



OFFICE OF THE UNDER SECRETARY OF DEFENSE
3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

FEB 12 2010

In reply refer to
DARS Tracking Number: 2010-O0002

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
(PROCUREMENT), DASA(P)
DEPUTY ASSISTANT SECRETARY OF THE NAVY
(ACQUISITION & LOGISTICS MANAGEMENT),
DASN (A&LM)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING), SAF/AQC
DIRECTORS, DEFENSE AGENCIES
DIRECTORS, DOD FIELD ACTIVITIES

SUBJECT: Class Deviation Reporting Requirement for Prime Vendor Contracts

Effective immediately, contracting officers are prohibited from awarding prime vendor contracts for depot-level maintenance and repair of a weapon system or other military equipment until they are notified that the Secretary of Defense or the Secretary of a Military Department has submitted, 30 days prior to the award of the proposed contract, the report to Congress required by section 346 of Pub. L. 105-261, as amended (10 U.S.C. 2464 note). This report contains information on—

- (1) Competitive procedures to be used;
- (2) Cost/benefit analysis demonstrating savings over the life of the contract;
- (3) Analysis of conformance with 10 U.S.C. 2466; and
- (4) A description of measures taken to ensure 10 U.S.C. 2464 is not violated.

This deviation remains in effect until implemented in the DFARS, or otherwise rescinded. My point of contact is Ms. Meredith Murphy at 703-602-1302 or via email meredith.murphy@osd.mil.

Shay Assad
Director, Defense Procurement
and Acquisition Policy