



DEPARTMENT OF THE NAVY  
OFFICE OF THE ASSISTANT SECRETARY  
(RESEARCH, DEVELOPMENT AND ACQUISITION)  
1000 NAVY PENTAGON  
WASHINGTON DC 20350-1000

JAN 13 2010

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Class Deviation – Extension of Authority for Use of Simplified Acquisition Procedures for Certain Commercial Items

The attached December 30, 2009 memorandum from the Director, Defense Procurement and Acquisition Policy (DPAP) authorizes a deviation from Federal Acquisition Regulation (FAR) Subpart 13.5, Test Program for Certain Commercial Items. This deviation extends the authority to issue solicitations under the subpart to January 1, 2012, as authorized by Section 816 of the National Defense Authorization Act for Fiscal Year 2010. The deviation is effective until incorporated into the FAR, unless otherwise rescinded.

Please address inquiries regarding this memorandum to Evelyn Ortiz who can be reached at (703) 614-9640 or via email at [evelyn.ortiz@navy.mil](mailto:evelyn.ortiz@navy.mil).

A handwritten signature in black ink that reads "Elliott B. Branch".

Elliott B. Branch  
Executive Director  
DASN(A&LM)

Attachment:  
As stated

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See page 2

**SUBJECT: Class Deviation – Extension of Authority for Use of Simplified Acquisition  
Procedures for Certain Commercial Items**

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ACQUISITION,  
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OFFICE OF THE UNDER SECRETARY OF DEFENSE  
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DEC 30 2009

In reply refer to  
DARS Tracking Number: 2009-O0016

MEMORANDUM FOR COMMANDER, UNITED STATES SPECIAL OPERATIONS  
COMMAND (ATTN: ACQUISITION EXECUTIVE)  
COMMANDER, UNITED STATES TRANSPORTATION  
COMMAND (ATTN: ACQUISITION EXECUTIVE)  
DEPUTY ASSISTANT SECRETARY OF THE ARMY  
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ASN (RDA)  
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE  
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DIRECTORS, DEFENSE AGENCIES  
DIRECTORS, DOD FIELD ACTIVITIES

SUBJECT: Class Deviation – Extension of Authority for Use of Simplified Acquisition  
Procedures for Certain Commercial Items

Effective immediately, contracting officers shall use the attached deviation from  
Federal Acquisition Regulation (FAR) 13.5, Test Program for Certain Commercial Items.

Currently FAR 13.500(d) indicates that the authority to issue solicitations under  
subpart 13.5 expires on January 1, 2010. However, section 816 of the National Defense  
Authorization Act of Fiscal Year 2010 extends that authority to January 1, 2012.

This deviation is effective until it is incorporated in the FAR or is otherwise  
rescinded. My point of contact for this matter is Ms. Cassandra R. Freeman,  
703-602-8383 or [cassandra.freeman@osd.mil](mailto:cassandra.freeman@osd.mil).

Shay D. Assad  
Director, Defense Procurement  
and Acquisition Policy

Attachment:  
As Stated

**Subpart 13.5—Test Program for Certain Commercial Items**

**13.500 General.**

\* \* \* \* \*

(d) The authority to issue solicitations under this subpart expires on January 1, 2010~~0~~**[2]**. Contracting officers may award contracts after the expiration of this authority for solicitations issued before the expiration of the authority.

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