



**DEPARTMENT OF THE NAVY**  
NAVAL FACILITIES ENGINEERING COMMAND  
WASHINGTON NAVY YARD  
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WASHINGTON, DC 20374-5065

IN REPLY REFER TO  
ACQ 021  
30 May 01

MEMORANDUM FOR NAVFAC ACQUISITION PERSONNEL

Subj: CONTRACTOR RESPONSIBILITY (01-12)

Encl: (1) OASN (R&D) memorandum dated Apr 09,01

1. Enclosure (1) is forwarded for your information and immediate action, as appropriate.

A handwritten signature in black ink, appearing to read "Michael F. Howard", is centered below the text.

MICHAEL F. HOWARD  
Director, Acquisition Strategic Programs



DEPARTMENT OF THE NAVY  
OFFICE OF THE ASSISTANT SECRETARY  
RESEARCH, DEVELOPMENT AND ACQUISITION  
1000 NAVY PENTAGON  
WASHINGTON DC 20350-1000

APR 09 2001

MEMORANDUM FOR DISTRIBUTION

Subj: CONTRACTOR RESPONSIBILITY

Encl: (1) OUSD DP(DAR) memorandum dated April 4, 2001

Enclosure (1) is provided for information and action, as appropriate. The Director, Defense Procurement indicates that an interim rule was published on April 3, 2001, in the Federal Register (66 FR 17754), staying the final rule under FAR Case 1999-010, Contractor Responsibility, Labor Relations Costs, and Costs Relating to Legal and Other Proceedings. The final rule under FAR Case 1999-010 was published in the Federal Register on December 20, 2000 and became effective on January 19, 2001.

Contracting Officers must amend solicitations that incorporated the certification provision from the December 20, 2000 final rule, to delete that certification and insert the certification provision of the interim rule. Contracting Officers will continue to have the authority and obligation to make responsibility determinations.

Please ensure that cognizant contracting personnel comply with this requirement.

  
M. E. Caggard  
CAPT, SC, USN  
Executive Director (Acting)  
Acquisition and Business  
Management

Subj: CONTRACTOR RESPONSIBILITY

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ACQUISITION AND  
TECHNOLOGY

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON  
WASHINGTON DC 20301-3000

APRIL 4, 2001

DP (DAR)

MEMORANDUM FOR DIRECTORS OF DEFENSE AGENCIES  
DEPUTY FOR ACQUISITION BUSINESS MANAGEMENT,  
ASN(RD&A)/ABM  
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE  
(CONTRACTING), SAF/AQC  
DEPUTY ASSISTANT SECRETARY OF THE ARMY (PROCUREMENT)  
EXECUTIVE DIRECTOR FOR PROCUREMENT MANAGEMENT  
(DLSC/DLA)

SUBJECT: Contractor Responsibility

An interim rule was published April 3, 2001, in the Federal Register (66 FR 17754), staying the final rule under FAR Case 1999-010, Contractor Responsibility, Labor Relations Costs, and Costs Relating to Legal and Other Proceedings, which became effective on January 19, 2001.

For those solicitations issued that incorporated the certification provision from the final rule (published in the Federal Register on December 20, 2000), the contracting officers must amend the solicitation(s) to delete that certification and insert the certification provision of the interim rule. Specifically, the offeror no longer has to certify with regard to compliance with tax, labor and employment, environmental, antitrust, or consumer protection laws.

Deidre A. Lee  
Director, Defense Procurement



ENCLOSURE(1)