

MANAGEMENT STATUS OF OPEN FAR CASES

	12/31/2001	2/27/2002	3/15/2002
At DoD	8	11	12
At CAAC	15	12	12
In case resolution	3	3	3
DARC/CAAC agree	0	3	0
At GSA Legal	3	5	4
Resolving GSA Legal issues	6	1	1
GSA Legal concurrence	1	1	0
At OFPP	13	8	13
Resolving OFPP issues	8	4	4
OFPP concurrence	2	0	0
At OIRA	2	1	0
Resolving OIRA issues	1	0	1
OIRA cleared.		7	4
Awaiting DoD Appr. To Publish		0	0
At FAR Secretariat	3	8	10
Out for public comment	4	3	4
On hold	3	3	3
Total	72	70	71

FAR RULES PUBLISHED IN CY02

	Proposed	Interim	Final
Proposed	2		
FAC 2001-04 (2/8/02)		1	6
FAC 2001-05 (3/7/02)		1	
Total	2	2	6
FAR Cases Opened in CY02:	9		
FAR Cases Closed in CY02:	10		
6	Final rules		
0	Withdrawn		
4	Merged or closed w/o action		

Management Status of the 72 Open FAR Cases

<u>At DoD – 12</u> (11 DARC, 1 CAAC)		<u>Committee</u>
2002-009	Trade Agreements Thresholds (3/13/02, Recd draft final rule. Discuss 3/20/02)	DARC
2002-008	Gains and Losses, Maintenance and Repair Costs, and Material Costs (3/6/02, Recd draft proposed rule. Discuss 4/10/02)	DARC
2002-007	Noncommercial Representations and Certifications for Use in Simplified Acquisitions (2/20/02, Tasked SA Cmte. RD 4/10/02)	DARC
2002-006	Application of Cost Principles and Procedures, and Accounting for Unallowable Costs (2/20/02, DARC agreed to draft proposed rule. DAR staff processing.)	DARC
2002-005	Transportation: Standard Industry Practices (p) (2/20/02, Assigned to Transportation Cmte. RD 4/5/02)	DARC
2002-003	Temporary Emergency Procurement Authority (i) (1/6/02, Tasked SA Cmte. RD 3/20/02)	DARC
2001-036	Contract Bundling (p) (3/6/02, Tasked CP Cmte. RD 4/10/02)	DARC
2001-033	Section 508 Contract Clause (p) (3/16/02, Discussed draft ANPR. DAR staff processing.)	<u>CAAC</u>
2001-006	Progress Payment Requests under Indefinite-Delivery Contracts (p→f) (1/23/02, Tasked Finance Cmte. RD 3/20/02)	DARC
2000-608	New Consolidated Form for Selection of Architect-Engineer Contractors (p→f) (1/16/02, Interagency Working Group assessing public comments. RD 4/1/02.)	DARC
2000-302	Veterans Entrepreneurship and Small Business Development Act of 1999 (i→f) (2/20/02, DARC agreed to draft final FAR rule. DAR staff processing)	DARC
1998-018	Trademarks for Government Products (p→p) (2/13/02, DARC discussed draft proposed rule. Plan to hold public meetings)	DARC
 <u>At CAAC – 12</u> (7 DARC; 5 CAAC)		<u>Committee</u>
2002-004	Part 22 Subcontracts and Definition of Terms (p) (2/4/02, Tasked Labor Cmte.)	<u>CAAC</u>
2002-001	Economic Planning, Employee Morale, and Travel Cost Principles (p) (2/21/02, To CAAC)	DARC
2001-037	Insurance and Pension Costs (p) (2/19/02, To CAAC)	DARC
2001-035	Past Performance Evaluation of Federal Prison Industries Contracts (p) (3/4/02, to CAAC)	DARC
2001-012	Payments under Fixed-Price Construction Contracts (p→f) (3/1/02, To CAAC Chair)	DARC
2001-011	FAR Electronic Availability (f) (2/13/01, FAR staff drafting)	<u>CAAC</u>
2001-004	Exemption of Certain Commercial Service Contracts from the Service Contract Act (p) (12/6/01, CAAC sent Ad Hoc Cmte draft to Labor Cmte)	<u>CAAC</u>
2000-308	Prompt Payment Under Cost-Reimbursement Service Contracts (i→f) (1/30/02, To CAAC Chair)	DARC
2000-010	Acquisition of Construction under Part 12 (p) (11/28/01, Tasked Ad Hoc	<u>CAAC</u>

Cmte to review. First meeting, 2/5/02)

- 1999-603 Federal Supply Schedule Services and Blanket Purchase Agreements (p) CAAC
(3/22/01, To FSS Cmte)
- 1999-402 FAR Part 27 Rewrite in Plain Language (p) (1/18/02, FAR staff to CAAC, DARC
Discuss 2/13/02)
- 1999-400 Geographic Use of the Term "United States" (p→f) (10/12/01, To CAAC DARC
Chair)

In Case Resolution – 3

- 2001-028 Energy Efficient Standby Power Devices (p) (2/14/02)
- 2000-011 Revisions to Provisions/Clauses to Accommodate Sealed Bidding and Simplified
Procedures in Commercial Item Acquisitions (p→f) (3/7/02)
- 1995-013 Government Property Disposal (p→f) (8/22/01, GSA is processing deviations to
government property regulations and providing GSA legal analysis)

DARC/CAAC Agree. Next step, legal review - 0

GSA Legal Review - 4

- 2001-034 General Provisions of the Cost Principles (p) (1/7/02)
- 2001-032 Elimination of Standard Form 129 (p) (1/28/02)
- 2000-013 Contract Types for Commercial Item Acquisitions (p→f) (12/13/01)
- 1997-304 Electronic Commerce in Federal Procurement (i→f) (2/6/02)

Resolving GSA Legal issues - 1

- 2000-401 Definitions of "Applied Research" and "Development" (p→f) (12-22-00)

GSA Legal concurrence. Next step, OFPP - 0

At OFPP for review - 13

- 2001-031 Deferred Compensation and Post-Retirement Benefits Other than Pensions (p) (2/22/02)
- 2001-026 Depreciation Cost Principle (p) (12/10/01)
- 2001-024 Selling Cost Principle (p) (2/21/02)
- 2001-021 Training and Education Cost Principle (p) (1/31/02)
- 2001-018 Applicability of the Cost Principles (p) (12/12/01)
- 2001-005 Notification of Overpayment, Contract Financing Payments (p) (2/26/02)
- 2000-406 Definitions of "Claim" and Terms Relating to Termination (p→f)(2/19/02)
- 2000-305 Commercially Available Off-The-Shelf Items (ANPR) (2/21/02)
- 2000-304 Electronic Signatures (p→f) (2/4/02)
- 2000-007 Financing Policies (p→f) (11/21/01)
- 1999-614 Federal Supply Schedules Order Disputes and Incidental Items (p→f) (2/27/02)
- 1999-025 Cost Accounting Standards (CAS) Administration (p→p) (11/21/01)
- 1997-032 Relocation Costs (p→f) (1/10/02)

Resolving OFPP Issues - 4

- 2001-019 Government Property Rewrite (p) (7/24/01) DoD(AI) action
2000-005 Leadership in Environmental Management (E.O. 13148) (p) (2/15/02)
1999-303 Task Order and Delivery Order Contracts (p→f)(2/20/02)
1999-024 Preference for U.S.-Flag Vessels--Subcontracts for Commercial Items (p→f) (2/8/02)

OFPP Concurrence. Next step, OIRA – 0

At OIRA - 0

Resolving OIRA issues - 1

- 2000-016 Federal, State, and Local Taxes (f) (1/31/02)

OIRA cleared. Next step, FARSEC - 4

- 2001-029 Miscellaneous Cost Principles (p) (2/13/02)
2001-008 Compensation Cost Principle (p) (2/21/02)
2000-307 Preference for Performance-Based Service Contracting (i→f) (3/11/02)
2000-009 Update to 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders - Commercial Items. (p) (2/21/02)

At FAR Secretariat – 10

Proposed rules

- 2001-015 Prohibited Sources (p) (3/7/02)

FAC 2001-07

- 2001-002 European Union Trade Sanctions (f) (3/7/02)
1999-616 Balance of Payments Program (p→f) (3/7/02)

FAC 2001-06

- 2001-003 HUBZone Program Applicability (f) (2/12/02)
2000-403 Definitions for Sealed Bid and Negotiated Procurements (p→f) (2/8/02)
2000-402 Definitions for "Contract action" and "Contracting action" (p→f) (2/12/02)
2000-012 Update to SF 1449, Solicitation/Contract/Order for Commercial Items (f) (2/12/02)
2000-008 Acquisition of Helium (p→f) (2/8/02)
1999-612 Application of Labor Clauses (p→f) (2/12/02)
1998-024 Procurement Integrity Rewrite (p→f) (2/8/02)

Out for Public Comment - 4

- 2001-030 Electronic Listing of Acquisition Vehicles Available for Use by More than One Agency (p) (CD 4/16/02)
2001-016 Labor Relations on Construction Projects (i)(stay) (CD 5/6/02))
2000-306 Caribbean Basin Country End Products (i) (CD 4/8/02))
1998-020 Hazardous Material Safety Data (p) (CD 3/5/02))

On Hold - 3

- 1994-753 Travel Costs (p→f)
- 1991-078 Small Business Subcontracting Reporting (p→p)
- 1989-093 Lobbying Restrictions (i→f)

- (i) = Interim rule not published*
- (p) = Proposed rule not published*
- (i®f) = Finalizing interim rule*
- (p®p) = Second proposed rule*
- (p®f) = Finalizing proposed rule*

FAR Rules Published in CY02

Proposed

- 1998-020 Hazardous Material Safety Data (p) (1/4/02))
- 2001-030 Electronic Listing of Acquisition Vehicles Available for Use by More than One Agency (p) (2/15/02)

FAC 2001-004 (2/8/02)

- 2002-002 Special Simplified Procedures for Purchases of Commercial Items (f)
- 2001-027 ISO 9001 Quality Management System Requirements (published as tech amendment) (f)
- 2001-017 Revocation of E.O. on Nondisplacement of Qualified Workers (f)
- 2001-013 Notification of Noncompliance with Cost Accounting Standards (f)
- 2000-404 Definitions for Classified Acquisitions (f)
- 2000-306 Caribbean Basin Country End Products (i)
- 1999-026 Final Contract Voucher Submission (f)

FAC 2001-005 (3/7/02)

- 2001-016 Labor Relations on Construction Projects (i)(stay)

FAR Cases Merged or Closed Without Action CY02

- 2001-009 Implementation of Changes to the Interstate Commerce Act – closed into 2002-005
- 2000-606 Definition of Service Contract - closed 2/02.
- 2000-601 Define Terms in Part 22 - closed into 2002-004.
- 1999-605 Subcontracts (Labor Standards) – closed into 2002-004.