



THE ARMY LAWYER

Headquarters, Department of the Army

**Department of the Army Pamphlet 27-50-359
January/February 2003**

Contract and Fiscal Law Developments of 2002—The Year in Review

*Major Thomas C. Modeszto (Editor), Lieutenant Colonel Michael J. Benjamin, Major Karl W. Kuhn, Major Bobbi J.W. Davis,
Major Gregg S. Sharp, Major Kevin J. Huyser (USAF), Major James M. Dorn, Colonel Jonathan H. Kosarin,
Colonel Steven J. Gillingham, Lieutenant Colonel Louis A. Chiarella, Lieutenant Colonel Steven N. Tomanelli (USAF);
Major Timothy M. Tuckey, Ms. Margaret K. Patterson*

Contents

Foreword

Contract Formation (Authority; Competition; Contract Types; Sealed Bidding; Negotiated Acquisitions; Simplified Acquisitions; Contractor Qualifications: Responsibility; Commercial Items; Multiple Award Schedules; Electronic Commerce; Socio-Economic Policies; Foreign Purchases; Randolph-Sheppard Act; Labor Standards; Bid Protests)

Contract Performance (Contract Interpretation; Contract Changes; Inspection, Acceptance, and Warranties; Government-Furnished Property; Pricing of Adjustments; Value Engineering Change Proposals; Terminations for Default; Terminations for Convenience; Contract Disputes Act (CDA) Litigation)

Special Topics (Alternative Dispute Resolution; Classified Contracting; Competitive Sourcing; Privatization; Construction Contracting; Bonds, Sureties, and Insurance; Cost and Cost-Accounting Standards; Deployment and Contingency Contracting; Environmental Contracting; Foreign Military Sales; Government Information Practices; Information Technology (IT); Intellectual Property; Non-FAR Transactions; Payment and Collection; Performance-Based Service Contracting; Procurement Fraud; Taxation; Contract Pricing; Auditing; Nonappropriated Funds (NAF) Contracting)

Fiscal Law (General Fiscal; Purpose; Time; Anti-Deficiency Act; Construction Funding; Intragovernmental Acquisitions; Revolving Funds; Environmental Funding; Liability of Accountable Officers)

Appendix A: Department of Defense (DOD) Legislation for Fiscal Year 2003

Appendix B: Government Contract & Fiscal Law Web Sites and Electronic Newsletters

**CLE News
Current Materials of Interest**