



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

DEC 20 2017

In reply refer to
DARS Tracking Number: 2018-O0008

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)
DEPUTY ASSISTANT SECRETARY OF THE NAVY
(ACQUISITION AND PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING)
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Class Deviation—Additional Access to Records in the United States Central
Command

Effective December 20, 2017, contracting officers shall include the attached deviation clause 252.225-7979, Additional Access to Contractor and Subcontractor Records in the United States Central Command Theater of Operations (DEVIATION 2018-O0008) (DEC 2017) (see Attachment), in all solicitations and contracts with an estimated value in excess of \$50,000 that are to be performed, in whole or in part, in the United States Central Command (USCENTCOM) Theater of Operations, including solicitations and contracts using FAR part 12 procedures for the acquisition of commercial items.

This class deviation implements section 842 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2015, which provides authority to access contractor and subcontractor records, for contracts valued in excess of \$50,000, to the extent necessary to ensure that funds, supplies, or services available under covered contracts are not provided directly or indirectly to the enemy. Class deviation 2015-O0013 implemented USCENTCOM's authority to access records pursuant to the NDAA for FY 2012, as extended by the NDAA for FY 2015, which authorized access to records for contracts and subcontracts valued in excess of \$100,000. That authority expires on December 19, 2017.

This class deviation remains in effect until it is incorporated in the Federal Acquisition Regulation or it is otherwise rescinded. My point of contact is COL Ralph Borja, DPAP/PACC, who may be reached at 703-697-9351, or at ralph.t.borja.mil@mail.mil.

Shay D. Assad
Director, Defense Pricing/Defense Procurement
and Acquisition Policy

Attachment:
As stated

**252.225-7979 Additional Access to Contractor and Subcontractor Records
in the United States Central Command Theater of Operations (DEVIATION
2018-O0008)**

Include the following clause in all solicitations and resultant contracts valued at more than \$50,000, including solicitations and contracts using FAR part 12 procedures for the acquisition of commercial items, that are to be performed, in whole or in part, in the United States Central Command Theater of Operations.

**ADDITIONAL ACCESS TO CONTRACTOR AND SUBCONTRACTOR RECORDS
IN THE UNITED STATES CENTRAL COMMAND THEATER OF OPERATIONS
(DEVIATION 2018-O0008) (DEC 2017)**

(a) In addition to any other existing examination-of-records authority, the Government is authorized to examine any records of the Contractor and its subcontractors to the extent necessary to ensure that funds, supplies, or services available under this contract are not provided, directly or indirectly, to a person or entity that is actively opposing United States or coalition forces involved in a contingency operation in which members of the Armed Forces are actively engaged in hostilities.

(b) The substance of this clause, including this paragraph (b), is required to be included in subcontracts, including subcontracts for commercial items, under this contract that have an estimated value over \$50,000 and will be performed, in whole or in part, in the United States central Command Theater of Operations.

(End of clause)