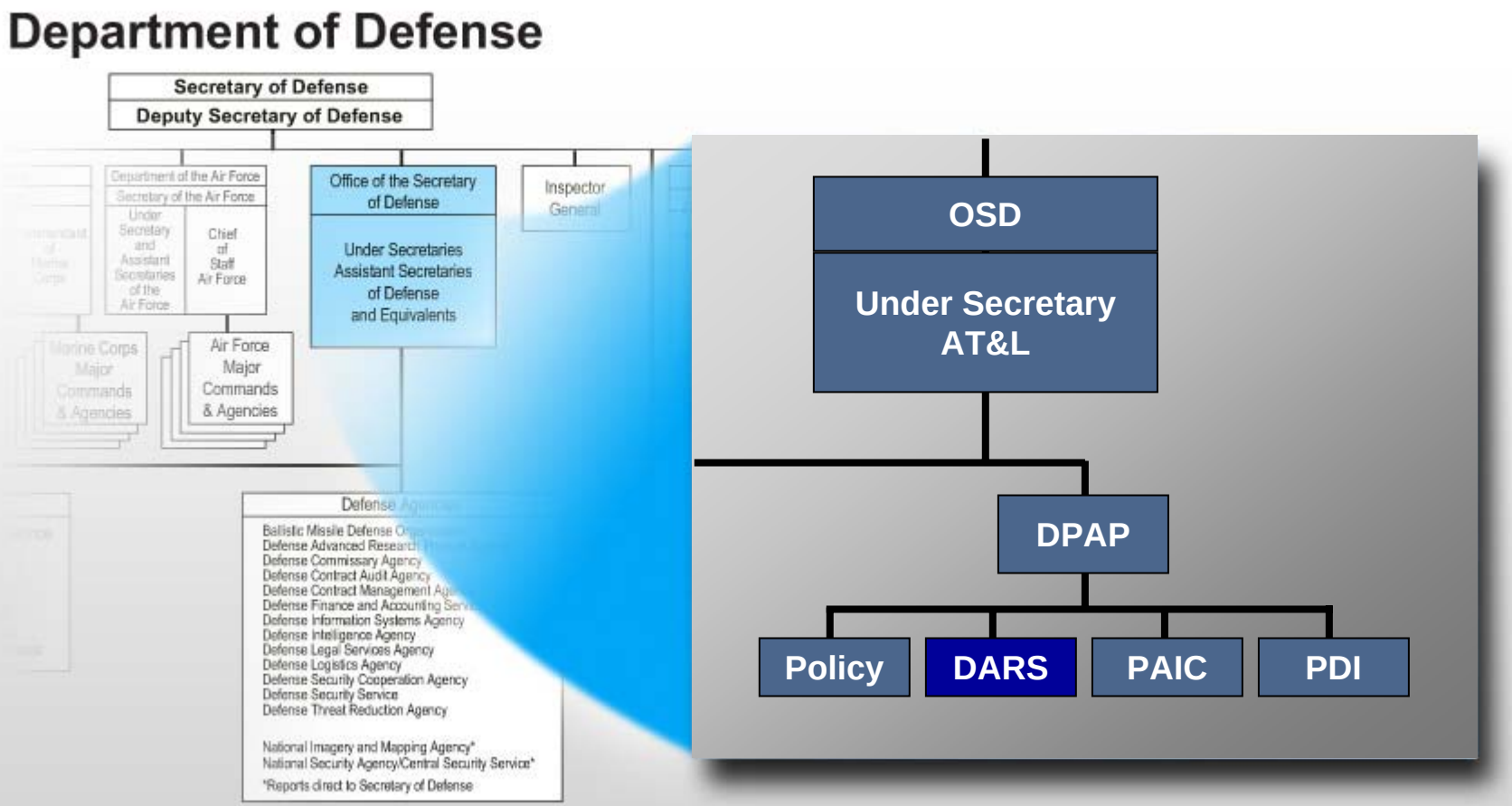
DARS: The Rule-Making Process

http://www.acq.osd.mil/dpap/dars/

Agenda

- DoD & DARS: Supporting the Warfighter
- FAR & DFARS
- Introducing PGI
- FAR/DFARS Changes
  - How They Happen
  - Your Role in the Process
- Pertinent Cases
- How You Can Become Involved
- Pulling it All Together

Department of Defense (DoD) & DARS



DPAP Directorates

- **DARS**
  - Implements statutes and mission focused policies, procedures and guidance in FAR, DFARS and PGI
- **Policy**
  - Focal point for developing new, innovative acquisition policies and improving existing DoD acquisition policies
- **Program Acquisition and International Contracting**
  - Responsible for DoD 5000 series policies and business strategies for acquisition programs and international contracting issues
- **Program Development and Integration**
  - Creates policies for uniquely identifying tangible items
  - Develops and implements strategies for purchase card

DoD & DARS: Supporting the Warfighter

Our Mission

The Defense Acquisition Regulations System (DARS) develops and maintains acquisition rules and guidance to facilitate the Acquisition workforce as they acquire the goods and services DoD requires to ensure America's Warfighters' continued worldwide success.

Federal Acquisition Regulation (FAR)

- Regulations required by law and policy
- Rules apply to Federal government agencies
- Content determined by FAR Council
  - Office of Federal Procurement Policy (OFPP)
  - Department of Defense (DoD)
  - General Services Administration (GSA)
  - National Aeronautics and Space Administration (NASA)
- DPAP represents DoD on FAR Council

Defense Federal Acquisition Regulation Supplement (DFARS)

- Regulations required by law or policy
- Rules apply to DoD
- Content determined by DAR Council
  - Military Services
  - Defense Agencies
  - DAR Council Chair
- DARS leads and guides the DAR Council

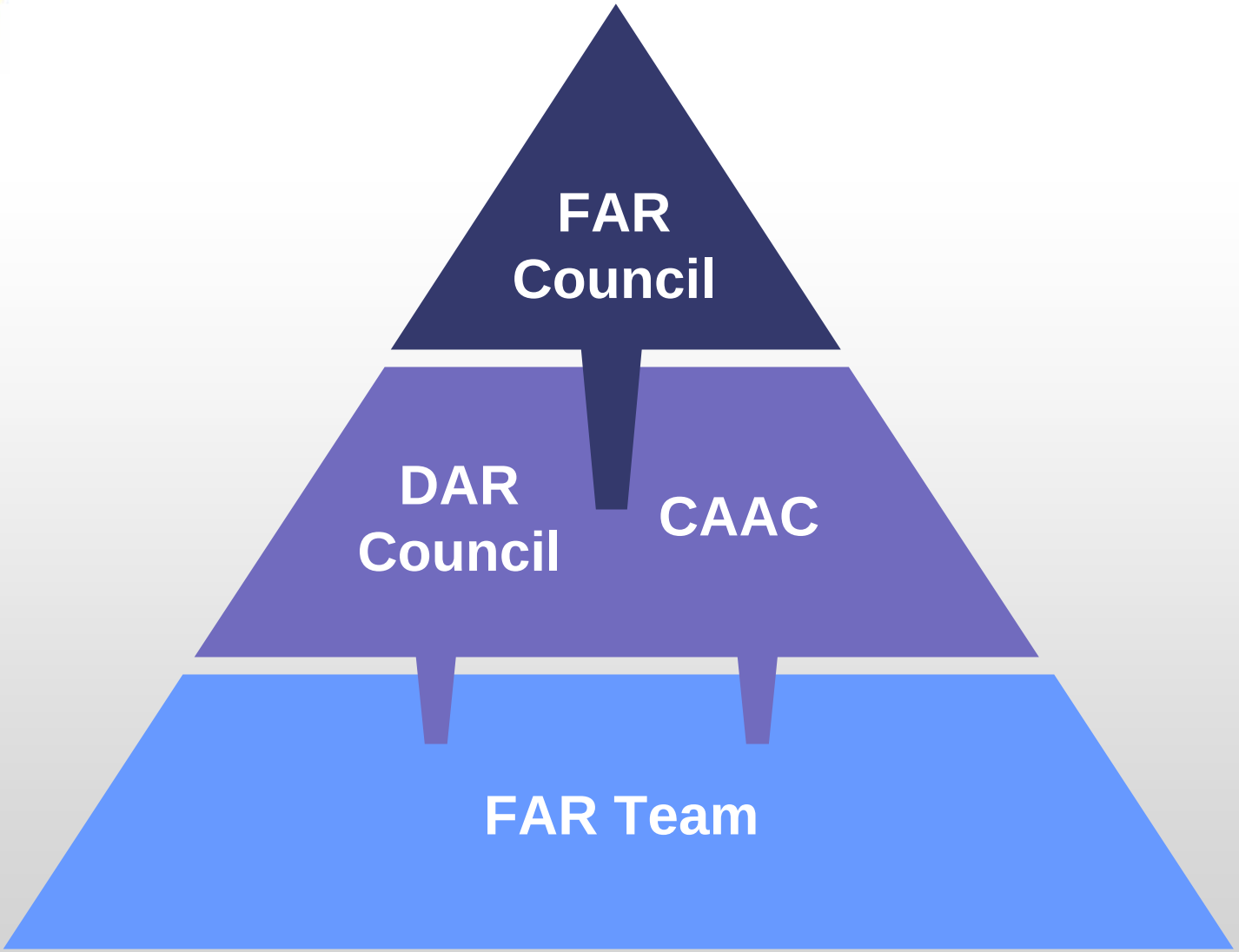
Procedures, Guidance and Information (PGI)

- Internal DoD procedures
- Provides a central point for locating:
  - Agency guidance
  - Training
  - Guides
  - Outside resources
  - OSD policy letters
  - Other pertinent information
- Companion resource to the DFARS
- Single access-point to internal DoD acquisition procedures, policy training and class deviations

www.acq.osd.mil/dpap/dars/pgi/current/pgi_html.htm

The Rulemaking Process

FAR Council Structure



Federal Acquisition Regulation (FAR) Council

- **Responsibilities:**
  - **Provide overall strategy to the DAR Council and CAAC**
  - **Resolve disagreements between the DAR Council and CAAC**
- **Members:**
  - **Administrator, Office of Federal Procurement Policy (OFPP)**
  - **Director, Defense Procurement and Acquisition Policy (DPAP), DoD**
  - **Deputy Chief Acquisition Officer, GSA**
  - **Deputy Chief Acquisition Officer, NASA**

Defense Acquisition Regulation (DAR) Council

- **Responsibilities:**
  - **Promulgate the DFARS and PGI**
  - **Promulgate the FAR (in conjunction with CAAC)**
- **Members:**
  - **Representatives from the Military Services and Defense Agencies**
  - **Representatives from NASA**
  - **DoD DAR Council Chair**

Civilian Agency Acquisition Council (CAAC)

- **CAAC Members:**
  - Representatives from the Civilian Agencies
  - GSA CAAC Chair
- **Responsibilities:**
  - Promulgate the FAR (in conjunction with DARC)
  - Publish Federal Register (FR) notices, solicit public comments
    - Advance notice of proposed rulemaking (ANPR)
    - Proposed and interim rules
  - Publish Final rules in FR
  - Hold public meetings
  - Review all public comments and provide responses in FR
  - Reach agreement on FAR changes

Sources of FAR/DFARS/PGI Changes

- Legislation
- IG & GAO Recommendations
- Court Decisions
- OFPP Policy Letters
- Executive Orders
- Agency Recommendations
- Individual Recommendations
- Industry Recommendations
- Policy Changes (e.g., USD (AT&L), DPAP)

FAR
DFARS
PGI

FAR Change Process

FAR Council

- Director, DAR Council
- NASA, DAR Council Rep.
- Chairman, CAA Council

FAR Team

DAR Council/CAAC

OFPP/OIRA

Federal Register

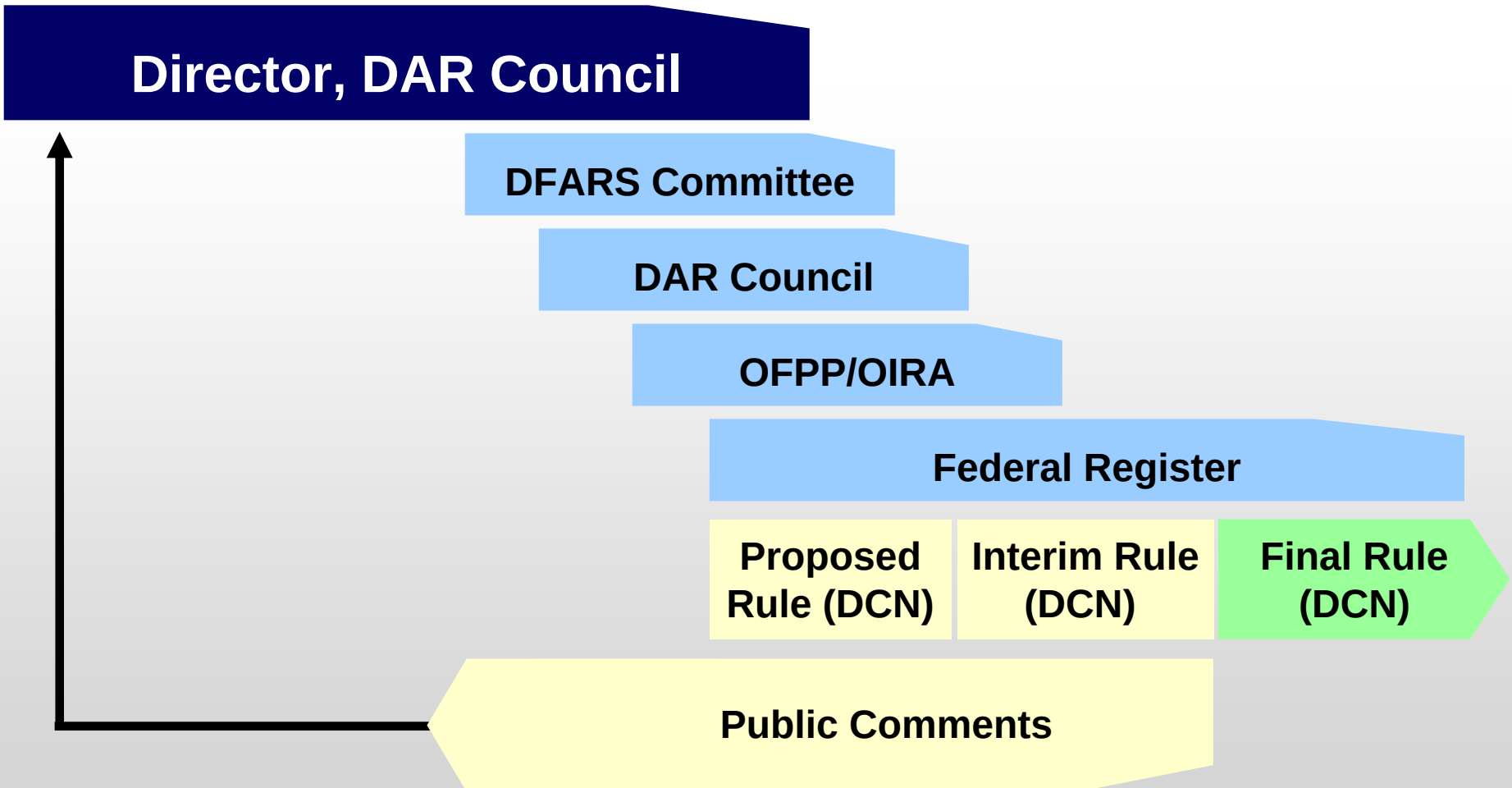
Proposed Rule

Interim Rule (FAC)

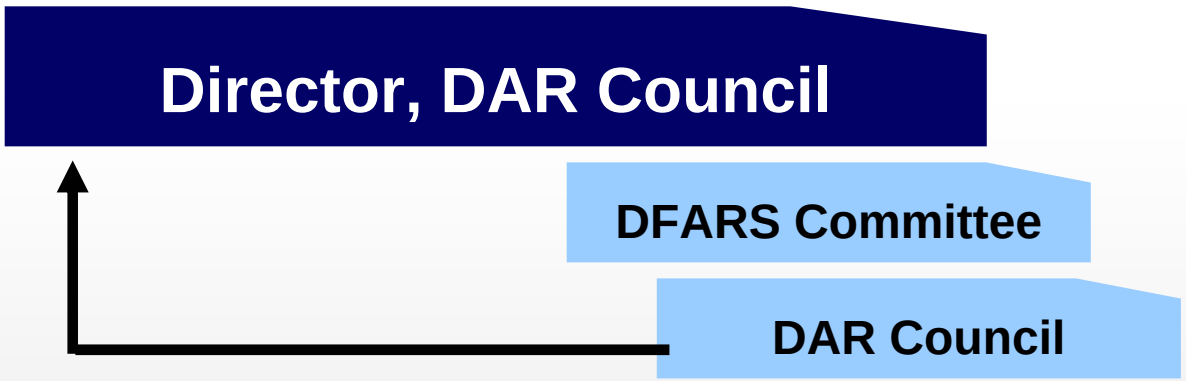
Final Rule (FAC)

Public Comments

DFARS Change Process



PGI Change Process



Get Involved in the Rulemaking Process

- **Review DFARS and FAR proposed and interim rules**
  - **Change Notices:** http://www.acq.osd.mil/dpap/dars/changenotice/
- **Submit input**
  - **Agency comment (through command channels)**
  - **Internet (follow local and agency procedures)**
- **View public comments on proposed & interim rules**
  - **DARS public comment page:** http://www.acq.osd.mil/dpap/dars/publiccomm/
- **View status of open cases**
  - **DARS homepage:** http://www.acq.osd.mil/dpap/dars

Automated Access to DFARS and PGI

Defense Procurement and Acquisition Policy - DFARS - Microsoft Outlook

File Edit View Favorites Tools Actions Help

New Send/Receive Find Type a contact to find

Back Address http://www.acq.osd.mil/dpap/dars/dfars/index.htm

Office of the Under Secretary of Defense for Acquisition Technology and Logistics

Defense Procurement and Acquisition Policy

DARS

- Organization
- DFARS Transformation
- FAR
- DFARS
- PGI
- Subscribe to News
- Class Deviations
- Guides
- Out for Pub Comment
- Status of Open Cases
- Policy Vault - DARS
- FAQ

Site Menu

- About DPAP

DPAP Directorates

- DARS
- PAIC
- Policy

DFARS

Defense Federal Acquisition Regulations Supplement

The 1998 Edition of the DFARS replaces the 1991 Edition. See DFARS Change Notices for links to descriptions of all changes t and replacement subparts documents for changes made on or after January 23, 2006.

Browse the current DFARS text in HTML format. (Best viewed in Internet Explorer 6.0)
Browse the current DFARS text in PDF.
Browse the current DFARS text in MS Word 7. (To view in the correct format you must have the Century Schoolbook for

Download Century schoolbook font.

To view previous versions of the DFARS use drop down menu below.

Previous Versions of the DFARS

Download Zip files of the DFARS in PDF.

Download Zip files of the DFARS in MS Word.

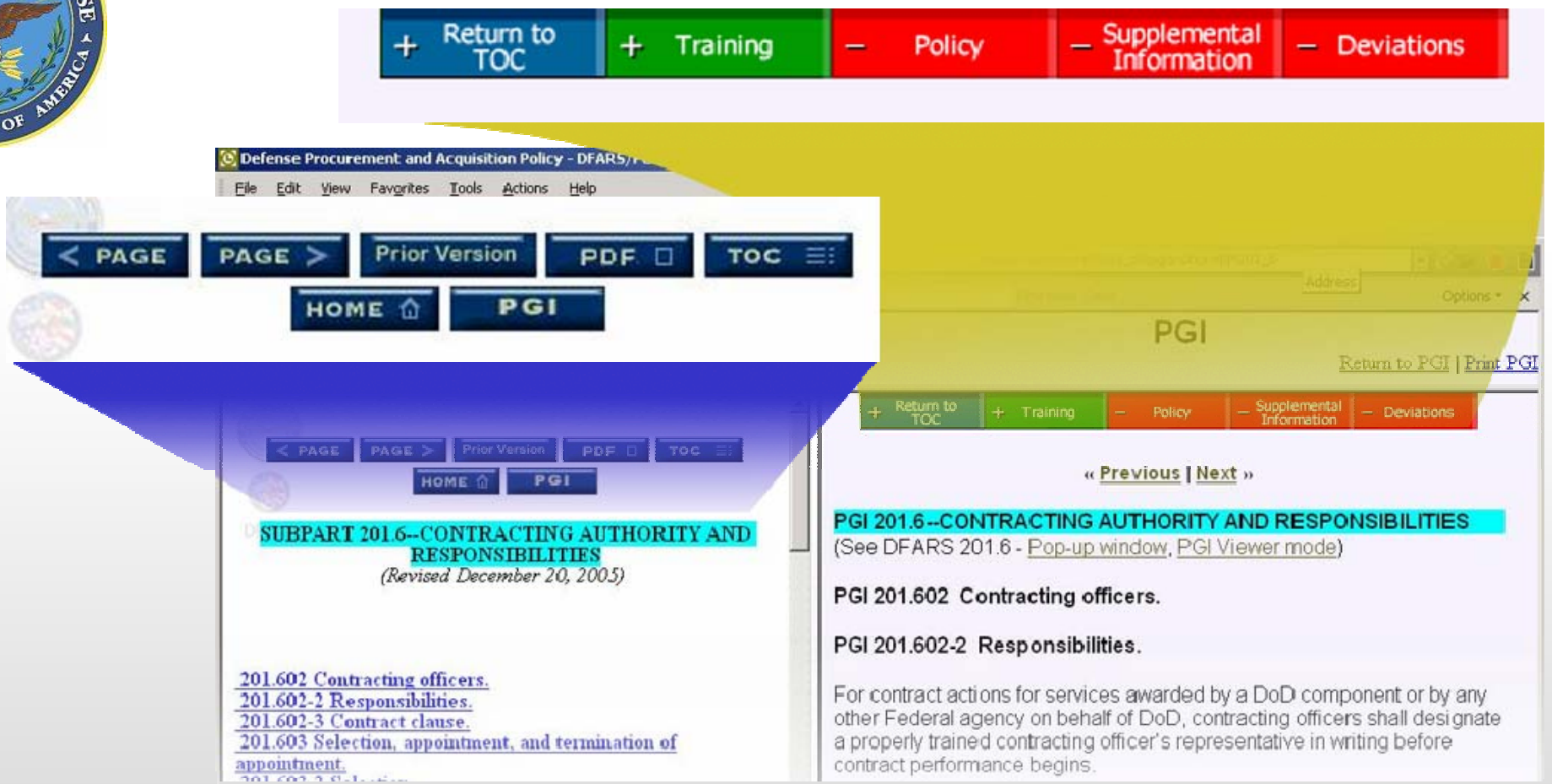
Search **either the current DFARS or previous versions of the DFARS.**

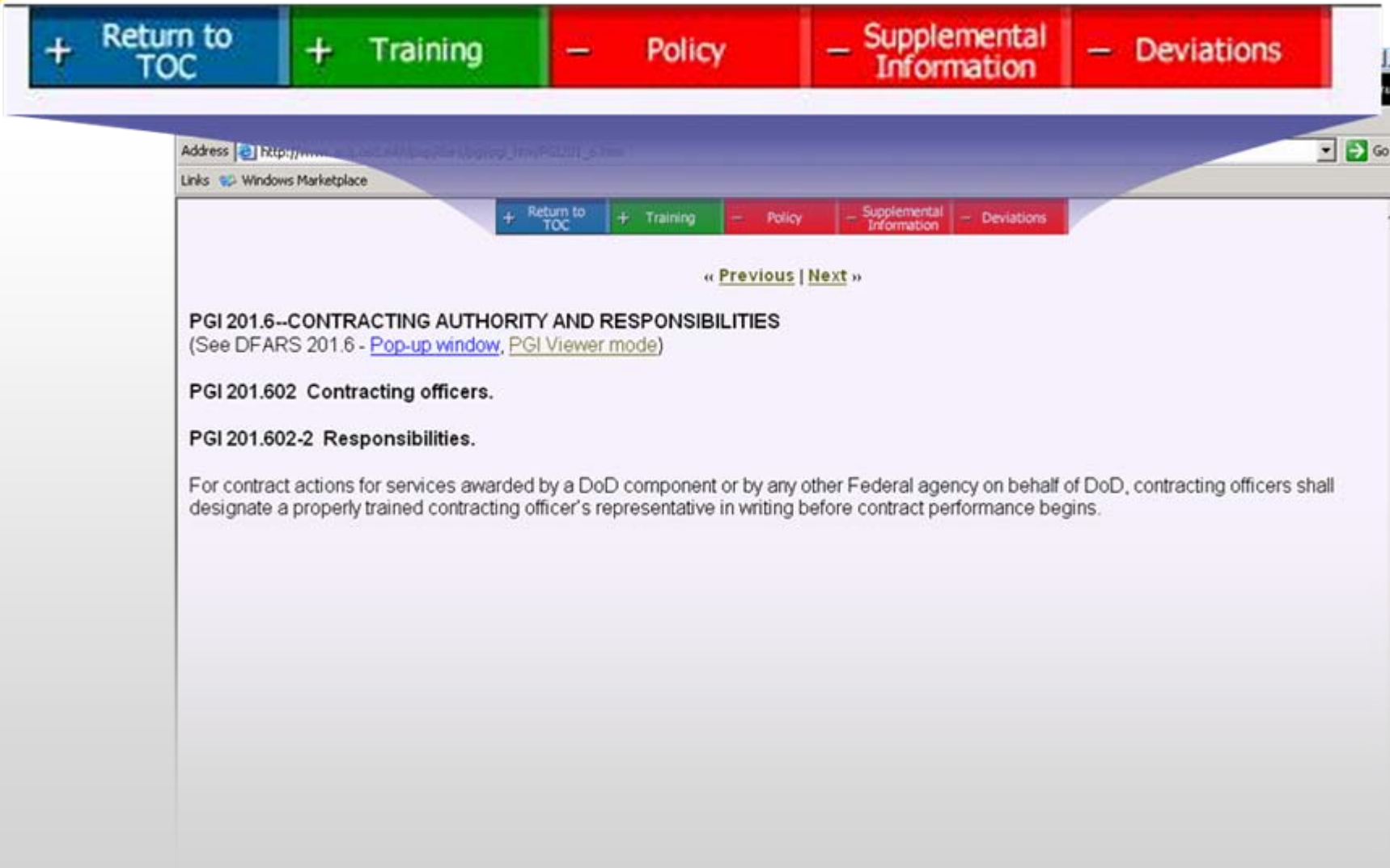
To receive the latest news of changes to the DFARS, subscribe to the DFARS News. The DFARS News will keep you informed about changes to the DFARS, proposed rules, public meetings and other DFARS-related issues.

To recommend editorial changes to the DFARS, such as corrections of misspelled words, omitted words or lines, or errors in

Done

< PAGE
PAGE >
Prior Version
PDF
TOC
HOME
PGI
Links
Windows Marke
Go
SUBPART 201.6--CONTRACTING AUTHORITY AND RESPONSIBILITIES
(Revised December 20, 2005)
201.602 Contracting officers.
201.602-2 Responsibilities.
201.602-3 Contract clause.
201.603 Selection, appointment, and termination of appointment.
201.603-2 Selection.
201.603-3 Appointment.
201.602 Contracting officers.
201.602-2 Responsibilities.
Contracting officers may designate qualified personnel as their authorized representatives to assist in the technical monitoring or administration of a contract. Follow


+ Return to TOC
+ Training
– Policy
– Supplemental Information
– Deviations
Defense Procurement and Acquisition Policy - DFARS/
File Edit View Favorites Tools Actions Help
< PAGE
PAGE >
Prior Version
PDF
TOC
HOME
PGI
SUBPART 201.6--CONTRACTING AUTHORITY AND RESPONSIBILITIES
(Revised December 20, 2005)
201.602 Contracting officers.
201.602-2 Responsibilities.
201.602-3 Contract clause.
201.603 Selection, appointment, and termination of appointment.
PGI
Return to PGI | Print PGI
« Previous | Next »
PGI 201.6--CONTRACTING AUTHORITY AND RESPONSIBILITIES
(See DFARS 201.6 - Pop-up window, PGI Viewer mode)
PGI 201.602 Contracting officers.
PGI 201.602-2 Responsibilities.
For contract actions for services awarded by a DoD component or by any other Federal agency on behalf of DoD, contracting officers shall designate a properly trained contracting officer's representative in writing before contract performance begins.


+ Return to TOC
+ Training
– Policy
– Supplemental Information
– Deviations
Address
Go
Links
Windows Marketplace
+ Return to TOC
+ Training
– Policy
– Supplemental Information
– Deviations
« Previous | Next »
PGI 201.6--CONTRACTING AUTHORITY AND RESPONSIBILITIES
(See DFARS 201.6 - Pop-up window, PGI Viewer mode)
PGI 201.602 Contracting officers.
PGI 201.602-2 Responsibilities.
For contract actions for services awarded by a DoD component or by any other Federal agency on behalf of DoD, contracting officers shall designate a properly trained contracting officer's representative in writing before contract performance begins.

We Want to Hear From You

- **Get Informed**
  - View DFARS Change Notices: www.acq.osd.mil/dpap/dars/changenotice/
  - Sign up for DFARS News via e-mail
- **Get Involved**
  - Submit comments on FAR and DFARS www.acq.osd.mil/dpap/dars/publiccomm/
  - Attend public meetings http://www.acq.osd.mil/dpap/dars/publicmeeting/
  - Voice your ideas
- **Follow Up**
  - View Public Comments http://www.acq.osd.mil/dpap/dars/publiccomm/

Pulling It All Together

- DoD & DARS: Supporting the Warfighter
- FAR, DFARS and PGI
- FAR/DFARS/PGI Changes
- Pertinent Cases

Get Informed,
Get Involved