Recently, the DAR Council issued an interim rule, implementing Section 805 of the Fiscal Year 2008 National Defense Authorization Act, revising the Defense Federal Acquisition Regulation Supplement (DFARS) to limit use of T\&M and Labor Hour contracts for acquisition of commercial services to the following limited circumstances:

1. Services in support of a commercial item
2. Emergency repair services

Any other use of T\&M or Labor Hour contracts for acquisition of commercial services by DOD or NASA requires that the agency head approve the action.

Here is the interim rule.

