

FAR Alert Notice (FAN)
Issuance of Proposed Rules and Federal Acquisition Circular 2005-76

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

FAR Case 2013-012, Review and Justification of Pass-Through Contracts

FAC 2005-76 (published on July 25, 2014)

FAR Case 2014-013, Equal Employment and Affirmative Action for Veterans and Individuals with Disabilities

FAR Case 2012-014, Small Business Protests and Appeals

FAR Case 2013-017, Allowability of Legal Costs for Whistleblower Proceedings

Proposed Rules

FAR Case 2013-012, [Review and Justification of Pass-Through Contracts](#), published on July 10, 2014. This proposed rule will amend the FAR to implement section 802 of the National Defense Authorization Act of Fiscal Year 2013. This section provides additional requirements relative to the review and justification of Pass-Through contracts.

Interim and Final Rules

FAC 2005-76 (Published on July 25, 2014)

FAR Case 2014-013, [Equal Employment and Affirmative Action for Veterans and Individuals with Disabilities](#).

This interim rule amends the FAR to implement final rules issued on September 24, 2013, by the Office of Federal Contract Compliance Programs at the Department of Labor (DOL) relating to equal opportunity and affirmative action for veterans and individuals with disabilities.

FAR Case 2012-014, [Small Business Protests and Appeals](#).

This final rule amends the FAR to provide revised regulatory coverage for small business size and small business status protest and appeal procedures and to ensure that the FAR contains consistent and coherent protest and appeal procedures that are congruent with Small Business Administration regulations.

FAR Case 2013-017, [Allowability of Legal Costs for Whistleblower Proceedings](#).

This final rule finalizes an interim rule that revised the cost principle at FAR 31.205-47 to implement sections 827(g) and 828(d) of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112-239). The cost principle addresses the allowability of legal costs incurred by a contractor or subcontractor in connection with a whistleblower protection proceeding commenced by a contractor or subcontractor employee submitting a complaint of reprisal under the applicable whistleblower statute.

¹This 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 Federal Register Notice.

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 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. Final rules are effective on a specified date after publication.