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. Caryd
CAPT, SC, USN
Executive Director (Acting)
Acquisition and Business Management
Subj: CONTRACTOR RESPONSIBILITY

DISTRIBUTION:
COMNAVAIRSYSCOM (2.0)
COMNAVFACECNGCOM (11)
COMNAVESASYSCOM (02)
COMNAVSUPSYSCOM (02)
COMSPAWARSYSCOM (02)
COMMARCORSYSCOM (CT)
CNK (02)
COMSC (N10)
DC/S I&L HQMC (MC-LB)
DIRSSP (SPN)
NAVICP
AGC
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


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