



Legislative Update

MSFC SBELT 18 June 2024



Topics for Conversation

❑ Open FAR Cases

- 2024 Cases
- Credit for Lower-Tier Small Business Subcontracting (2023-009)
- Pay Equity & Transparency (2023-021)
- Policy on Joint Venture (2023-015)

❑ SBA Final Rule Eliminates Self-Certification for Service-Disabled Veteran-Owned Small Businesses (SDVOSBs)

❑ Best-in-Class (BIC) Procurement Updates

- GSA OASIS+
- NASA Solutions for Enterprise-Wide Procurement (SEWP) VI

2024 Open FAR Cases as of 14 June 2024

Case Number	Part Number	Title	Synopsis	Status
2024-004	22, 52	(S) Combating Trafficking in Persons—Definition and Agency Responsibilities	Implements section 108 of the Justice for Victims of Trafficking Act of 2015 (Pub. L. 114-22) and section 2 of the End Human Trafficking in Government Contracts Act of 2022 (Pub. L. 117-211) which updates the definition of “sex trafficking” and requires that, upon receipt of an Inspector General’s report substantiating an allegation of violations related to trafficking in persons by a contractor or subcontractor, the agency head refer the matter to their agency suspension and debarment official.	06/10/2024 Proposed FAR rule to FARSEC for preparation of FR notice.
2024-003		8(a) Program	Implements the Small Business Administration’s final rule published on April 27, 2023, at 88 FR 26164, which clarifies 8(a) Program requirements, such as offer and acceptance procedures, set-aside and sole-source procedures for certain contracts, and joint venture requirements.	01/24/2024 DARC Director tasked FAR Acquisition Small Business Team to draft proposed FAR rule. Report due 03/20/2024. Report due date extended to 07/03/2024.
2024-002		(S) Prohibition on Covered Unmanned Aircraft Systems by Covered Foreign Entities	Implements subtitle B of Title XVIII of FY 2024 NDAA (Pub. L. 118-31), which prohibits the procurement of covered unmanned aircraft systems manufactured or assembled by a covered foreign entity or in connection with its operation.	06/05/2024 CAAC Chair sent draft interim FAR rule to OIRA. OIRA reviewing. OFPP conducting concurrent review.
2024-001		Inflation Adjustment of Acquisition-Related Thresholds	Fiscal Year 2025 implementation of 41 U.S.C. 1908, which requires the adjustment of statutory acquisition-related thresholds for inflation and other acquisition-related thresholds as a matter of policy, planned to be effective October 1, 2025	11/29/2023 DARC Director tasked Adhoc Team to draft proposed FAR rule. Report due 02/07/2024. Report due date extended to 06/26/2024.

57 Open

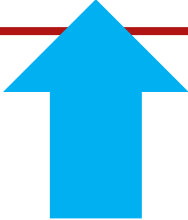
- 2024 – 4
- 2023 – 18
- 2022 – 3
- 2021 – 12
- 2020 – 7
- 2019 – 5
- 2018 – 5
- 2017 – 1
- 2015 – 2



Open FAR Cases

Credit for Lower-Tier Small Business Subcontracting

2023-009	19, 52	(S) Credit for Lower-Tier Subcontracting	Implements section 1614 of the NDAA for FY 2014 (Pub. L. 113-66), as implemented in SBA's final rule published on December 23, 2016 (81 FR 94246), and section 870 of the NDAA for FY 2020 (Pub. L. 116-92) as implemented in SBA's final rule published on October 11, 2023 (88 FR 70339), which allows prime contractors to receive credit toward goals in their small business subcontracting plans for subcontracts awarded by their subcontractors.	03/08/2023 DARC Director tasked Acquisition Small Business (FAR) Team to draft proposed FAR rule. Report due 05/03/2023. Report due date extended to 06/26/2024.
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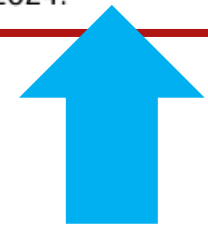
Report due date extended to 6/26/2024.



Open FAR Cases

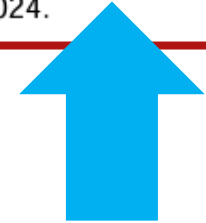
Pay Equity & Transparency

2023-021	1, 22, 52	Pay Equity and Transparency in Federal Contracting	Implements Executive Order 14069, Advancing Economy, Efficiency, and Effectiveness in Federal Contracting by Promoting Pay Equity and Transparency, which requires the disclosure of compensation ranges in certain job announcements and limits or prohibits contractors from requesting an applicant's compensation history for the purpose of making employment decisions.	05/01/2024 DARC Director tasked the Ad Hoc Team to review public comments, draft final FAR rule. Report due 06/05/2024. Report due date extended to 08/07/2024.
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Policy on Joint Ventures

2023-015	19, 52	Policy on Joint Ventures	Implements the Small Business Administration's final rule published on April 27, 2023, at 88 FR 26164, which clarifies joint venture certification requirements and joint venture partner limitations.	08/09/2023 DARC Director tasked Acquisition Small Business Team to draft proposed FAR rule. Report due 10/04/2023. Report due date extended to 07/10/2024.
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SDVOSB – Self Certification Eliminated

- ❑ This direct final rule contains amendments to the regulations governing SBA's Veteran Small Business Certification (VetCert) Program.
- ❑ This rule is effective **August 5, 2024** without further action, unless adverse comment is received no later than **July 8, 2024**.
- ❑ The SBA is revising its regulations to implement a provision in the National Defense Authorization Act for Fiscal Year 2024 (NDAA 2024), which **eliminates self-certification for service-disabled veteran-owned small businesses (SDVOSB) that are awarded Federal Government contracts or subcontracts that count towards agency or subcontracting goals.**

NASA SEWP VI Update

- ❑ Final RFP Released May 23, 2024
- ❑ SAM Notice ID: 80TECH24R001
- ❑ Proposals Due **July 11, 2024**
- ❑ 5,142 Questions Submitted (Proposal extension may be required)
- ▶ SEWP VI Technical areas include Information Technology & Networking, Software & Cloud, Mobility & Communications, and AV/Conferencing
 - ❑ Category A: ITC/AV (Information Technology, Communications and Audio Visual) Solutions
 - ❑ Category B: Enterprise-wide ITC/AV Service Solutions
 - ❑ Category C: ITC/AV Mission-Based Services

GSA OASIS+ Upcoming Dates

- Estimated Award Dates: Throughout Q3 and Q4 FY 2024
- Notice to Proceed (official start date to buy or sell services):
Estimated Q3 and Q4 FY 2024
- Solicitations re-open: FY25 and will be continuously open to receive offers.

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