



## Open FAR Cases as of 9/25/2020

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## Open FAR Cases as of September 25, 2020

Case Number	Part Number	Title	Synopsis	Status
2020-016	19, 52	Rerepresentation of Size and Socioeconomic Status	Implements the requirement in SBA's proposed rule (84 FR 60846, November 8, 2019) for rerepresentation of size and socioeconomic status for orders under multiple-award contracts.	09/09/2020 DARC Director tasked Acquisition Small Business (FAR) Team to draft proposed FAR rule. Report due 11/04/2020.
2020-015		Business-case Analysis Requirements for Multi-Agency Contracts	Implements OMB Memo M-19-13, Category Management: Making Smarter Use of Common Contract Solutions and Practices, March 20, 2019.	09/22/2020 DARC Director tasked Acquisition Strategy Team to draft proposed FAR rule. Report due 10/21/2020.
2020-014		(S) United States-Mexico-Canada Agreement	Implements the United States-Mexico-Canada Agreement (USMCA) and the United States-Mexico-Canada Agreement Implementation Act (Pub. L. 116-113), which replaces the North American Free Trade Agreement (NAFTA). The Government Procurement Agreement at chapter 13 of the USMCA applies only to Mexico, so Canada is no longer a Free Trade Agreement country. Canada is still a designated country under the World Trade Organization Government Procurement Agreement.	06/24/2020 DARC Director tasked Acquisition Law Team to draft proposed FAR rule. Report due 07/29/2020. Report due date extended to 09/30/2020.
2020-013	19	(S) Certification of Women-Owned Small Businesses	Implements the statutory requirement for certification of businesses participating in the Women-Owned Small Business Program (section 825 of the National Defense Authorization Act for Fiscal Year 2015), as implemented by the Small Business Administration in its final rule published May 11, 2020 (85 FR 27650).	06/03/2020 DARC Director tasked the FAR Acquisition Small Business Team to draft proposed FAR rule. Report due 08/12/2020. Report due date extended to 09/30/2020.
2020-012	19	(S) Scope of Review by Procurement Center Representatives	Implements section 1811 of the National Defense Authorization Act for Fiscal Year 2017 (15 U.S.C. 644(l)(9)(A)), as implemented by the Small Business Administration's final rule published November 29, 2019 (84 FR 65647).	09/23/2020 DARC received FAR Acquisition Small Business Team draft proposed FAR rule from DAR staff. Discuss on 10/07/2020.

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Case Number	Part Number	Title	Synopsis	Status
2020-011		(S) Implementation of Issued Exclusion and Removal Orders	implements issued exclusion and removal orders authorized by section 1323 of the SECURE Technology Act (Pub. L. 115-390), which created the Federal Acquisition Security Council (FASC) and authorized the Secretary of Homeland Security, the Secretary of Defense, and the Director of National Intelligence to issue exclusion and removal orders, upon the recommendation of the FASC. These orders are issued to protect national security by excluding certain covered products, services, or sources from the Federal supply chain.	03/25/2020 FAR principals opened case (FAR Technology Team), interim FAR rule. DAR staff processing.
2020-010	27, 52, 6	Small Business Innovation Research and Technology Transfer Programs	Implements changes related to data rights in the Small Business Administration's Policy Directive for the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Programs, published in the Federal Register on April 2, 2019 (84 FR 12794). Implements competition requirements unique to Phase III awards under the SBIR and STTR Programs.	04/01/2020 DARC Director tasked the Acquisition Law Team to draft proposed FAR rule. Report due 05/27/2020. Report due date extended to 09/30/2020.
2020-009	25.104	(S) List of Domestically Nonavailable Articles	Implements the requirement at FAR 25.104(b) to publish the list of Domestically Nonavailable Articles in the Federal Register for public comment no less frequently than once every five years.	07/29/2020 DARC Director tasked Staff Level (FAR) Team to consider revisions to draft proposed FAR rule. Report due 10/28/2020.
2020-008		(S) Prohibition on Criminal History Inquiries by Contractors Prior to Conditional Offer	Implements section 1123 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2020. Section 1123 amends 41 U.S.C. 4714 and 10 U.S.C. 2338 adding a new section 10 U.S.C. 2339, prohibiting criminal history inquiries by contractors prior to conditional offer.	01/23/2020 DARC Director tasked FAR Acquisition Law Team to consider revisions to draft proposed FAR rule. Report due 04/01/2020. Report due date extended to 09/30/2020.
2020-007		(S) Accelerated Payments Applicable to Contracts with Certain Small Business Concerns	Implements section 873 of the NDAA for FY 2020. Section 873 amends 31 U.S.C. 3903(a) to require accelerated payment dates for small business prime contractors and prime contractors that subcontract with small business concerns.	09/02/2020 CAAC Legal identified draft proposed FAR rule issues. CAAC legal, FAR and DAR staff resolving issues.

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Case Number	Part Number	Title	Synopsis	Status
2020-006		(S) Documentation of Market Research	Implements section 818 of the NDAA for FY 2020. Section 818 amends 10 U.S.C. 2377(c) and 41 U.S.C. 3307(d) to require that the head of the agency shall document the results of market research in a manner appropriate to the size and complexity of the acquisition.	07/14/2020 Final rule to FARSEC for preparation of FAC.
2020-005		(S) Explanations to Unsuccessful Offerors on Certain Orders Under Task- and Delivery-Order Contracts	Implements section 874 of the NDAA for FY 2020, which requires, when awarding a task or delivery order in an amount greater than the simplified acquisition threshold, not greater than \$5.5 million, contracting officers, upon written request from an unsuccessful offeror, to provide a brief explanation as to why the offeror was unsuccessful, including the rationale for award and an evaluation of the significant weak or deficient factors in the offeror's offer.	01/22/2020 DARC Director tasked Acquisition Strategy (FAR) Team to draft proposed FAR rule. Report due 03/18/2020. Report due date extended to 10/07/2020.
2020-004	16	(S) Application of Micro-purchase Threshold to Certain Task and Delivery Orders	Implements section 826 of the NDAA for FY2020 which increases the threshold for requiring fair opportunity on orders under multiple-award contracts from \$3,500 to the micro-threshold unless an exception applies. This change applies the word-based threshold to ensure continued alignment with any future changes to the thresholds.	09/02/2020 Proposed FAR rule to FARSEC for preparation of FR notice.
2020-003		Removal of FAR Appendix	Remove FAR Appendix, and provide citation to 48 CFR chapter 99, with hyperlinks.	06/24/2020 Final rule to FARSEC for preparation of FAC.
2020-002	19, 2, 52, 9	Removal of Obsolete Definitions	Removes definitions in FAR 19.101 that became obsolete following publication of SBA's final rule on small business size standards (December 5, 2019; 84 FR 66561).	06/19/2020 Final rule to FARSEC for preparation of FAC.
2019-019	8.1	Update to Excess Personal Property Procedures	Updates the procedures for obtaining information on available excess personal property to reflect current Government processes and sources.	06/23/2020 Final rule to FARSEC for preparation of FAC.
2019-018	11, 17, 39, 4, 52, 7, 9	(S) Federal Acquisition Supply Chain Security Act of 2018	Implements the Federal Acquisition Supply Chain Security Act of 2018, which was part of the SECURE Technology Act, Pub. L 115-390.	09/16/2020 DARC Director tasked DAR Staff to review draft proposed FAR revisions submitted by DAR Council. Report due 09/23/2020. Report due date extended to 09/30/2020.

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Case Number	Part Number	Title	Synopsis	Status
2019-017		(S) Training to Prevent Human Trafficking for Certain Air Carriers	Implements section 111 of the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 (Pub. L. 115-425).	09/16/2020 DARC agreed to draft proposed FAR rule. DAR staff processing. Sent for RCO review 9/17/2020
2019-016	12, 2, 25, 52	(EO) Maximizing Use of American-Made Goods, Products and Materials	Implements Executive Order 13881, which requires an amendment to the FAR to provide that under the Buy American Act, materials shall be considered of foreign origin if: (A) for iron and steel end products, the cost of foreign iron and steel used in such iron and steel products constitutes 5 percent or more of the cost of all the components; or (B) for all other products, the cost of the foreign components used in such products constitutes 45 percent or more of the cost of all the components. In addition, the E.O. provides that in determining price reasonableness or public interest, the evaluation factors of 20 percent (for other than small businesses), or 30 percent (for small businesses) shall be applied to offers of materials of foreign origin.	09/14/2020 Published proposed FAR rule in Federal Register (85 FR 56558). Public comment period ends 11/13/2020.
2019-015		Improving Consistency Between Procurement & Non-Procurement Procedures on Suspension and Debarment	Revisions to improve consistency between the procurement and non-procurement procedures on suspension and debarment, based on recommendations of the Interagency Suspension and Debarment Committee.	08/07/2019 DARC Director tasked Acquisition Law Team to draft proposed FAR rule. Report due 10/30/2019. Report due date extended to 10/14/2020.
2019-014		(EO) Strengthening America's Cybersecurity Workforce	Implements Executive Order 13870 of May 2, 2019, America's Cybersecurity Workforce, which directs agencies to incorporate the NICE Framework lexicon, taxonomy and reporting requirements into contracts for information technology and cybersecurity services.	04/23/2020 DAR staff notified FAR staff of DARC differences from Team report or CAAC suggested changes. DAR and FAR staff resolving draft proposed FAR rule open issues.
2019-013		Inflation Adjustment of Acquisition-Related Thresholds	Adjusts statutory acquisition-related thresholds for inflation to implement 41 U.S.C. 1908; and other acquisition-related thresholds as a matter of policy, planned to be effective October 1, 2020.	09/09/2020 Final rule to FARSEC for preparation of FAC 2021-01.

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Case Number	Part Number	Title	Synopsis	Status
2019-010	2, 4, 7, 11, 23, 36, 39, 42, 52	(EO) Efficient Federal Operations	Implements Executive Order 13834 of May 17, 2018. E.O. 13834 directs agencies to comply with statutory requirements related to energy and environmental performance in a manner that increases efficiency, maximizes performance, eliminates unnecessary use of resources, and protects the environment. Revokes E.O, 13693, Planning for Federal Sustainability in the Next Decade. E.O. 13693 superseded E.O.s 13423 and 13514. Rolls FAR Case 2015-033 into this case.	08/18/2020 OFPP identified draft proposed FAR rule issues. OFPP, FAR and DAR staff resolving issues.
2019-009	1, 13, 39, 4, 52	(S) Prohibition on Contracting with Entities Using Certain Telecommunications and Video Surveillance Services or Equipment	Implements paragraph (a)(1)(B) of section 889 of the NDAA for FY 2019 which prohibits procurement from entities using covered equipment and services from Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Technology Company or Dahua Technology Company, to include any subsidiaries or affiliates.	08/27/2020 Published 2nd interim FAR rule in Federal Register (85 FR 53126) (FAC 2020-09). Effective 10/26/2020. Public comment period for 2nd interim rule ends 10/26/2020. Public comment period for 1st interim rule (85 FR 42664) ended 9/14/2020.
2019-008	19, 52	Small Business Program Amendments	Implements regulatory changes proposed by the Small Business Administration (83 FR 62516) regarding small business programs. The proposed regulatory changes include the timing of the determination of size status for multiple-award contracts for which price is not evaluated at the contract level; the grounds for size status protests; and the grounds for socioeconomic status protests.	08/20/2020 FAR staff notified DAR staff of CAAC differences from team report or DARC suggested changes. DAR and FAR staff resolving draft proposed FAR rule open issues.
2019-007	19, 2, 52	Update of Historically Underutilized Business Zone Program	Implements regulatory changes proposed by the Small Business Administration (83 FR 54812) regarding the Historically Underutilized Business Zone (HUBZone) Program. The proposed regulatory changes are intended to reduce the regulatory burden associated with the HUBZone Program.	08/20/2020 Draft proposed FAR rule from FAR analyst to OFPP. OFPP reviewing.
2019-004	19.7, 42.15, 52	(S) Good Faith in Small Business Subcontracting	Implements section 1821 of the NDAA for FY 2017 (Pub. L. 114-328) and SBA implementing regulations. Section 1821 requires SBA to provide examples of activities that would be considered a failure to make a good faith effort to comply with a small business subcontracting plan.	08/12/2020 DARC Director tasked Acquisition Small Business Team to review public comments, draft final FAR rule. Report due 10/14/2020.

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Case Number	Part Number	Title	Synopsis	Status
2019-003	5.2, 7.1	(S) Consolidation and Substantial Bundling	Implements section 863 of the NDAA for FY 2016 (Pub. L. 114-92) and SBA implementing regulations. Section 863 requires publication of notices concerning consolidation and substantial bundling of contract requirements.	08/05/2020 DARC Director tasked Acquisition Small Business Team Team to review public comments, draft final FAR rule. Report due 09/09/2020. Report due date extended to 10/07/2020.
2019-002	22.19, 52.222-55	(EO) Recreational Services on Federal Lands	Revises the FAR list of exemptions from E.O. 13658, Establishing a Minimum Wage for Contractors, in accordance with E.O. 13838, Executive Order on Exemption from Executive Order 13658 for Recreational Services on Federal Lands. E.O. 13838 adds to the exemptions from the requirements of E.O. 13658, contracts in connection with both seasonal recreational services and also seasonal recreational equipment rental when such services and equipment are offered to the general public on Federal lands.	07/01/2020 Final rule to FARSEC for preparation of FAC.
2019-001		(S) Analysis for Equipment Acquisitions	Implements section 555 of the Federal Aviation Administration Reauthorization Act for FY 2018 (Pub. L. 115-254), which requires equipment to be acquired using the method of acquisition (including short-term and long-term rentals) most advantageous to the Government based on a case-by-case analysis of costs and other factors.	08/24/2020 Published proposed FAR rule in Federal Register (85 FR 52081). Public comment period ends 10/23/2020.
2018-024	52.251-2	Use of Interagency Fleet Management System Vehicles and Related Services	Amends FAR clause 52.251-1, Interagency Fleet Management System Vehicles and Related Services, to provide contractors that have been authorized to use fleet vehicles with additional information on how to request the vehicles from the Government.	09/23/2019 Case on hold, pending update of 41 CFR 101-39.
2018-023	29, 52	Taxes - Foreign Contracts in Afghanistan	Implements the provisions on taxes, duties, and fees contained in the Security and Defense Cooperation Agreement (dated 2014) and the North Atlantic Treaty Organization Status of Forces Agreement (dated 2014) with Afghanistan.	05/15/2020 Final rule to FARSEC for preparation of FAC.

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Case Number	Part Number	Title	Synopsis	Status
2018-021	43.105, 52.209, 9.110, 9.405	Reserve Officer Training Corps and Military Recruiting on Campus	Implements 10 U.S.C. 983 which prohibits the award of certain Federal contracts to institutions of higher education that prohibit Senior Reserve Officer Training Corps units or military recruiting on campus.	06/23/2020 Final rule to FARSEC for preparation of FAC.
2018-020	19, 36, 43, 52	(S) Construction Contract Administration	Implements section 855 of the NDAA for FY 2019. Section 855 requires, for solicitations for construction contracts anticipated to be awarded to a small business, notification to prospective offerors regarding agency policies or practices in complying with FAR requirements relating to the timely definitization of requests for equitable adjustment and agency past performance in definitizing such requests.	06/24/2020 DARC Director tasked Acquisition Environmental and Contract Management Team to review public comments, draft final FAR rule. Report due 08/12/2020. Report due date extended to 10/07/2020.
2018-018		(S) Revision of Definition of "Commercial Item"	Partially implements section 836 of the NDAA for FY 2019 (Pub. L. 115-232). Section 836 separates the "commercial item" definition into definitions of "commercial product" and "commercial service." Section 836 set the effective date of the new definitions to January 1, 2020.	11/22/2019 Proposed FAR rule to FARSEC for preparation of FR notice.
2018-017	1, 12, 13, 39, 4, 52	(S) Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment	Implements paragraph (a)(1)(A) of section 889 of the NDAA for FY 2019 which prohibits the procurement of covered equipment and services from Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Technology Company or Dahua Technology Company, to include any subsidiaries or affiliates.	04/20/2020 DARC Director tasked FAR Technology Team to review public comments, draft final FAR rule. Report due 07/01/2020. Report due date extended to 09/30/2020.
2018-016		(S) Lowest Price Technically Acceptable Source Selection Process	Implements section 880 of the NDAA for FY 2019 (Pub. L. 115-232). Section 880 provides limitations and additional guidance on the situations in which lowest-priced, technically acceptable source selection criteria should be used in procurement.	08/11/2020 Draft final FAR rule from FAR analyst to OFPP. OFPP reviewing.



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Case Number	Part Number	Title	Synopsis	Status
2018-014	8, 13, 15, 38	(S) Increasing Task-order Level Competition	Implements section 876 of the NDAA for FY 2019 (Pub. L. 115-232). Section 876 amends 41 U.S.C. 3306(c) by providing an exception to the requirement to consider price as an evaluation factor for the award of certain indefinite-delivery, indefinite-quantity contracts and Federal Supply Schedule contracts.	08/22/2018 DARC Director tasked Acquisition Strategy Team to draft proposed FAR rule. Report due 10/17/2018. 11/30/2018, Case transferred to FAR Acquisition Environmental and Contract Management Team. Report due date extended to 07/31/2019. Report due date extended to 09/30/2020.

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Case Number	Part Number	Title	Synopsis	Status
2018-013		(S) Exemption of Commercial and COTS Item Contracts from Certain Laws and Regulations	<p>Implements section 839(a) of the NDAA for FY 2019 and section 849(a) of the NDAA for FY 2018. Section 839(a) of the NDAA for FY 2019 requires a review of FAR Council determinations not to exempt contracts and subcontracts for commercial products, commercial services, and commercially available off-the-shelf items from certain laws and propose revisions to the FAR to provide an exemption from each law subject to such determination unless the FAR Council determines that there is a specific reason not to provide the exemption pursuant to 41 U.S.C. 1906 or the Administrator for Federal procurement Policy makes the comparable determination pursuant to 41 U.S.C. 1907. Section 849 (a) of the NDAA for FY 2018 required the same review by the Department of Defense. Also implements paragraphs (b) and (c) of section 839 of the NDAA for FY 2019. Paragraph (b) requires the FAR Council to review the FAR to assess every regulation that requires a specific clause in contracts for commercial products or commercial services, unless the regulation is required by law or Executive Order. Paragraph (b) also requires that revisions to the FAR be proposed to eliminate those regulations unless the FAR Council makes a determination not to eliminate a regulation. Paragraph (c) requires assessment of every regulation that requires a prime contractor to include specific clause in subcontracts for commercially available off-the-shelf items, unless the clause is required by law or Executive Order. Paragraph (c) also requires that revisions to the FAR be proposed to eliminate those regulations unless the FAR Council makes a determination not to eliminate a regulation. Paragraphs (b) and (c) require these revisions to be proposed within one year of the date of the enactment of section 839. FAR case 2018-019 was rolled into this case.</p>	02/19/2020 DAR staff notified FAR staff that DARC agreed to draft proposed FAR rule. Awaiting CAAC concurrence.

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Case Number	Part Number	Title	Synopsis	Status
2018-012	27, 52	Rights to Federally Funded Inventions and Licensing of Government-Owned Inventions	Implements the change to 37 CFR Parts 401 and 404, Rights to Federally Funded Inventions and Licensing of Government Owned Inventions, dated 14 May 2018. The change reduces regulatory burdens, provides greater clarity to large businesses by codifying the applicability of Bayh-Dole as directed in Executive Order 12591, and provides greater clarity to all federal funding recipients by updating regulatory provisions to align with provisions of the Leahy-Smith America Invents Act in terms of definitions and time frames.	05/15/2019 DAR staff notified FAR staff that DARC agreed to draft proposed FAR rule. Awaiting CAAC concurrence.
2018-006		(S) Definition of "Subcontract"	Implements section 820 of the NDAA for FY 2018. Section 820 amends 41 U.S.C. 1906(c)(1) to change the definition of "subcontract" in certain circumstances. Implements a new approach to the prescription and flowdown for provisions and clauses applicable to acquisitions of commercial items or acquisitions that do not exceed the simplified acquisition threshold.	11/05/2019 DAR staff notified FAR staff that DARC agreed to draft proposed FAR rule. Awaiting CAAC concurrence.
2018-003	19, 42, 52	(S) Credit for Lower-Tier Small Business Subcontracting	Implements section 1614 of the NDAA for FY 2014, as implemented in the SBA regulations on 12/23/2016 (81 FR 94246), which allows prime contractors to receive credit toward goals in their small business subcontracting plans for subcontracts awarded by their subcontractors.	01/08/2020 Case on hold pending publication of a proposed rule by SBA.
2018-002		Protecting Life in Global Health Assistance	Implements Presidential memorandum of January 13, 2017, "The Mexico City Policy," in accordance with the interagency implementation plan, "Protecting Life in Global Health Assistance," prepared by the Secretary of State on May 9, 2017.	09/14/2020 Published proposed FAR rule in Federal Register (85 FR 56549). Public comment period ends 11/13/2020.
2017-019	15, 19, 2, 52, 9	Policy on Joint Ventures	Implements regulatory changes regarding joint ventures made by the Small Business Administration (SBA) in their final rule published in the Federal Register on July 25, 2016 (81 FR 48558). Also clarifies that 8(a) joint ventures are not "certified" in the 8(a) Program and that 8(a) joint venture agreements must be approved by SBA prior to award of an 8(a) contract.	08/12/2020 DARC Director tasked Small Business Team to review public comments, draft final FAR rule. Report due 10/28/2020.

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Case Number	Part Number	Title	Synopsis	Status
2017-018	1.106, 12.503, 13.005, 13.006, 4.1202, 52.204-8, 52.209, 9.109	(S) Violations of Arms Control Treaties or Agreements with the United States	Implements 22 U.S.C. 2593e (as added by section 1290 of the NDAA for FY 2017), which requires certification by offerors that the offeror, or any of its subsidiaries, does not engage in any activity that contributed to or is a significant factor in the determination that a country is not in full compliance with its obligations undertaken in all arms control, nonproliferation, and disarmament agreements or commitments to which the United States is a participating state.	09/01/2020 Final rule to FARSEC for preparation of FAC.
2017-016	11, 12, 2.1, 27, 35, 4, 52, 7	Controlled Unclassified Information	Implements the National Archives and Records Administration (NARA) Controlled Unclassified information (CUI) program of E.O. 13556. As the executive agent designated to oversee the Governmentwide CUI program, NARA issued implementing regulations in late 2016 to address agency policies for designating, safeguarding, disseminating, marking, decontrolling, and disposing of CUI.	02/27/2019 DAR staff notified FAR staff that DARC agreed to draft proposed FAR rule. Awaiting CAAC concurrence.
2017-014	1, 52	Use of Acquisition 360 to Encourage Vendor Feedback	Implements the OFPP memorandum "Acquisition 360--Improving the Acquisition Process through Timely Feedback from External and Internal Stakeholders" (March 2015), which builds on OFPP efforts to increase communication between Government and industry. Acquisition 360 is a survey tool with a centralized survey portal on the OMB Survey platform, allowing for real time data access by OMB and agencies.	09/15/2020 Published proposed FAR rule in Federal Register (85 FR 57177). Public comment period ends 11/16/2020.
2017-013	12, 2.1, 24, 39, 4, 42, 52.224, 7	Breaches of Personally Identifiable Information	Implements OMB Memorandum M-17-12, Preparing for and Responding to a Breach of Personally Identifiable Information (January 3, 2017). The guidance applies to PII breaches occurring in cyberspace or through physical acts. This case will provide for appropriate contract terms to apply when a contractor has access to, creates, collects, or maintains personally identifiable information on behalf of the agency or operates an information system on behalf of the agency that may have personally identifiable information residing in or transiting through the information system.	07/11/2019 FAR staff notified DAR staff of CAAC differences from team report or DARC suggested changes. DAR and FAR staff resolving draft proposed FAR rule open issues.

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Case Number	Part Number	Title	Synopsis	Status
2017-011	10.001, 11.002, 12.2, 2.101, 39, 7.103	Section 508-Based Standards in Information and Communication Technology	Implements the U.S. Access Board's final rule updating section 508-based standards, published in the Federal register on 1/18/2017 (82 FR 5790).	09/23/2020 DARC agreed to draft proposed FAR rule. DAR staff processing.
2017-005	3.9, 31.205-47, 31.6, 52.203-17, 52.212-5, 52.244-6	(S) Whistleblower Protection for Contractor Employees	Implements Public Law 114-261, which makes permanent the pilot program to enhance whistleblower protection for contractor employees.	09/27/2019 DoD, GSA, NASA, and OFPP resolving issues, final rule.
2017-003	19.602, 28.1, 28.2, 32.202-4, 52.228, 52.228-11, 53.228, 53.301-28	(S) Individual Sureties	Addresses section 874 of the NDAA for FY 2016 (Pub. L. 114-92), which adds 31 U.S.C. 9310, Individual sureties, by changing the kinds of assets that individual sureties may use as collateral. This is consistent with 31 USC 9303.	09/11/2020 Draft final FAR rule from FAR analyst to OFPP. OFPP reviewing.
2016-011	19, 52	(S) Revision of Limitations on Subcontracting	Implements SBA's final rule (81 FR 34243) for section 1651 of the NDAA for FY 2013 (Pub. L. 112-239), which revised the limitations on subcontracting and the nonmanufacturer rule. Also implements SBA's regulatory clarifications concerning application of the limitations on subcontracting, nonmanufacturer rule, and size determination of joint ventures.	06/18/2020 Draft final FAR rule from FAR analyst to OFPP. OFPP reviewing.
2016-005	1.102-2, 10.001, 10.002	(S) Effective Communication between Government and Industry.	Implements section 887 of the NDAA for FY 2016 (Pub. L. 114-92), which provides that agency acquisition personnel are permitted and encouraged to engage in responsible and constructive exchanges with industry.	12/12/2019 Draft final FAR rule from FAR analyst to OFPP. OFPP reviewing.
2016-002	19, 2	Applicability of Small Business Regulations Outside the United States	Considers applicability of small business regulations to contracts performed outside the United States.	08/19/2020 Draft final FAR rule from FAR analyst to OFPP. OFPP reviewing.
2015-038	12, 13, 17.8, 2.101, 52.217, 8.4	Reverse Auction Guidance	Implements OFPP memorandum, "Effective Use of Reverse Auctions." The memorandum provides guidance on the usage of reverse auctions, and was issued in response to recommendations within GAO report (Reverse Auctions: Guidance is Needed to Maximize Competition and Achieve Cost Savings, GAO-14-108).	08/25/2020 Proposed FAR rule to FARSEC for preparation of FR notice.

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Case Number	Part Number	Title	Synopsis	Status
2015-014	25.303, 3.7, 42.1503, 52.225	(S) Prohibition on Providing Funds to the Enemy	Implements sections 841 - 843 of the NDAA for FY 2015 (Pub. L. 113-291). Section 841 prohibits providing funds to the enemy. Section 842 provides additional access to records. Section 843 provides definitions.	04/15/2015 DAR staff notified FAR staff that DARC agreed to draft proposed FAR rule. Awaiting CAAC concurrence.