



POLICY FLASH 2010-18

DATE: December 16, 2009

TO: Procurement Directors

FROM: Office of Procurement and Assistance Policy, MA-61
Office of Procurement and Assistance Management

SUBJECT: Federal Acquisition Circular 2005-38

SUMMARY: Federal Acquisition Circular 2005-38, which makes miscellaneous changes to the Federal Acquisition Regulation (FAR), was published in the December 10, 2009 issue of the Federal Register. A summary of the changes is attached. Due to the publication of two rules item III and item V, additional guidance is provided in this flash.

Item III — Internet Protocol Version 6 (IPv6) (FAR Case 2005-041) - The Acquisition Letter 2006-04, Acquiring Information Technology – Requirement to Comply with Internet Protocol Version 6, dated December 14, 2005, is being reviewed to determine if it is still current, needs revision or needs to be rescinded.

Item V — Postretirement Benefits (PRB) (FAR Case 2006-021) - FAC 2005-038 does not have an impact on existing Department of Energy (DOE) policy for management and operation (M&O) and other site support contracts subject to DOE Order 350.1, entitled “Contractor Human Resource Management Programs.” The order disallows prefunding of PRB cost unless such cost is required by state or federal statute. Accounting for PRB cost shall remain on a pay-as-you-go basis.

This flash and its attachment will be available online at the following website:
http://www.management.energy.gov/policy_guidance/policy_flashes.htm.

Questions concerning this policy flash should be directed to Barbara Binney at (202) 287-1340 or barbara.binney@hq.doe.gov.

A handwritten signature in black ink, appearing to read 'John R. Bashista', written over the printed name.

John R. Bashista
Acting Director
Office of Procurement and
Assistance Policy

Attachment