



Open DFARS Cases as of 10/23/2026

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Case Number	Part Number	Title	Synopsis	Status
2026-D004		(S) Withholding Contract Payments During Period of Pendency of a Bid Protest	Implements section 875 of the NDAA for FY 2026 (Pub. L. 119-60), which permits the Government to withhold up to 5% of payments from incumbent contractors who protest a follow-on contract. If the Government Accountability Office dismisses the protest as lacking any reasonable legal or factual basis, the funds are forfeited.	08/19/2026 DARC Director tasked Ad Hoc Team to draft proposed DFARS rule. Report due 10/14/2026. Report due date extended to 11/18/2026
2026-D003		(S) Assumption of Uninsurable Risk on Certain Contracts	Implements section 801 of the NDAA for FY 2026 (Pub. L. 119-60), which indemnifies contractors from loss of work on certain classified contracts when they are unable to obtain commercial insurance.	07/29/2026 DARC Director tasked Acquisition Finance Team to draft proposed DFARS rule. Report due 09/30/2026. Report due date extended to 12/09/2026
2026-D002		(S) Modifications to Commercial Solutions Openings	Implements section 1823 of the NDAA for FY 2026 (Pub. L. 119-60); 10 U.S.C. 3458 that provides additional authority to acquire follow-on contracts or transactions for commercial products, commercial services, and non-developmental items. This also removes the limitation of "innovative technology" for CSOs and increases the limitation from \$100M to \$500M.	10/22/2026 Case closed. Revisions implemented in Revolutionary FAR Overhaul Class Deviation 2026-O0028, Revision 1. Effective Date: October 22, 2026.
2026-D001		(S) Multiyear Authority for Covered Systems and Certain Munitions	Implements section 804 of the NDAA for FY 2026 (Pub. L. 119-60); 10 U.S.C. 3501 that provides authority to enter into multiyear contracts for covered systems and certain munitions as long as the requirement is planned to maintain full-rate production for five or more years.	07/29/2026 DARC Director tasked Acquisition Finance Team to draft proposed DFARS rule. Report due 09/30/2026. Report due date extended to 12/16/2026

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Case Number	Part Number	Title	Synopsis	Status
2025-D010		(S) Prohibition on Procurement of Covered Semiconductor Products and Services	Implements paragraph (b) of section 853 of the NDAA for FY 2025 (Pub. L 118-159), which requires entities to make a certification regarding the prohibition on the procurement of any covered semiconductor products and services with any entity that knowingly provides covered semiconductor products and services to certain entities.	08/27/2025 DARC Director tasked Acquisition Technology and Information Team to draft proposed DFARS rule. Report due 10/08/2025. Report due date extended to 11/18/2026. Scope of case is revised to remove paragraph (a) of section 853. Paragraph (a) of section 853 is implemented in Revolutionary FAR Overhaul Class Deviation 2026-O0025, Revision 3. Effective Date: September 3, 2026.
2025-D005	215	(S) Application of Recent Price History to Cost or Pricing Data Requirements for Subcontractors	Implements section 815 of NDAA for FY 2025 (Pub. L. 118-159) which allows an offeror for a subcontract to submit prices paid as their cost or pricing data, if the DoD Contracting officer determines that the prices submitted under such clause are fair and reasonable.	08/27/2025 DARC Director tasked Acquisition Finance Team to draft proposed DFARS rule. Report due 11/05/2025. Report due date extended to 12/09/2026
2025-D004	203	(S) Disclosure of Certain Information in Whistleblower Reprisal Complaints	Implements section 837 of the NDAA for FY 2025 (Pub. L. 118-159) which requires agency heads to disclose actions ordered (remedies) or the decision to deny relief after a whistleblower has filed a reprisal complaint to the DoD Inspector General.	08/27/2025 DARC Director tasked Acquisition Law Team-Ethics to draft proposed DFARS rule. Report due 12/17/2025. Report due date extended to 12/09/2026
2025-D002	227, 252	Restrictive Markings on Technical Data and Computer Software	Considers changes to restrictive marking requirements in the clauses at DFARS 252.227-7013, 252.227-7014, 252.227-7015, and 252.227-7018, including consideration of a recent case, The Boeing Co. v. Secretary of the Air Force, 983 F.3d 1321 (Fed. Cir. 2020), regarding requirements, restrictions, and procedures for restrictive IP markings.	12/18/2024 DARC Director tasked Patents, Data, & Copyrights to draft proposed DFARS rule. Report due 03/26/2025. Report due date extended to 12/02/2026

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Case Number	Part Number	Title	Synopsis	Status
2024-D022	209, 212, 252	(S) Certification Requirement for Military Recruitment Advertising	Implements section 1555 of the NDAA for FY 2024 (Pub. L. 118-31) and section 1541 of the NDAA for FY 2026 (Pub. L. 119-60). Section 1555 requires a certification for each DoD contract related to placement of recruitment advertising. Section 1541 modifies this certification requirement.	10/22/2026 DARS Regulatory Control Officer notified OASD(LA) of planned publication of draft final DFARS rule.
2024-D020	247, 252	(S) Logistics Information Technologies	Implements section 825(a) of the NDAA for FY 2024 (Pub. L. 118-31), which prohibits DoD from contracting with entities that provide data to certain logistics platforms unless a waiver is granted.	03/20/2024 Case on hold, pending policy development.
2024-D015	225.70	(S) Prohibition Regarding Russian Fossil Fuel and Fossil Fuel Business Operations	Implements section 804 of the NDAA for FY 2024 (Pub. L. 118-31) and section 846 of the NDAA for FY 2026 (Pub. L. 119-60), which prohibit contracting with Russian Energy Fossil Fuel Operations.	10/07/2026 Case closed. Revisions implemented in Class Deviation 2024-O0006, Revision 2. Effective Date: October 7, 2026.
2024-D014	225.7018, 252	(S) Exception for Restriction on Certain Metal Products	Implements section 834 of the NDAA for FY 2024 (Pub. L. 118-31), section 844(b) of the NDAA for FY 2025 (Pub. L. 118-159), and sections 843 and 844 of the NDAA for FY 2026 (Pub. L. 119-60). Section 834 amends 10 U.S.C. 4872 as it pertains to the exception requirements to the acquisition restriction on certain magnets, tantalum and tungsten. Section 844(b) makes various technical edits to 10 U.S.C. 4872. Section 843 makes national-security waivers under 10 U.S.C. 4863 applicable to 10 U.S.C. 4872. Section 844 adds molybdenum, gallium, and germanium to the definition of covered material, and it authorizes an exception to the prohibition for certain recovered material.	01/24/2024 DARC Director tasked DFARS Acquisition Law International Acquisition Sub-Team to draft proposed DFARS rule. Report due 04/10/2024. Report due date extended to 11/18/2026. Scope of rule is revised to remove section 848 of the NDAA for FY 2026. Section 848 is implemented in Revolutionary FAR Overhaul Class Deviation 2026-O0041, Revision 1. Effective date: July 1, 2026.
2024-D013	225.7002, 252	(S) Small Purchase Exception for the Acquisition of U.S. Flags	Implements section 832 of the NDAA for 2024 (Pub. L. 118-31), section 843 of the NDAA for FY 2025 (Pub. L. 118-159), and section 831 of the NDAA for FY 2026 (Pub. L. 119-60). Section 832 revises 10 U.S.C. 4862 to revise the exception for small purchases provided in 10 USC 4862(h) for purchases of flags of the United States. Section 843 clarifies the exception at 10 U.S.C. 4862(d)(2), relating to vessels operating in foreign waters. Section 831 excludes seafood originating in certain countries from the resale exception at 10 U.S.C. 4862(g).	10/22/2026 DARS Regulatory Control Officer notified OASD(LA) of planned publication of draft final DFARS rule.

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Case Number	Part Number	Title	Synopsis	Status
2024-D012	212, 240, 252	(S) Prohibition on Procurement Related to Chinese Military Companies	Implements section 805(a)(1)(B) of the NDAA for 2024 (Pub. L. 118-31), which generally prohibits the procurement of goods and services from entities listed as Chinese military companies. The case also implements section 857(b) of the NDAA for FY 2023 (Pub. L. 117-263). Section 857(b) expands restrictions on procurement of military and dual-use technologies by Chinese Military Companies, and it amends section 1211 of the NDAA for FY 2006 (Pub. L. 109-163; 10 U.S.C. 4651 note).	01/24/2024 DARC Director tasked DFARS Acquisition Law - International Acquisition Sub-team to draft proposed DFARS rule. Report due 03/27/2024. Report due date extended to 11/18/2026. Scope of rule is revised to remove paragraph 805(a)(1)(A) of Section 805 of the NDAA for FY 2024. Paragraph 805(a)(1)(A) is implemented in Revolutionary FAR Overhaul Class Deviation 2026-O0025, Revision 1. Effective date: July 1, 2026.
2024-D011	212, 240, 252	(S) Limitation on Procurement of Certain Batteries	Implements section 154 of the NDAA for FY 2024 (Pub. L. 118-31), which prohibits the procurement of batteries that are produced by certain entities, unless a waiver applies; and implements section 842 of the NDAA for FY 2026 (Pub. L. 119-60) (10 U.S.C. 4865), which prohibits DoD from acquiring advanced batteries from certain foreign sources.	01/24/2024 DARC Director tasked DFARS Acquisition Law - International Acquisition Sub-team to draft proposed DFARS rule. Report due 04/03/2024. Report due date extended to 12/12/2026.
2024-D010	225, 252	(S) Restrictions on Certain Aerospace-Grade Metals	Implements section 833 of the NDAA for 2024 (Pub. L. 118-31), which revises 10 U.S.C. 4863 to add restrictions on aerospace-grade metals; section 844 (a) of the NDAA for FY 2025 (Pub. L. 118-159), which makes various technical edits to 10 U.S.C. 4863; and section 845 of the NDAA for FY 2025, which adds the term "qualifying foreign government" to 10 U.S.C. 4863.	01/24/2024 DARC Director tasked DFARS Acquisition Law - International Acquisition Sub-team to draft proposed DFARS rule. Report due 03/27/2024. Report due date extended to 12/16/2026.
2024-D008	12	(S) Commercial Product or Commercial Service Determination Documentation	Implements section 801 of the NDAA for FY 2024 (Pub. L. 118-31), which requires contracting officers to provide commercial item determination documentation to contractors and subcontractors upon request.	10/22/2026 Case closed. Revisions implemented in Revolutionary FAR Overhaul Class Deviation 2026-O0028, Revision 1. Effective Date: October 22, 2026.
2024-D005	Appendix I	(S) DoD Mentor-Protege Program	Implements section 852 of the NDAA for 2024 (Pub. L. 118-31) which specifies the types of instruments that mentors and proteges may use to enter into agreements under the DoD Mentor-Protege Program.	03/06/2024 Case on hold, pending legislative proposal.

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Case Number	Part Number	Title	Synopsis	Status
2024-D003	235, 252	(S) Disclosure of DoD Funding in Technical Publications	Implements Section 212 of the NDAA for FY 2021 (Pub. L. 116-283) which requires contractors to assert the dollar amount of the research and development funds received from the Department of Defense for such activities.	10/07/2026 Case on hold, pending policy development by USD(RE).
2023-D024		Updates to the Safeguarding Covered Defense Information and Cyber Incident Reporting Clause	Amends the Defense Federal Acquisition Regulation Supplement (DFARS) to update DFARS clause 252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting, to incorporate references to NIST SP 800-172 requirements, harmonize certain terminology, address international agreements, and streamline the vendor identification process.	10/04/2023 DARC Director tasked Acquisition Technology & Information (FAR) Team to draft proposed DFARS rule. Report due 12/20/2023. Report due date extended to 11/18/2026.
2023-D022		(S) Definition of Subcontract	Implements section 874 of the NDAA for FY 2017 (Pub. L. 114-328; 10 U.S.C. 3452), which redefines subcontract and restricts the flowdown of contract clauses to subcontracts under contracts for the acquisition of commercial products, including COTS items, and commercial services. The implementation of this definition was removed from DFARS cases 2017-D010 and 2018-D074 to align with the publication of the FAR final rule (FAR case 2018-006) to implement a similar statutory definition.	06/28/2023 Case on hold, pending legislative proposal and publication of proposed rule for FAR Case 2018-006.
2023-D019	204, 252	Department of Defense Catalog Data Standard	Implements a requirement to use the Department of Defense Catalog Data Standard when contracting for certain commercial products and services, and other potential use cases to standardize the collection of data for supplies and services obtained from contractor catalogs.	08/07/2026 Case on hold, pending system changes.
2023-D003	225.7, 225.70, 252	(S) Procurement Requirements for Rare Earth Elements and Strategic Critical Materials	Implements section 857(a) of the NDAA for FY 2023 (Pub. L. 117-263). Section 857(a) requires any contractor that provides a system with a permanent magnet, that contains rare earth elements or strategic and critical materials disclose, after undertaking commercially reasonable inquiry, safeguard such disclosures in accordance with the applicable classification level required by the associated programs.	01/25/2023 DARC Director tasked Acquisition Law Team to draft proposed DFARS rule. Report due 04/05/2023. Report due date extended to 11/18/2026.

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Case Number	Part Number	Title	Synopsis	Status
2022-D017	204, 252	NIST SP 800-171 DoD Assessment Requirements	Implements DoD assessment requirements, which provide a standard DoD-wide methodology for assessing DoD contractor compliance with all security requirements in the National Institute of Standards and Technology (NIST) Special Publication (SP) 800-171, Protecting Controlled Unclassified Information in Nonfederal Information Systems and Organizations.	02/23/2022 DARC Director tasked Ad-hoc team to review public comments, draft final DFARS rule. Report due 04/06/2022. Report due date extended to 10/28/2026.
2022-D011	225	(S) Modifications to Printed Circuit Board Acquisition Restrictions	Implements section 851 of the FY 2022 NDAA (Pub. L. 117-81), which amends 10 U.S.C. 2533d, redesignated as 10 U.S.C. 4873, including the effective date of the statute, and section 841 of the FY 2021 NDAA (Pub. L. 116-283), which prohibits acquiring a covered printed circuit board from a covered country, unless a waiver is obtained.	09/30/2026 DARC Director tasked Acquisition Law Team-International Acquisition Cmte. to draft proposed DFARS rule. Report due 10/21/2026. Report due date extended to 11/18/2026
2022-D005	231	(S) Technology Protection Features Activities	Implements section 831 of the NDAA for FY 2022 (Pub. L. 117-81), which provides that DoD may designate as allowable costs independent research and development costs contractors incur to develop and incorporate technology protection features in a designated system during the research and development phase of the system.	10/11/2023 Case manager forwarded draft proposed rule to DARS Regulatory Control Officer. DARS Regulatory Control Officer reviewing.
2022-D004	214, 215, 252	(S) DoD Cost or Pricing Data Reporting Requirements	Implements section 804 of the NDAA for FY 2022 (Pub. L. 117-81) relating to modifications to contracts subject to cost or pricing data certification, section 814 of the NDAA for FY 2021 (Pub. L. 116-283) relating to requirements for requiring cost or pricing data and certification for modifications to contracts or subcontracts, and section 811(b) of the NDAA for FY 2018 (Pub. L. 115-91) relating to submission of other than cost or pricing data.	01/08/2025 DARC Director tasked Acquisition Finance Team to review public comments, draft final DFARS rule. Report due 04/23/2025. Report due date extended to 11/18/2026
2021-D026	204, 252	(S) Beneficial Ownership Information Requirements	Implements section 6403 of the NDAA for FY 2021 (Pub. L. 116-283). Section 6403 requires certain contractors to disclose beneficial ownership information as part of any bid or proposal for a contract valued in excess of the simplified acquisition threshold.	08/12/2026 Case on hold, due to pending litigation.

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Case Number	Part Number	Title	Synopsis	Status
2021-D024	204, 212, 213, 252	(S) Limitation on Awards to Entities Operating Certain Communication Networks	Implements section 1662 of the NDAA for FY 2021 (Pub. L. 116-283), which prohibits the award, or renewal of a contract, with an entity than engages in commercial terrestrial operations using certain megahertz band.	02/03/2021 DARC Director tasked Acquisition Technology & Information (DFARS) team to draft proposed DFARS rule. Report due 03/17/2021. Report due date extended to 11/18/2026.
2021-D011	204, 252	(S) Mitigating Risks Related to Foreign Ownership, Control, or Influence	Implements section 819 of the NDAA for FY 2021 (Pub. L. 116-283) and section 847 of the NDAA for FY 2020 (Pub. L. 116-92). Section 847 enhances the process for assessing and mitigating risks related to foreign ownership control, or influence. Section 819 amends section 847 to require the examination, assessment, and reporting of covered contractor and subcontractor compliance; and procedures to respond to changes in covered contractor or subcontractor beneficial ownership status.	07/29/2026 DARC Director tasked Acquisition Technology & Information Team to review public comments, draft final DFARS rule. Report due 09/30/2026. Report due date extended to 11/04/2026
2021-D005	227, 252	(S) Modular Open Systems Approaches	Implements section 804 of the NDAA for FY 2021 (Pub. L. 116-283), section 809 of the NDAA for FY 2017 (Pub. L. 114-328), and section 815 of the NDAA for FY 2012 (Pub. L. 112-81). Section 804 addresses rights in technical data for modular system interfaces developed exclusively at private expense or with mixed funding. Section 809, subsections (a), (b), and (d), addresses rights relating to items or processes developed exclusively at private expense.	03/13/2024 DARC Director tasked Patents, Data, & Copyrights Cmte. to draft proposed DFARS rule. Report due 05/15/2024. Report due date extended to 10/28/2026.
2021-D002	212, 227, 252	Use of DoD Program Nomenclature	Implements policy to ensure the Department and its authorized suppliers are not restricted in the use of certain DoD program nomenclature, such as program names and assigned DoD systems designations that are assigned and approved by the Government pursuant to established departmental procedures.	10/14/2026 DARC received draft final DFARS rule from Ad Hoc Team. Will discuss on 10/28/2026.
2020-D023	204, 252	(S) Limitation on Communications Systems Lacking Certain Resiliency Features	Implements section 168 of the NDAA for FY 2020 (Pub. L. 116-92). Section 168 limits availability of funds for the procurement of a current or future DoD communications program of record, unless certain conditions are met.	03/11/2020 DARC Director tasked DFARS Technology Team to draft proposed DFARS rule. Report due 4/22/2020. Report due date extended to 11/18/2026.

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Case Number	Part Number	Title	Synopsis	Status
2020-D015	222, 225	(S) Gross Violations of Internationally Recognized Human Rights	Implements section 888 of the NDAA for FY 2020 (Pub. L. 116-92), which requires an update of the DoD policy and guidance and DFARS to provide specific guidance for DoD contractors performing DoD contracts that supports US Armed Forces deployed outside of the US on monitoring and reporting allegations of gross violations on internationally recognized human rights.	08/12/2026 DARC Director tasked an Adhoc team to draft proposed DFARS rule. Report due 09/02/2026. Report due date extended to 11/04/2026
2020-D013	242	(S) Incentives and Past Performance Evaluation for Contractor Qualified Training Program	Implements section 864 of the NDAA for FY 2020 (Pub. L. 116-92), which requires the development of workforce development investment incentives for contractor's qualified training program and use of Contractor Performance Assessment Reporting System (CPARS) to evaluate past performance of the availability, quality and effectiveness of their qualified training program.	02/05/2020 Case on hold, pending resolution of issues with OUSD (P&R).
2019-D044	227	(S) Rights in Technical Data	Implements section 809(c) of the NDAA for FY 2017 (Pub. L. 114-328) and section 815(a) of the NDAA for FY 2012 (Pub. L. 112-81), which address deferred ordering of technical data.	03/13/2024 DARC Director tasked Patents, Data, & Copyrights Cmte. to draft proposed DFARS rule. Report due 05/15/2024. Report due date extended to 10/28/2026.
2019-D034	202, 212, 236, 252	(S) Preference for Commercial Construction Services	Partially implements section 876 of the NDAA for FY 2017 (Pub. L. 114-328) regarding the preference for the acquisition of commercial construction services.	04/18/2023 Case manager forwarded draft proposed rule to DARS Regulatory Control Officer. DARS Regulatory Control Officer reviewing.
2018-D071	207, 212, 215, 227	(S) Negotiation of Price for Technical Data and Preference for Specially Negotiated Licenses	Implements section 835 of the NDAA for FY 2018 (Pub. L. 115-91) and section 867 of the NDAA for FY 2019 (Pub. L. 115-232). Section 835 adds 10 U.S.C. 2439 to require negotiation of a price for technical data before development or production of major weapon systems, and amends 10 U.S.C. 2320 to establish a preference for specially negotiated licenses. Section 867 requires DoD, before selecting a contractor for production or sustainment of a major weapon system, to negotiate a price for technical data to be delivered under the contract.	11/13/2024 Case manager forwarded draft proposed rule to DARS Regulatory Control Officer. DARS Regulatory Control Officer reviewing.

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2018-D064	239, 252	(S) Disclosure of Information Regarding Foreign Obligations	Implements Section 1655 of the NDAA for FY 2019 (Pub. L. 115-232), which requires certain offerors and contractors to disclose foreign obligations.	02/12/2025 DARC Director tasked Acquisition Technology Team to review public comments, draft final DFARS rule. Report due 03/26/2025. Report due date extended to 12/02/2026.
2018-D055	215, 236, 242, 252	(S) Past Performance of Subcontractors and Joint Venture Partners	Implements section 823 of the NDAA for FY 2019 (Pub. L. 115-232). Section 823 requires the development of policies and revisions to DFARS part 242 for the inclusion of best available information regarding past performance of subcontractors and joint venture partners when awarding contracts.	09/13/2023 Case on hold, pending legislative proposal.
2017-D021	215, 234, 242, 245, 252	(S) Contractor Business Systems	Implements sections 893 of the NDAA for FY 2017 (Pub. L. 114-328) to revise the requirements for review of contractor business systems.	10/14/2026 Case on hold, as both DoW policy and draft legislation affect, or would affect, this case.