

How a FAR Case becomes a Regulation

Presentation to the Small Agency Council

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GSA's Office of Government-wide Policy – Office of Acquisition Policy

**Regulatory Secretariat
Division:** Publish FAR,
FTR, FMR,
GSAR/GSAM, GSA, FR
Notices, ICRs

**Regulatory
Information Service
Center (RISC)
Division:**
Issue/coordinate
Spring/Fall Unified
Agenda and Regulatory
Plan

**Federal Acquisition Policy
Division:** Process FAR rules
and ICRs, Manage CAAC





Statutory and EO Requirements Related to FAR

- OFPP Act (41 U.S.C. 1701)
- Executive Order 12866 of September 30, 1993 – *Regulatory Planning Review*
- Executive Order 13563 of January 18, 2011 - *Improving Regulation and Regulatory Review*
- Paperwork Reduction Act
- Regulatory Flexibility Act
- Congressional Review Act
- Unfunded Mandates Reform Act



Regulatory Secretariat Division

FAR, GSAR, FMR, FTR, FPMR, and GSA rules:

- Prepares, compiles, and processes regulatory and general notices for publication in the Federal Register
- Manages website content for all regulations
- Prepares loose leaf version of FAR for DoD and GSAR/GSAM for GSA, both for GPO
- Works closely with OIRA, GSA offices, and FAR Council to update the Unified Agenda, Retrospective Analyses, and web content
- Prepares and processes Congressional Review Act forms



Regulatory Information Service Center (RISC)

RISC operates a collaborative program that includes multiple agencies and OMB. The program:

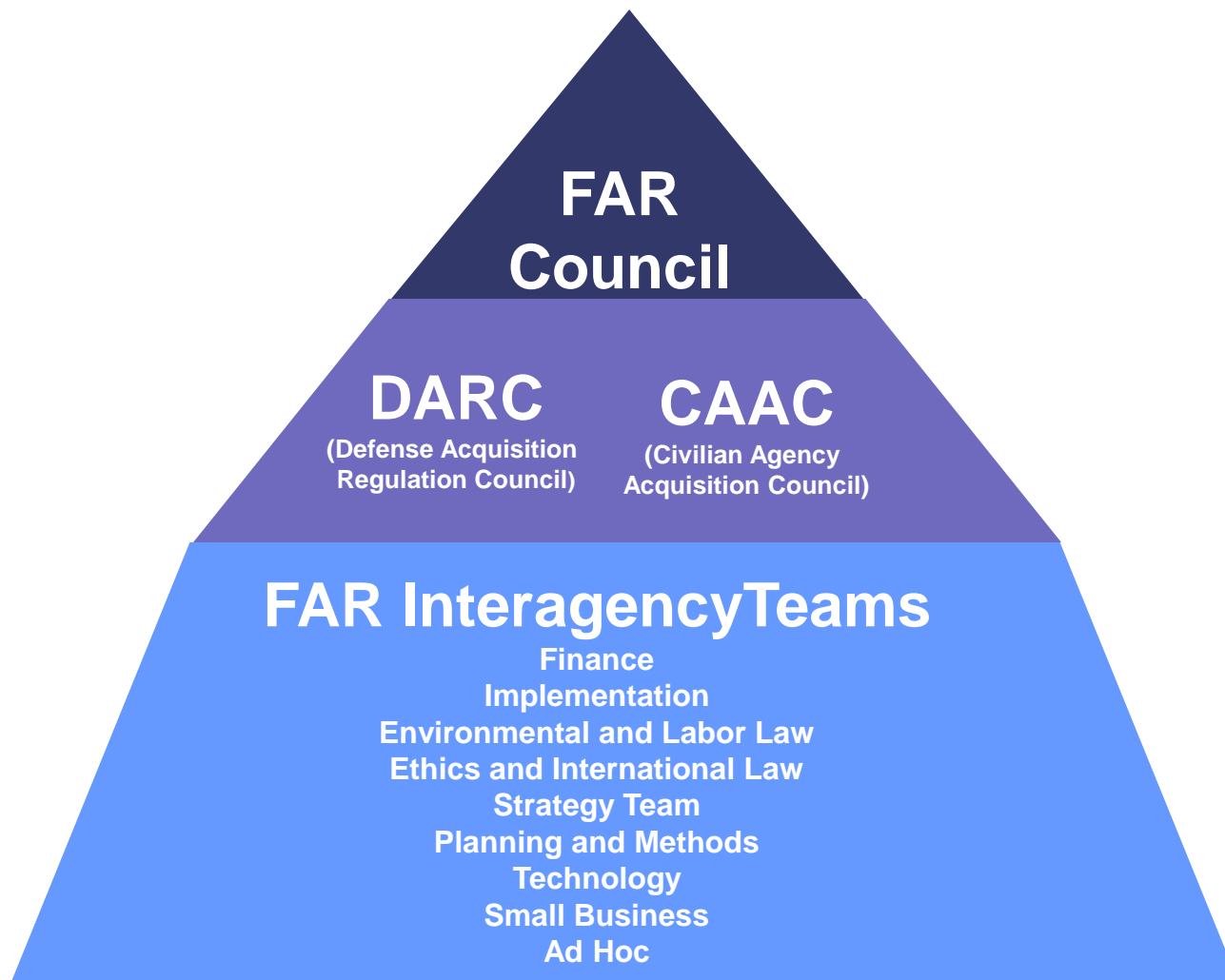
- ▶ Makes regulatory information available to the public
- ▶ Helps GSA and agencies with their regulatory planning
- ▶ Helps OMB coordinate agency regulatory programs
- ▶ Provides opportunities for public participation in rulemaking
- ▶ Provides transparency about the effects of regulations on small businesses, States and localities

The top of the slide features a close-up, slightly blurred image of the American flag, showing the stars and stripes. Below the flag is a solid dark red horizontal bar.

Federal Acquisition Policy Division

- Write the FAR in conjunction with OMB/OFPP, DOD, NASA and 17 other agencies (including Small Agency Council)
- Ensures compliance with applicable Statutes and EOs (e.g.,PRA, RFA, EO 12866)
- Maintain 100 OMB-approved Information Collections on the FAR
- Process FOIA requests
- Serve as Subject Matter Experts for applicable FAR parts

Team for Implementing a FAR Change





Sources of FAR Changes

Legislation

Executive Orders

OFPP Policy Letters

Court Decisions

IG & GAO Recommendations

Policy Changes

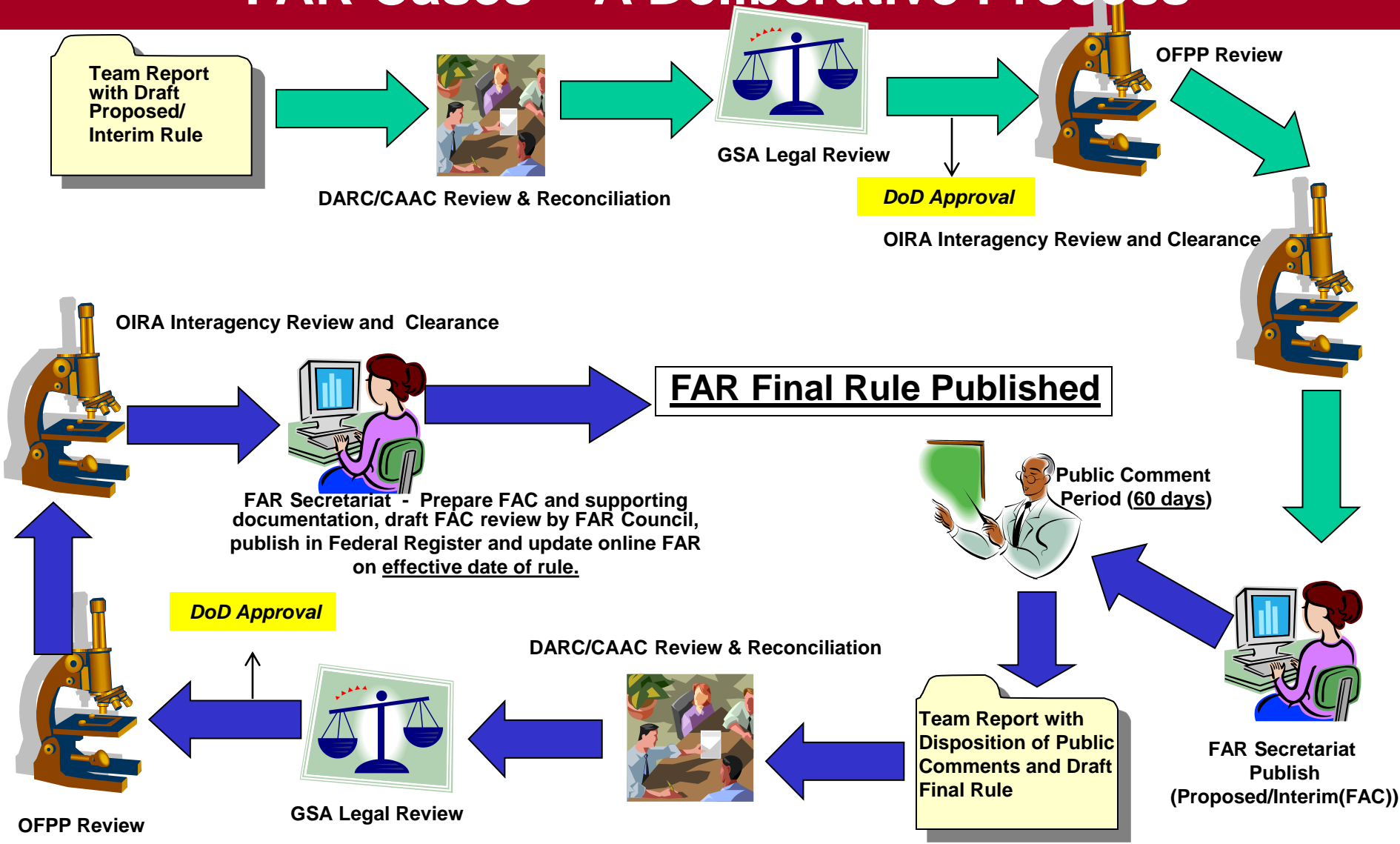
Agency Recommendations

Individual Recommendations

Industry Recommendations

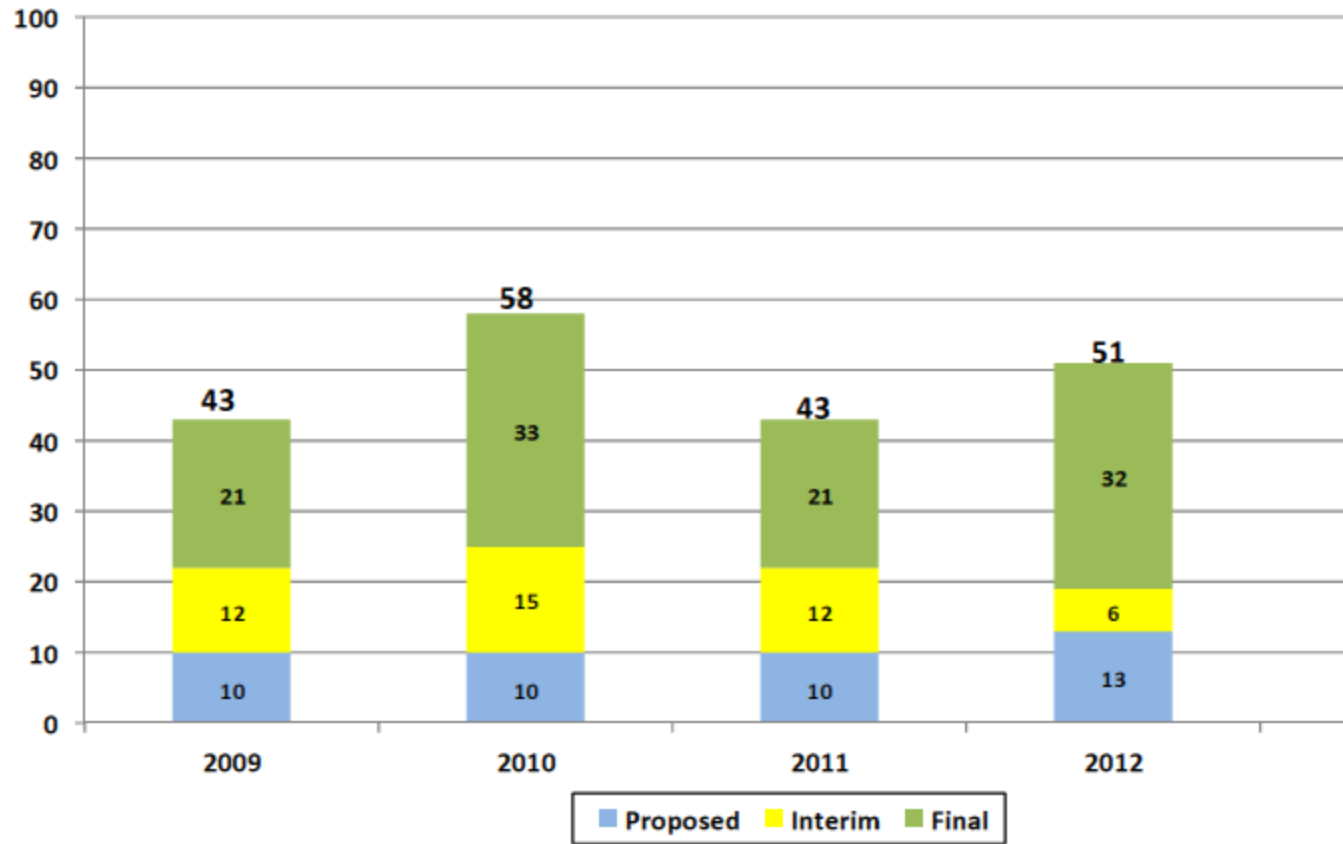
FAR

FAR Cases – A Deliberative Process

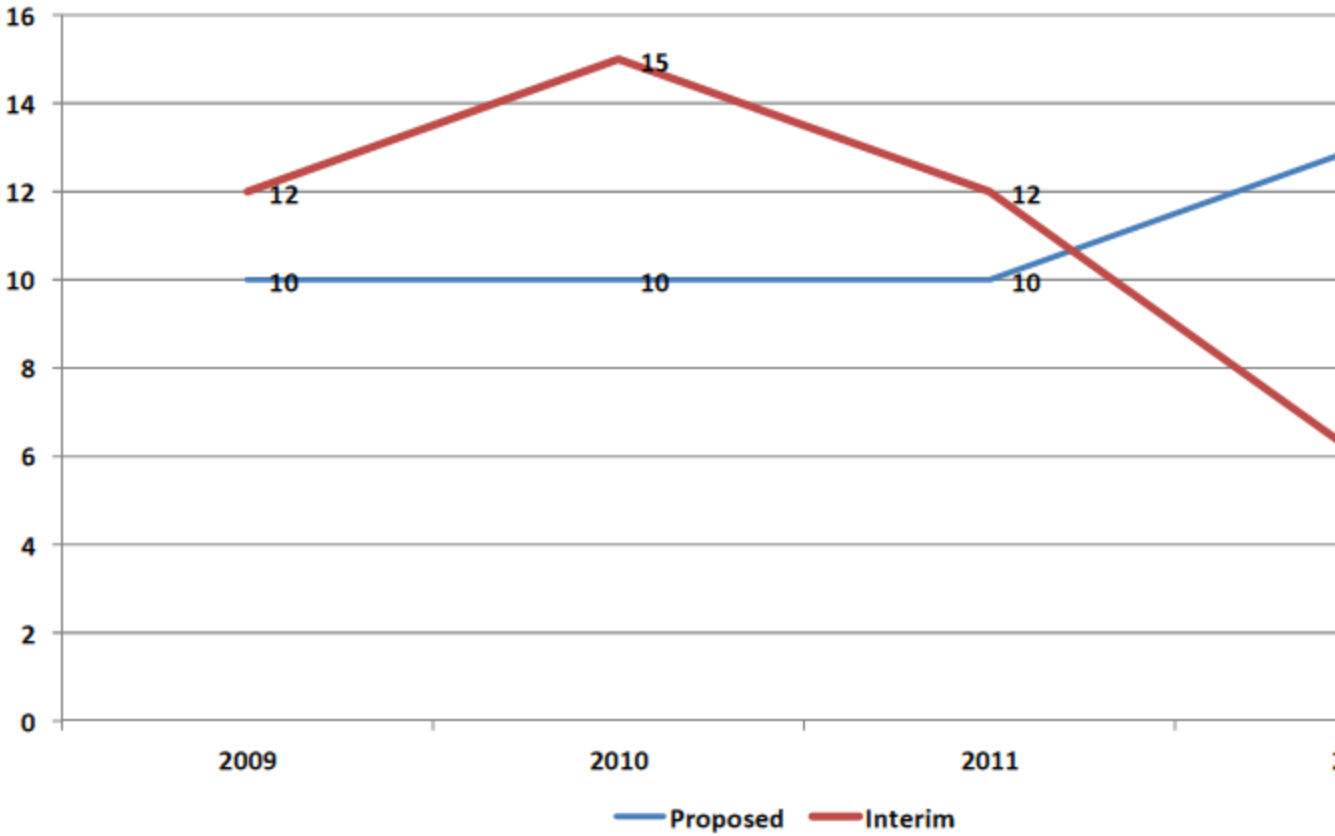


FAR Rules Published

Fiscal Year 2009 – 2013 (as of March)



Proposed/Interim Rules Published





Questions?

