule, DAR staff processing. Timeline due 08/01/07. Report due 10/03/07.</p> <p>10/10/2007, DARC will discuss draft proposed FAR rule on 10/10/07 with a time certain of 1030.</p> <p>10/10/2007, DARC agreed to draft proposed DFARS rule. Case manager processing.</p> <p>11/28/2007, Case manager forwarded to DAR editor. DAR editor reviewing.</p> <p>3/19/2008, Case manager and DAR editor resolving issues.</p> <p>4/3/2008, Case on hold to coordinate language with FAR Case 2008-011.</p> <p>7/2/2008, Case manager revising language to be consistent with FAR Case 2008-0011.</p> <p>7/21/2008, Case manager forwarded to DAR Editor. DAR Editor reviewing.</p> <p>9/24/2008, Published proposed DFARS rule in Federal Register (73 FR 55007). Public comment period ends 11/24/2008.</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-D015		Contract Closeout Processes	Consider the establishment of a comprehensive PGI section to address contract closeout processes and to assess and/or draft regulatory (FAR and DFARS) clarifications and/or revisions necessary to improve the contract closeout process.	<p>05/30/2007, DARC opened case, proposed DFARS rule. DAR staff processing.</p> <p>05/31/2007, DAR Council tasked Ad Hoc Committee. Timeline due 06/20/07. Timeline due (1st ext.) 07/18/07.</p> <p>07/11/2007, DARC approved proposed timeline and milestones. Draft proposed DFARS PGI due 11/15/2007 (based on current policy).</p> <p>07/26/2007, Case transferred to Felisha Hitt. Draft proposed DFARS PGI due 11/15/2007 (based on current policy).</p> <p>11/16/2007, DARC will discuss 12/05/07.</p> <p>12/05/2007, DARC agreed to proposed DFARS rule. DAR staff processing.</p> <p>12/05/2007, Case manager forwarded DFARS PGI to DAR editor. DAR Editor reviewing. Objective (b) report due 03/26/08. Report due (1st ext) 04/23/08. Report due (2nd ext) 05/14/08.</p> <p>05/14/2008, DAR Staff received committee draft proposed DFARS rule from Ad Hoc Closeout Committee. DAR staff reviewing training package and FR Notice.</p> <p>06/25/2008, DAR received Ad Hoc Closeout Committee draft proposed DFARS rule from DAR staff. Discuss on 07/09/2008.</p> <p>07/16/2008, Case manager will provide revisions by 07/30/08. Reclama by 07/30/08.</p> <p>07/23/2008, DARC agreed to draft proposed DFARS rule (Objective B).</p> <p>7/23/2008, Case manager forwarded to DAR Editor. DAR Editor reviewing.</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-D014		Contract Financing	DFARS part assigned - 232	05/22/07, Case established from case 0000-P004. Assigned to CPF staff to develop DFARS proposed language from PGI case. 07/11/07, DARC received staff recommendation. Reclama due 07/18/07. 07/18/2007, DARC agreed to draft proposed DFARS rule. Case manager processing. 10/01/2007, Case put on hold. 08/28/08, DAR text sent to DAR Editor. DAR Editor reviewing.
2007-D012		Open Source Software	Address open source software, and provide authorization and consent for potentially copyright-infringing uses thereof by contractors on behalf of DOD.	5/15/2007, Opened DFARS case, proposed rule. 5/16/2007, Tasked PD&C Committee. RD 7/18/2007. !st ext to 8/1/07. 8/1/2007, DARC received draft proposed rule from PD&C Committee. Will discuss 8/22/07. Will discuss 08/29/07, time certain @ 1100. 08/29/2007, PD&C will revise draft PGI. Report due 09/19/07. 9/18/07, DAR Policy Rep received report and is reviewing. 9/21/2007, DARC received revised report. Reclama by 10/3/2007. 10/03/2007, DARC agreed to draft PGI. DAR staff processing. 10/3/2007, Case manager forwarded to DAR editor. DAR editor reviewing.

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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-D011	216.603 217.7404	Letter Contract Definitization Schedule Criteria	This case clarifies that, per 10 U.S.C. 2326, the direction at DFARS 217.7404-3(a) provides the criteria (vice those in FAR 16.603-2(c)(3)), for planning the definitization schedule for a letter contract, and implements section 809 of the FY 2008 NDAA.	04/26/2007, DARC opened case, final rule. DAR staff processing. 04/26/2007, DAR staff tasked staff level to draft final DFARS rule. 05/16/2007, DARC received staff level draft final DFARS rule from DAR staff. Will discuss on 05/30/2007. 05/30/2007, DARC agreed to draft final DFARS rule. DAR staff processing. Reclama 06/06/07. 06/06/2007, DARC agreed to draft proposed rule (in lieu of final rule, from last week). DAR staff processing. 06/06/2007, Case manager forwarded to DAR editor. DAR editor reviewing. 10/5/2007, DAR editor requested DoD approval to publish proposed DFARS rule. 10/19/2007, Director, DPAP returned package for further action. Case on hold to assess impact of FY08 legislation and input from SPEs.
2007-D009	228.370 252.228-7001 252.228-7002	Ground and Flight Risk Clause	Combines the regulatory requirements in the Ground and Flight Risk Clause (GFR) at 252.228-7001 and the Aircraft Flight Risk Clause at 252.228-7002 into a revised and single GFR Clause. Revisions include: a mandatory flowdown clause requirement; a statement that the property clause is not applicable if the Government withdraws its self-insurance coverage; a statement that commercial insurance costs that duplicate the Government's self insurance are unallowable; and raising the contractor's deductible.	12/17/2007, Published proposed DFARS rule in Federal Register ( 72 FR 69177). Public comment period ends 02/05/2008. 03/26/08, Tasked Contract Pricing Committee. Report due 05/14/08. 06/02/2008, Report due (1st ext) 07/23/08. Report due (2nd ext.) 09/03/08. Report due (3rd ext) 10/15/08. Report due (4th ext) 11/05/08. Report due (5th ext) 12/17/08. Report due (6th ext) 12/24/08.

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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-D008	235.071 252.235	Protection of Human Subjects in R&D	Evaluate the proposed DFARS Changes recommended in the DDR&E memo of September 25,2006.	03/26/2007, DARC open case, proposed DFARS rule. DAR staff processing. 03/28/2007, DAR staff tasked Systems Acquisitions/R&D cmte. to draft proposed DFARS rule. Timeline due 04/10/07. Report due 06/06/07. Report due 06/13/07 (1st ext.). 06/13/2007, DARC will discuss draft proposed DFARS rule on 06/27/07. Report due 08/01/07. Report due (1st ext) 08/22/07. Report due (2nd ext) 09/12/2007. Report due (3rd ext) 09/26/07. 10/03/2007, DARC will discuss draft proposed DFARS rule on 10/10/07 , time certain @ 0930. 10/10/2007,DARC agreed to draft proposed DFARS rule. Case manager processing. 12/11/2007, Case manager forwarded to DAR editor. DAR editor reviewing. 10/27/2008, Published proposed DFARS rule in Federal Register (73 FR 63666). Public comment period ends 12/26/2008.
2007-D006		DD350 Contract Reporting	Delete outdated DFARS contract action reporting requirements, references and related PGI.	03/15/2007, DARC opened case, proposed DFARS rule. DAR staff processing. Timeline due 03/28/07. Report due 04/28/07. Report due (1st ext.) 05/23/07. 05/08/2007, DARC received Ad-Hoc team draft proposed DFARS rule and PGI language from DAR staff. Discuss on 06/13/2007. 06/13/2007, DARC agreed to draft proposed DFARS rule. Case manager processing. 06/28/2007, Case manager forwarded to DAR editor. DAR editor reviewing. 07/18/2008, Case manager updated proposed DFARS rule as a result of publication of Interim FAR Rule under 2004-038. 07/23/2008, Resubmitted draft proposed DFARS rule (Objective B) to DAR editor. DAR editor reviewing.

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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-D004		Allowability of Costs to Lease Government Equipment for Display or Demonstration	Consider incorporation into the DFARS of the cost allowability criteria of DoD Directive 7230.8.	12/07/2007, Proposed rule published, comments due February 5, 2008 04/02/2008, DARC agrees to convert interim rule to final rule without change. DAR staff processing.
2007-D003		Modification of Presumption of Development Exclusively at Private Expense	Implements Section 802(b) of the National Defense Authorization Act of Fiscal Year 2007. Section 802(b) addresses the presumption for commercial items of development exclusively at private expense, with new provisions relating to technical data for a major system or a subsystem of component thereof; and Section 815(a)(2) of the FY 2008 NDAA.	2/28/2007, Opened DFARS case, proposed rule (was initiated as part of DFARS Case 2005-D011). 2/28/2007, DAR Council agreed to draft proposed rule. Case manager processing. 3/14/2007, Case manager forwarded draft text to PD&CC Chair for review. 4/26, Case manager received PD&CC revised text. 5/2/2007, Case manager forwarded to DAR editor. DAR editor reviewing. (still need draft FR and PGI) 12/18/2007, Withdraw rule from DAR editor. Awaiting pending legislative change. 2/13/2008, Tasked PD&C Committee. RD 3/5/2008. Extend to 3/19/2008. Discuss 04/02/08. Time certain @ 0930, 04/9/08. 04/09/2008, Get revised text from PD&C Committee on 04/23/08. Report due 04/30/08. Discuss 05/07/08, time certain 0900. 05/07/2008, DARC agreed to draft proposed DFARS rule. DAR staff processing



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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2007-D002		Defense Cargo Riding Gang Member	Evaluate Section 1018 of 2007 National Defense Authorization Act (Pub. L. 109-364) for potential DFARS revisions.	01/30/2007, Case opened, proposed DFARS rule. 1/30/2007, DAR staff tasked Transportation Cmte. Timeline due 02/21/07. Timeline due (1st ext.) 02/28/07. 2/28/2007, Report due 5/16/2007. Report due (1st ext.) 07/11/07. 7/18/07, Extension to Committee report submittal 11/15/07. 11/28/2007, DARC will discuss 12/12/07. 12/12/2007, Case manager will revise, report due 01/09/08. Report due (1st ext.) 02/06/08 02/27/2008, DARC will discuss on 03/12/08. DAR will rediscuss 03/19/08. 03/19/2008, DARC agreed to draft proposed DFARS rule. DAR staff processing. 6/21/2008, DARC agreed to revisions to proposed DFARS rule. DAR staff processing,
2006-D064		Application of the Javits-Wagner O'Day Act and the Randolph-Sheppard Act to Military Dining Facilities Contracts	By memorandum dated October 31, 2006, DPAP requested that a case be opened to implement a Joint Policy Statement issued by the Department of Defense, Department of Education and the Committee for Purchase from People Who Are Blind or Severely Disabled. The case is also to implement Section 856 of the FY 07 National Defense Authorization Act.	11/02/2006, DARC opened case, interim DFARS rule. DAR staff processing. Timeline due 12/06/2006. 12/06/2006, DAR staff tasked Adhoc Cmte. to draft interim DFARS rule. Report due 03/28/07. 03/28/2007, Case on hold pending DPAP Policy notification that DOE regulation has been published. 05/07/2008, DAR staff tasked Adhoc team to draft interim DFARS rule. Report due 08/13/08. 08/13/2008, Case manager will provide report due date NLT 08/20/08. Report due (1st ext.) 10/29/08. Report due (2nd ext.) 12/03/08. Report due (3rd ext.) 1/28/09.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-D057		Report and Regulations on Excessive Pass-Through Charges	Implements Section 852 of the FY 2007 National Defense Authorization Act (Pub. L. 109-364). Section 852 imposes restrictions to ensure that pass-through cahrges under DoD contracts are not excessive.	4/26/2007, Published interim DFARS rule in Federal Register (72 FR 20758). Public comment period ends 6/25/2007. 07/17/2007, DARC tasked committee to draft final rule, report due 09/12/2007. Time Certain @ 1130 on 10/10/2007. 10/10/2007, DARC agreed to second Interim rule, Case Manager forwarded to Editor 11/19/2007, DAR editor requested DoD approval to publish. 5/13/2008, Interim rule published in Federal Register (73 FR 27464). Public comment period closes 7/14/2008. 08/13/2008, Public comments received, action to be tasked to Contract Pricing Committee to review comments and draft reports. 09/10/2008, DARC tasked Pricing Committee to review public comments (draft final DFARS rule). Report due 10/22/08. Report due (1st ext.) 12/03/08. Report due (2nd Ext.) 1/14/09.
2006-D055	227	Technical Data Rights	Implements Section 802(a) of the National Defense Authorization Act for FY 2007 (Pub. L. 109-364).	9/6/2007, Published interim DFARS rule in Federal Register (72 FR 172). Public comment period ends 11/5/07. 11/5/2007, Comment period ended. 11/7/2007, Tasked PD&C Committee. Timeline due 11/28/2007. 11/20, 2007, Timeline received, report due 1/30/2008. 1/30/2008, PD&C Cmte report received. DARC reclama by 2/6/2008. 2/6/2008, DARC agrees to draft final DFARS rule. DAR staff processing. 2/25/2008, Case manager forwarded to DAR editor. DAR editor reviewing.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-D053	234 235.006	Research and Development Contract Type Determination	Implement Section 818 of FY 2007 NDAA. Section 818 repeals Section 807 of the FY 1989 NDAA and requires modification of the DoD regulations regarding the determination of contract type for development programs.	1/24/2008, Published interim DFARS rule in Federal Register (73 FR 4117). Comment period closes 3/24/2008. 3/24/2008, Public comment period ended. Case manager processing. 7/9/2008, DAR staff tasked R&D committee to review public comments. Timeline due 07/30/08. Timeline due (1st ext) 08/06/08. Timeline due (2nd ext.) 09/17/08 09/17/2008, DARC will discuss 09/24/08. 09/24/2008, DARC agreed to draft final DFARS rule. DAR staff processing.
2006-D051	235 207.106 209.5 234.0 252.209	Lead System Integrators	Implement Sec 807 of FY 2007 NDAA and DPAP policy letter of Jan 18, 2007; and Section 802 of the FY 2008 NDAA.	03/10/2008, Published interim DFARS rule in Federal Register (73 FR 1823). Public comment period ends 3/10/2008. 4/23/2008, Report due 06/18/08. Report due [1st ext.] 07/16/08. Report due (2nd ext.) 08/06/08. 08/05/2008, DARC received DAR case manager report. Request DARC discussion 08/27/2008. 08/27/2008, DARC agreed to second interim DFARS rule. DAR staff processing. 09/09/2008, Forwarded to DAR editor.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-D050		Extension of Temporary Authority for Contractor Performance of Security Guard Functions	Implements section 333 of the National Defense Authorization Act for Fiscal Year 2007. Section 333 provides authority for contractor performance of security-guard functions at military installations or facilities through September 30, 2009 if the functions would otherwise have to be performed by members of the armed forces who are not readily available due to a deployment. It also adds limits on the total number of security guard personnel who can be contracted for. Also implement section 322 of the FY 2008 NDAA.	<p>10/25/2006, DARC opened case, interim DFARS rule.</p> <p>12/14/2006, DAR staff tasked staff level to draft interim DFARS rule. Report due 01/31/2007.</p> <p>01/29/2007, DARC received staff level draft interim FAR rule from DAR staff. Will discuss on 02/14/2007. Discussion rescheduled to 02/21/07.</p> <p>Reclama 02/28/07.</p> <p>02/28/2007, DARC agreed to draft interim DFARS rule. DAR staff processing.</p> <p>03/05/2007, Case manager forwarded to DAR editor. DAR editor reviewing.</p> <p>06/01/2007, DAR editor sent draft interim DFARS rule to OIRA. OIRA reviewing.</p> <p>07/19/2007, OIRA cleared interim DFARS rule. DAR staff preparing for publication.</p> <p>9/6/2007, Published interim DFARS rule in Federal Register (72 FR 172). Public comment period ends 11/5/07.</p> <p>11/05/2007, No public comments received. Recommend convert interim rule to final rule to DARC on 11/28/07.</p> <p>11/28/2007, DAR Council approved publication as a Final Rule.</p> <p>12/18/2007, Forwarded Final Rule and FRN to DAR Editor.</p> <p>02/06/2008, W/DAR Case Mgr to amend rule from "Final" to "Interim" due to 08NDAA Sec 343. Timeline due 03/05/08. Reclama 03/26/08.</p> <p>03/26/2008, DARC editor reviewing.</p> <p>06/11/2008, DAR Editor sent draft interim DFARS rule to OIRA. OIRA reviewing.</p> <p>08/21/2008, Cleared for publication.</p> <p>09/15/2008, Published interim DFARS rule in Federal Register (73 FR 53156). Public comment period ends 11/14/2008.</p> <p>12/10/2008, DARC agreed to draft Final DFARS rule. DAR staff processing.</p>

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-D035	207.105 252.225.7040	DoD Law of War Program	Implement DoD Directive 2311.01E, DoD Law of War Program, dated May 9, 2006.	01/10/2008, Published proposed DFARS rule in Federal Register (73 FR 1853). Public comment period ends 3/10/2008. 3/10/2008, Public comment period ended. DAR staff processing. 04/02/2008, Timeline due 04/16/08 04/11/2008, Ad Hoc committee met 04/11/08 to review public comments; Law of War Working Group tasked to review the comments, Timeline due 04/23/08. Report due 05/21/2008. 05/08/08, LOWWG input received, Ad Hoc meeting on 29 May to review. OGC review required. Report due 06/25/08. 06/24/2008, DARC will discuss draft final on 07/16/08, time certain @ 0930. Reclama due 08/06/08. 08/06/2008, DARC agrees to final DFARS rule. DAR staff processing. Reclama 08/27/08. 08/27/2008, DARC agrees to final DFARS rule. Submitted to DARS Editor. 12/10/2008, DAR Editor sent draft final rule to OIRA. OIRA reviewing.
2006-D029	225.7001 225.7009 252.226-7016	Restriction on Ball and Roller Bearings	Review the restriction on ball and roller bearings based on the expiration of 10 U.S.C. 2534 on October 1, 2005.	06/30/2006, DFARS case opened. 7/5/2006, DAR staff tasked IA Cmte to draft proposed DFARS rule. Report due 8/2/06. Extension to 8/16/2006 in order to obtain legal coordination. 8/9/2006, DARC received IA Cmte draft proposed DFARS rule. Discuss on 8/23/2006; Time Certain @ 0930. 08/23/2006, DARC agrees to draft proposed rule. Case manager processing. 9/14/2006, Case manager forwarded to DAR editor. DAR editor reviewing. 12/12/2006, Case placed on hold at direction of DARC Director. Pending coordination with 2006-D059.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-D026	208.7400	Enterprise Software Initiative (ESI) BPA Ordering (non-DoD contracts)	Remove duplicative administrative steps and documentation for purchases under a mandatory ESI program that uses BPAs based on non-DoD contracts to pre-establish favorable terms, conditions, and prices for software enterprise licenses.	06/06/2006, DFARS case opened. 06/09/2006, Case reassigned to Bill Sain. 06/14/2006, DAR staff tasked Acquisition Streamlining/IT Committee to draft proposed DFARS rule. Report Due 7/19/06. 07/19/2006, Report Due (Extension) 8/16/06. Extended to 8/23/06. 08/23/2006, Report Due ( Extension) 08/30/06. 08/30/2006, Report submitted to DARC; Reclama by 9/13/06. 09/13/2006, DARC agreed to draft Technical Amendment and PGI Coverage. Case manager processing. 9/15/2006, Case manager forwarded to DAR editor for review. 10/13/2006, DAR editor identified issues to case manager. Case manager (Bill Sain retained) reviewing. 03/01/2007, Case transferred. DAR editor identified issues to case manager. Case manager and DAR editor resolving issues.
2006-D025		Traffic and Transportation Management	To realign DFARS with FAR and require contractor notification of undeliverable freight.	05/19/2006, DFARS case opened. Assessment Due 6/7/06. Extended to 6/14/06. Extended to 6/21/06. 06/21/2006, Timeline submitted to DARC; Report due 7/19/06. 07/19/2006, Report Due (Extension) 8/23/06. 08/23/2006, Discussion 09/13/2006. 09/06/2006, Time Certain 09/13/06 @ 1315 09/13/2006, DARC discussed Draft Proposed Rule. Case manager revise by 09/27/06 09/20/2006, Reclama 10/04/2006. Extend Reclama to 10/18/06. Extend Reclama to 11/15/06. 11/15/2006, DARC agrees to draft proposed DFARS rule. Case manager processing. 8/10/2007, Case on hold pending approval of final rule 2003-D028.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2006-D021	215 216	Award Fee Contracts	Incorporates OUSD(AT&L) March 29, 2006 policy memorandum on award fee contracts. Also incorporates related changes required by Sec 814 of the FY07 National Defense Authorization Act and Section 9016 of the FY07 Defense Appropriations Act.	01/31/2007, DARC will discuss draft interim DFARS rule on 02/07/07. Time Certain @ 1300. 02/07/2007, Discuss again 02/21/2007. Time certain @ 1030, 02/21/2007. 02/21/2007, DARC agreed to draft interim DFARS rule. DAR staff processing. 2/22/2007, Case manager forwarded to DAR editor. DAR editor processing. 3/01/2007, DAR editor identified issues to case manager. Case manager agreed with DAR editor recommended changes. 3/20/2007, DAR editor sent draft interim DFARS rule to OIRA. OIRA reviewing. 4/06/2007, DPAP to publish new award fee policy. CPF staff revising draft interim rule to reflect new policy. DARC to discuss again on 04/18/07. 04/18/2007, DARC agreed to draft interim DFARS rule. DAR staff processing. 4/26/2007, CPF Staff revising draft interim rule to incorporate additional changes in policy. 10/01/2007, Case put on hold due to other workload. 08/06/2008, Case transferred to Angie Sawyer on 8/6/08. DARS and CPF Directors seeking direction from Mr. Assad. 09/10/2008, Report due 10/29/08. 10/22/2008, Case being revised by Pricing Cmte to incorporate new language from Pub Law 110-417, NDAA FY09. Report due 12/17/08. Report due (2nd ext.) 1/28/09.
2006-D016	217.1	Multi-Year Contracting	Comprehensive review of DFARS Subpart 217.1 to simplify and clarify the coverage of multi-year acquisitions.	06/07/2006, DARC agrees to proposed rule; DAR staff processing. 9/8/2006, Case Manager forwarded to DAR Editor, DAR Editor reviewing. 11/9/2006, DAR Editor identified issues to case manager. Case manager processing. 8/7/2007, Case Manager forwarded to DAR Editor. DAR Editor reviewing.

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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-D013	207.470	Lease of Vessels, Aircraft, and Combat Vehicles	Implements section 815 of the National Defense Authorization Act for Fiscal Year 2006. Section 815 extends the applicable statutory and regulatory requirements for leases of aircraft and naval vessels to "combat vehicles" and requires capital leases and lease-purchases for vessels, aircraft, and combat vehicles to be treated as acquisitions subject to statutory and regulatory requirements for the acquisition of aircraft, naval vessels and combat vehicles.	05/22/2007, Published proposed DFARS rule in Federal Register (72FR28662). Public comments period ends 07/23/2007. 07/23/2007, Public comment period ended. One respondent (DoD IG) submitted comments. DAR staff processing. 08/08/2007, DAR staff tasked Contract Placement Committee (at request of DARC AF Policy member) to review public comments, draft final DFARS rule. Timeline due 08/22/2007. Report due 10/17/07. 10/17/2007, Report received. DARC will discuss on 10/31/07. 10/31/2007, DARC agreed to draft final DFARS rule. DAR staff processing. 11/19/2007, Draft final rule submitted to DAR Editor. DAR editor reviewing.



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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2005-D010	225.70 225.71 225.9 252.225	Definitions of "Component" and "Domestic Manufacture"	Revises the DFARS to clarify correct application of the definitions of the term "component," as defined in FAR 2.101 and FAR Part 25.	4/12/2006, Published proposed DFARS rule in Federal Register (71 FR 18695). Public comment period ends 6/12/2006. 6/12/2006, Public comment period ended. DAR staff processing. 6/14/2006, DARC received recommendation to convert to final rule without change. Reclama 6/21/06. 06/21/2006, DARC agrees to final rule; DAR staff processing. 7/7/2006, Case manager forwarded draft final DFARS rule to DAR editor. DAR editor will submit to DPAP by 7/28/06. 8/8/2006, DAR editor requested DoD approval to publish draft interim DFARS rule. 8/14/2006, DAR editor received DoD approval to publish draft final DFARS rule. 8/30/2006, DAR editor sent draft final DFARS rule to OIRA. OIRA reviewing. 9/8/2006, OIRA cleared final DFARS rule. DAR editor preparing for publication. 12/7/2006, Case placed on hold at request of DPAP. Pending coordination with 2006-D059.
2005-D005	252.204-7000	Disclosure of Sensitive Unclassified Information	Consider a proposal by the Aerospace Industries Association (AIA) to change the clause at 252.204-7000 to redefine the limits on disclosure of sensitive unclassified information.	02/21/2207, DARC will discuss draft proposed DFARS rule on 03/07/07. Time certain @ 1400. 03/07/2007, DARC did not agree with Ad Hoc recommendations. Re-tasked Ad Hoc Committee. Chair creating timeline for letter to AIA and PGI coverage. RD 5/16/2007. Reclama 5/30/07. 05/30/2007, DARC agreed to draft final DFARS rule. DAR staff processing. 05/30/2007, Case manager forwarded to DAR editor. DAR editor reviewing. 3/21/2008, DAR editor identified issues to case manager. Case manager and DAR editor resolving issues. 7/17/2008, Case on hold pending results of Joint Analysis Team on Controlled Unclassified Information.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
2004-D010	204.73 204.7301 204.7302 204.7303 204.7304 235.071 235.072 252.204	Export-Controlled Items	Implements recommendation of DoDIG Report No. D-2004-061. Informs potential offerors and contractors that export control regulations apply to a contract and that the contractor is responsible for compliance with those regulations. Also implements Section 890(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181).	5/15/2008, DARC received draft interim DFARS rule for review and comment by 5/23/2008. 6/11/2008, Draft interim rule to OIRA. OIRA reviewing. 07/10/2008, OIRA cleared interim DFARS rule. Awaiting publication. 07/21/2008, Published interim DFARS rule in Federal Register (73 FR 42274). Public comment period ends 9/19/2008. 10/7/2008, DARC tasked ADHoc Committee to provide assessment by 10/15/2008. Report due 11/12/08. Report due (1st ext) 12/17/08. Report due (2nd ext) 1/14/09.
2004-D003	252.204 204.4	U.S.-International Atomic Energy Agency Additional Protocol	Add a contract clause requiring a contractor to notify DoD if the contractor is required to report its activities under the U.S.-International Atomic Energy Agency Additional Protocol.	8/18/2008, Published proposed DFARS rule in Federal Register (73 FR 48185). Public comment period ends 10/17/2008.
2003-D049	227	(T) Patents, Data, and Copyrights	Implements DFARS transformation noncomplex proposals relating to DFARS Part 227.	1/4/2007, Case manager forwarded to DAR editor. DAR editor reviewing.
2003-D028	247	(T) Part 247, Transportation	Implements DFARS Transformation noncomplex proposals relating to DFARS Part 247.	08/23/2006, DARC received draft final rule. Reclama on 08/30/06. Extended to 9/6/03. 09/06/2006, Discussion on 09/20/2006. 09/20/2006, DARC agreed to draft final DFARS rule. DAR staff processing. 9/28/2006, Case Manager forwarded to DAR Editor. DAR Editor reviewing. 1/18/2007, DAR editor identified issued to case manager. Case manager reviewing. 8/10/2007, Case Manager forwarded to DAR Editor. DAR Editor reviewing.

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<i>Case Number</i>	<i>Part Number</i>	<i>Title</i>	<i>Synopsis</i>	<i>Status</i>
0000-P004	232	CONTRACT FINANCING - PGI	PGI - DFARS Parts Assigned - 232	<p>2/18/2005, Opened case, PGI.</p> <p>3/9/2005, Tasked Finance Committee. Assessment due two weeks after report completion for current open cases.</p> <p>06/13/2005, Committee has multiple DFARS cases with pending reports due. Assessment due 08/15/2005</p> <p>10/21/05 Reprt due on 11/09/2005.</p> <p>11/07/2005, CPF staff received Finance Committee draft PGI. CPF staff reviewing.</p> <p>3/7/2007, CPF staff updated Committee report and sent it to committee for comment. Comments due 3/21/07.</p> <p>4/04/2007, DARC received the CFC report. Reclama by 04/18/07.</p> <p>04/18/2007, DARC agreed to PGI. DAR staff processing.</p> <p>05/01/2007. CPF case manager forwarded to DAR editor. DAR editor reviewing.</p> <p>05/22/07 DAR editor identified issues to case manager. Case manager and DAR editor resolving issues.</p> <p>7/11/07, CPF staff and DAR editor agreed to split the language between this PGI case and a new DFARS proposed rule (2007-D014). The new language was presented to the DARC with a reclama due 07/18/07.</p> <p>07/18/07, DARC agreed to PGI, CPF staff processing.</p> <p>08/28/08, Sent to DAR Editor for reviewing</p>

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