

ATLANTIC APPAREL
Contractors Association

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Ms. Susan Schneider
Defense Acquisition Regulations Council
Office of the Undersecretary of Defense (AT&L)DP(DAR)
IMD 3C132
3062 Defense Pentagon
Washington, D.C. 20301-3062

Re: DFARS Case 2002-D003

Dear Ms. Schneider:

This is in response to the above-referenced interim rule which was issued April 26, 2002, and is eligible for comment until June 25, 2002. Thank you for giving us this opportunity to respond. I am responding on behalf of the members of the Atlantic Apparel Contractors Association (a membership list is enclosed). Our members are excited by the new opportunity afforded them by Section 811 of the Fiscal Year 2002 Defense Authorization Act. As civilian contractors, our members look forward to competing with FPI products and services. However, after reviewing the rule our members have the following recommendations:

- The rules and methodologies used to determine "comparable price, quality, and time of delivery" with respect to FPI products and those available from the private sector must be public and absolutely transparent to all. This is a necessity to educate, and therefore improve the competitive dynamics envisioned by Section 811, all private sector producers on how these important factors are measured. Such transparency also assures both the fact and appearance of fairness;
- The rule must also exclude FPI from eligibility to compete for small business set-aside contracts. This exclusion existed prior to Section 811 for the encouragement of small business growth and development. The need for such encouragement has not diminished.