MEMORANDUM FOR DISTRIBUTION

SUBJECT: Class Deviation – Congressional Notification on Significant Contract Terminations

By the attached memorandum dated October 8, 2010, the Director of Defense Procurement and Acquisition Policy (DPAP) authorized a class deviation from the requirements at DFARS 249.7001 to provide congressional notification prior to executing any contract termination involving a reduction in employment of 100 or more contractor employees for contracts with entities that are other than United States firms, which are performed in Iraq and Afghanistan. DPAP has provided a definition of “a United States firm” for purposes of the deviation.

The deviation is effective immediately and will remain in effect until incorporated into the DFARS or until otherwise rescinded. My point of contact for this matter is Mr. Clarence Belton. He can be reached at clarence.belton@navy.mil or (703) 693-4006.

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

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MEMORANDUM FOR COMMANDER, UNITED 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 & LOGISTICS MANAGEMENT) DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE (CONTRACTING) DIRECTORS, DEFENSE AGENCIES DIRECTORS, DOD FIELD ACTIVITIES

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Effective immediately, contracting officers are authorized to deviate from the requirements at DFARS 249.7001 to provide congressional notification prior to executing any contract termination involving a reduction in employment of 100 or more contractor employees for contracts with entities that are other than United States firms, which are performed in Iraq and Afghanistan. For purposes of this deviation, a United States firm is one that is incorporated or legally organized in the United States.

This class deviation remains in effect until incorporated into the DFARS or until rescinded. My point of contact, Mary Overstreet, may be reached at 703-602-0311, or mary.overstreet@osd.mil.

Shay D. Assad
Director, Defense Procurement and Acquisition Policy