



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-O0009

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—Justification and Approval Threshold for 8(a) Contracts

Effective immediately, for procurements valued at \$100 million or less, contracting officers are not required to execute a justification and obtain approval for award of a sole source contract under the Small Business Administration's 8(a) program. Contracting officers shall use the threshold of \$100 million in lieu of the \$22 million threshold at Federal Acquisition Regulation (FAR) 6.302-5(b)(4), 6.303-1(b), 6.303-2(d), and 19.808-1(a). In lieu of the approval requirements at FAR 6.304(a), the approval authority for justifications of 8(a) sole source awards exceeding \$100 million is the head of the procuring activity.

This class deviation implements section 823 of the National Defense Authorization Act for Fiscal Year 2020 (Pub. L. 116-92). This class deviation remains in effect until incorporated in the Defense Federal Acquisition Regulation Supplement or otherwise rescinded. My point of contact is Mr. Larry McLaury, who may be reached at 703-697-6710 or larry.j.mclaury2.civ@mail.mil.

Kim Herrington
Acting Principal Director, Defense
Pricing and Contracting