From: Sineath CIV John
To: Anderson LtCol Michael S; Bellota MSgt Rodolfo M; Bergman CIV Alan D; Brunson CIV Janet C; Carroll Maj George T; Cerka CIV Frances C; Corcoran LtCol Eric M; Crawford Civ Dale A; Drury CIV Deborah A; Gaylor CIV Sherry F; Gubitti Civ Cynthia A; Henley CIV June R; Higa CIV Sakura K; Hughes CIV Sandra K; Humphrey CIV Sharon E; Ingle Capt Steven L; Lemmond CIV Barbara G; Long Capt Eric J; Lovett-Black Civ JoAnna; Matthews CIV Layton D; Michael Maj Ronnie D; Miller MSgt Tara N; Mullen CIV Melvin T; Payne CIV Mark H; Pendley CIV Larry F; Pockette CIV Michael D; Polesnak Maj Stephanie M RC(SW) II MEF FWD G4 OCS Branch Head; Powell CIV Hollis H; Rabassi Maj Christopher E; Rego CIV Arthur J; Rivers GySgt Timothy L; Schmid LtCol Steven J; Stahl Maj Scott A; Stroh CIV Linda L; Washington CIV Connie A; Wichmann CIV Wanda S; Young Capt Wynndee M;
cc: Beckner CIV Linda; Donahue Maj Kimberly A; Faughnan CIV Kevin; Fernandez CIV Kimberly F; Haines CIV John; Harper CIV Twana E; Keys CIV John; Lerma MGySgt Maricela G; Mckellop SSgt Jessycca E; Reier CIV Susan; Robinson LtCol Macon R; Sineath CIV John; Sullivan SES Frances L; Uher CIV Lauren; Romano CIV Mark; Oliver CIV R. Kaye; Daise CIV Stanley C; Shah, Sejal [USA];
Subject: APM 12-08 Class Deviation - Prohibition on Contracting with the Enemy and Access to Contractor and Subcontractor Records in the U. S. Central Command Theater of Operations
Date: Wednesday, February 15, 2012 15:11:52
Attachments: DASN(AP) Memo dtd 27 Jan 2012 Class Deviation - Prohibition on Contracting with the Enemy.pdf

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All,

BACKGROUND:

DASN(AP) memorandum of 27 January 2012 issued a class deviation that implements sections 841 and 842 of the National Defense Authorization Act for Fiscal Year 2012 (NDAA FY2012) (Public Law 112-81). This class deviation introduces two new clauses applicable to contracts performed in the U.S. Central Command theater of operations.

POLICY:

a. Effective immediately, for all contracts that will be awarded on or before 31 December 2014, Contracting Officers shall incorporate the following two clauses in solicitations and contracts with an estimated value of more than $100,000 that are being, or will be, performed in the U.S. Central Command theater of operations.

1. DFARS 252.225-7993, Prohibition on Contracting with the Enemy in the United States Central Command Theater of Operations (DEVIATION 2012-O0005)(JAN 2012).

2. DFARS 252.225-7994, Additional Access to Contractor and Subcontractor Records in the United States Central Command Theater of Operations (DEVIATION 2012-O0005)(JAN 2012).

b. This class deviation remains in effect until incorporated in the DFARS or otherwise rescinded.

PROCEDURES:

a. Contracting Officers shall incorporate clauses DFARS 252.225-7993 and DFARS 252.225-7994 in all applicable contracts that will be awarded on or before 31 December 2014.

b. To the maximum extent practicable, Contracting Officers shall bilaterally modify, in accordance with FAR 1.108, existing contracts being performed in the U.S. Central Command theater of operations to include clauses DFARS 252.225-7993 and DFARS 252.225-7994.

Please ensure this guidance is provided to all appropriate acquisition personnel.

John (Jack) Sineath
Headquarters United States Marine Corps
Installations and Logistics (Contracts)
Ofc: 703-604-4145
john.sineath@usmc.mil