



Weekly Report for March 30, 2018

DEPARTMENT OF DEFENSE

FAR Class Deviation for Enhanced Debriefings

The Department of Defense (DoD) issued a [FAR class deviation](#) last Thursday for enhanced debriefings in light of Section 818 of the FY2018 NDAA (NDAA 2018). This deviation is effective as of March 22, 2018, and allows for the offeror to submit questions within two business days of a debriefing, which the agency should answer, as much as practicable, within five business days. The debriefing shall not be concluded until the agency provides responses to the questions. This applies to DoD procurements only.

Privacy Act of 1974; Implementation

The Office of Inspector General (OIG), a component within the United States Department of Justice (DOJ), has published a new system of records notice, "Data Analytics Program Records System," JUSTICE/OIG-006. In this notice of proposed rulemaking, OIG proposes to exempt this system of records from certain provisions of the Privacy Act in order to avoid interference with the law enforcement functions and responsibilities of OIG. Public comment is invited. [83 Fed. Reg. 13208](#).

SMALL BUSINESS ADMINISTRATION

Rules of Practice for Protests and Appeals Regarding Eligibility for Inclusion in the U.S. Department of Veterans Affairs Center for Verification and Evaluation Database

The U.S. Small Business Administration (SBA) is amending the rules of practice of its Office of Hearings and Appeals (OHA) to implement procedures for protests of eligibility for inclusion in the Department of Veterans Affairs Center for Verification and Evaluation (CVE) database, and procedures for appeals of denials and cancellations of inclusion in the CVE database. These amendments are issued in accordance with sections 1832 and 1833 of the FY2017 NDAA 2017. [83 Fed. Reg. 13626](#).

Conforming Statutory Amendments and Technical Corrections to Small Business Government Contracting Regulations

SBA is amending its regulations to incorporate a provision of NDAA 2018 and to update and provide several technical corrections to SBA's regulations. Specifically, the NDAA 2018 amended the Small Business Act by replacing fixed dollar amount thresholds with references to the micro-purchase and simplified acquisition thresholds. SBA is updating its regulations to conform to this new statutory language. SBA is also updating the sole source dollar amounts for the Service-Disabled Veteran-Owned small business and the Historically Underutilized Business Zone (HUBZone) small business regulations. The thresholds for sole source contracting are contained in the Small Business Act, SBA's regulations, and the Federal Acquisition Regulations (FAR). These thresholds are updated in the FAR for inflation periodically, and therefore, over time, SBA's regulations and the FAR's numbers

diverge. SBA is making this change to conform the thresholds contained in SBA's regulations to those in the FAR. This rule also allows indirect ownership by United States citizens in the HUBZone program to more accurately align with the underlying statutory authority. Finally, SBA is making several technical changes to address mistakes and typos made in previous rulemakings. For example, this final rule will update some cross-references that were not updated when a previous rulemaking changed numbering. Other changes made are for errors, grammar, syntax, and clarity. [83 Fed. Reg. 12849](#).

VETERANS AFFAIRS DEPARTMENT

Revise and Streamline VA Acquisition Regulation-Parts 811 and 832

The Department of Veterans Affairs (VA) is proposing to amend and update its VA Acquisition Regulation (VAAR) in phased increments to revise or remove any policy superseded by changes in the Federal Acquisition Regulation (FAR), to remove any procedural guidance internal to VA into the VA Acquisition Manual (VAAM), and to incorporate any new agency specific regulations or policies. These changes seek to streamline and align the VAAR with the FAR, remove outdated and duplicative requirements, and reduce burden on contractors. The VAAM incorporates portions of the removed VAAR as well as other internal agency acquisition policy. VA will rewrite certain parts of the VAAR and VAAM, and as VAAR parts are rewritten, will publish them in the Federal Register. VA will combine related topics, as appropriate. In particular, this rulemaking revises VAAR Parts 811—Describing Agency Needs and Part 832—Contract Financing, as well as affected parts 801—Department of Veterans Affairs Acquisition Regulation System, 852—Solicitation Provisions and Contract Clauses, and 870—Special Procurement Controls. [83 Fed. Reg. 12922](#).

NASA

NASA Federal Acquisition Regulation Supplement: Revised Voucher and Invoice Submission & Payment Process (NFS Case 2017-N014)

NASA is issuing a final rule amending the NASA Federal Acquisition Regulation Supplement to implement revisions to the voucher and invoice submittal and payment process. With the publication of this rule, NASA will be processing the payment of all invoices and vouchers electronically through an electronic e-Invoicing SFT. [83 Fed. Reg. 13113](#).

GENERAL SERVICES ADMINISTRATION

3 ways Emily Murphy's GSA is Looking to Innovate Acquisition

In the ongoing movement to transform the government's digital infrastructure, the General Services Administration is effectively the keystone—and that has presented the agency's leader Emily Murphy with plenty of opportunities to improve how federal agencies buy technology. Speaking at the American Council for Technology and Industry Advisory Council's Acquisition Excellence conference Tuesday, the GSA administrator outlined several paths she'd like her agency to take to innovate acquisition. For more information, please visit: [fedscoop.com](#).

PILIEROMAZZA RECENT BLOGS

[SAM, I AM: New Verification Requirement for SAM.gov Likely to Delay New Registrations](#)

By Jon Williams

Registering with SAM.gov is a fact of life for government contractors. And, from what we often hear, a challenging fact at that. Indeed, it can be difficult to navigate the registration process, and it is time-consuming. Plus, processing times can be slow, from a few weeks to longer in extreme cases. These realities of the SAM.gov registration process can cause stress for a new entity that is registering in SAM.gov for the first time and needs the registration completed before submitting a proposal. Joint ventures, in particular, often face this dilemma because they are separate legal entities formed for the first time to pursue a contract, and many are formed very close to the proposal deadline.

[HUBZone Maps Will Be Frozen Until December 2021](#)

By Julia Di Vito

The Small Business Administration ("SBA") has made changes to the HUBZone maps to implement the new changes from the National Defense Authorization Act for Fiscal Year 2018 ("NDAA"). In December, we wrote about the changes to the HUBZone Program that would result from the 2018 NDAA, which included a requirement that the HUBZone map stay the same until at least January 1, 2020.

[Cybersecurity Update—Round II](#)

By Kimi N. Murakami

As part of our continuing effort to keep you updated with new developments relating to compliance with the Department of Defense Federal Acquisition Regulation Supplement 252.204-7012, this blog post provides a link to the long-anticipated template for a system security plan and other key information related to implementation of the security controls set forth in the National Institute of Standards and Technology Special Publication 800-171.

[Lack of Judges Leads to Longer Litigation Times](#)

By Ambika J. Biggs

During the past three years, the number of judicial vacancies in U.S. federal courts has quickly grown. While there has been a flurry of individuals recently nominated to fill the vacant judgeships, many positions remain open. This has led to clogged dockets and increased the length of time it takes cases to be resolved in federal courts.