UNITED STATES DEPARTMENT OF COMMERCE
Office of the Chief Financial Officer and
Assistant Secretary for Administration
Washington, D.C. 20230

CLASS DEVIATION FROM THE COMMERCE ACQUISITION REGULATION

Determination and Findings

The Department of Commerce is authorizing a class deviation to the Commerce Acquisition Regulation (CAR) to ensure compliance with Executive Order 14275, "Restoring Common Sense to Federal Procurement" and Office of Management and Budget (OMB) memorandum M-25-26, "Overhauling the Federal Acquisition Regulation."

Findings

- Section 2 of Executive Order 14275 establishes the policy that the FAR "should only contain provisions required by statute or essential to sound procurement, and any FAR provisions that do not advance these objectives should be removed." Section 5 of Executive Order 14275 states that there should be consistency and alignment regarding changes to the FAR and agencies' supplemental regulations to the FAR.

- Office of Management and Budget (OMB) memorandum M-25-26, "Overhauling the Federal Acquisition Regulation," states that agencies should prepare to streamline their FAR supplements to minimize regulations that are not based in statute or executive order and align with the FAR Council's deviation guidance as the FAR is streamlined and reformed.

- The Department of Commerce's FAR supplement, the CAR, is contained in Chapter 13 of Title 48 of the Code of Federal Regulations (CFR).

- To prepare to streamline the CAR the Department is providing a class deviation while the FAR is finalized and codified. Once the FAR is finalized the CAR may go through the rulemaking process to codify its changes.

Determination

In accordance with Executive Order 14275 and OMB Memorandum M-25-26, I hereby authorize this class deviation. The areas of the CAR that are affected by this class deviation are Parts 1301, 1307, 1313, 1315, 1316, 1319, 1332, 1336, 1342, and 1352.

This class deviation will remain in effect until rescinded or incorporated into the CAR.

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Approved: Date:

Olivia J. Bradley
Senior Procurement Executive and
Director for Acquisition Management