

FAR Alert Notice (FAN)
Issuance of Proposed Rules and Federal Acquisition Circulars 2005-95

This *FAR Alert Notice (FAN)* provides awareness to the acquisition workforce about upcoming regulatory changes.¹ This FAN highlights noteworthy proposed rules, and interim and final rules recently published in the released Federal Acquisition Circular (FAC) that impact the acquisition workforce.²

A brief description of each rule is provided below with hyperlinks to an expanded version of the rules. Agencies are encouraged to disseminate this FAN widely across their acquisition workforce.

Rules at a Glance
Proposed Rules See notice below under Proposed Rules
FAC 2005-95 (published on January 13, 2017) FAR Case 2013-014, Uniform Use of Line Items FAR Case 2016-004, Acquisition Threshold for Special Emergency Procurement Authority FAR Case 2015-012, Contractor Employee Internal Confidentiality Agreements or Statements FAR Case 2012-022, Contracts Under the Small Business Administration 8(a) Program FAR Case 2015-016, Prohibition on Reimbursement for Congressional Investigations and Inquiries

Proposed Rules - Proposed rules are published more often than FACs. To provide timely updates to the acquisition community, the proposed rules will now be posted in real time on acquisition.gov - click on Proposed Rules in the moving banner at the top of the page. To receive automatic email notices of the latest proposed rules as well as other FAR related news, go to <https://listserv.gsa.gov/cgi-bin/wa.exe?A0=ACQUISITIONNEWS>, and click on “Subscribe” and select either regular or digest – see below for definitions of regular and digest.³

Final Rules

FAC 2005-95 (Published on January 13, 2017)

[FAR Case 2013-014, Uniform Use of Line Items](#)

This final rule amends the FAR to establish standards for the uniform use of line items in Federal procurement. These standards are designed to improve the accuracy, traceability, and usability of procurement data. This rule became effective on January 13, 2017.

¹ This FAR Alert was established by the Office of Federal Procurement Policy (OFPP) in 2012 to help improve agency awareness of regulatory changes. GSA prepares the FAN for dissemination to the acquisition workforce via the FAI website. Questions about the individual rules should be directed to the analyst in the “For Further Information Contact” paragraph of the rule.

² Proposed rules announce future changes being considered to the Code of Federal Regulations (CFR), include proposed regulatory text, and solicit public comments. Interim rules announce immediate changes to the CFR and are effective immediately upon publication, or on a specified date after publication, but may be amended based on public comment. Final rules make permanent changes to the FAR after considering public comment, if required. Final rules are effective on a specified date after publication.

³ Definitions/Instructions - "Regular" means you get one message at a time just like regular email. "Digest", of which there are several types means that instead of getting each message as it is sent, the person gets one message per day made up of all the messages sent to the list that day, the digest usually has an index of subject lines at the top linking to all the messages.

[FAR Case 2016-004, Acquisition Threshold for Special Emergency Procurement Authority](#)

This final rule amends the FAR by increasing the simplified acquisition threshold (SAT) for special emergency procurement authority from \$300,000 to \$750,000 (within the United States) and from \$1 million to \$1.5 million (outside the United States) for acquisitions of supplies or services that, as determined by the head of the agency, are to be used to support a contingency operation or to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack. This rule became effective on January 13, 2017.

[FAR Case 2015-012, Contractor Employee Internal Confidentiality Agreements or Statements](#)

This final rule revises the FAR to implement section 743 of Division E, title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and successor provisions in subsequent appropriations acts. Section 743 prohibits the use of funds appropriated or otherwise made available by Division E or any other act, for a contract with an entity that requires employees and subcontractors of such entity to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or subcontractors from lawfully reporting waste, fraud, or abuse, to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information (e.g., agency office of the Inspector General). This rule became effective on January 19, 2017.

[FAR Case 2012-022, Contracts Under the Small Business Administration 8\(a\) Program](#)

This final rule amends the FAR to implement clarifications made by the Small Business Administration in its final rule, which published in the Federal Register at 76 FR 8222 on February 11, 2011. This final rule clarifies in the FAR the procedures and requirements used when contracting under the 8(a) program. This rule became effective on January 13, 2017.

[FAR Case 2015-016, Prohibition on Reimbursement for Congressional Investigations and Inquiries](#)

This final rule amends the FAR to implement section 857 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015. Section 857 imposes additional requirements relative to the allowability of costs incurred by a contractor in connection with a congressional investigation or inquiry. This rule became effective on January 13, 2017.