



ACQUISITION
AND SUSTAINMENT

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

In reply refer to
DARS Tracking Number: 2020-00003

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

SUBJECT: Class Deviation—Use of Fixed-Price Contracts for Foreign Military Sales

Effective immediately, until December 31, 2020, contracting officers are not required to use firm-fixed-price contracts for foreign military sales in accordance with Defense Federal Acquisition Regulation Supplement (DFARS) 225.7301-1.

This class deviation implements section 807 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2020 (Pub. L. 116-92). Section 807 of the NDAA for FY 2020 delays the effective date of the regulations that implement section 830 of the NDAA for FY 2017 (Pub. L. 114-328). Section 830 is implemented at DFARS 225.7301-1.

This class deviation remains in effect until December 31, 2020, or until it is otherwise rescinded. My point of contact is Mr. Jeff Grover, who is available at (703) 697-9352 or jeffrey.c.grover.civ@mail.mil.

Kim Herrington
Acting Principal Director,
Defense Pricing and Contracting