

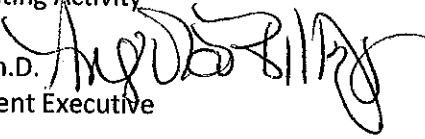


DEPARTMENT OF HEALTH & HUMAN SERVICES

**Office of the Secretary
Washington, D.C. 20201**

MAR 06 2014

To: Heads of Contracting Activity

From: Angela Billups, Ph.D. 
Senior Procurement Executive

Subject: Class Deviation from the Federal Acquisition Regulation (FAR) to Repeal the American Recovery and Reinvestment Act of 2009's (the Recovery Act) Reporting Requirement

Effective Date: Immediately

Effective February 1, 2014, section 627 of Division E of the Consolidated Appropriations Act, 2014 (Public Law 113-76) repealed the contractor requirements that were in the Recovery Act in sections 1512 (c) and (e)-(h), including the deletion of the reporting requirement for contracts. Section 627 also amended section 1512(d) to require each agency that made recovery funds available to any recipient, to make publicly available detailed spending data as prescribed by the Office of Management and Budget and pursuant to the Federal Funding Accountability and Transparency Act of 2006 (FFATA) (Public Law 109-282).

The FAR Council has opened a FAR case to amend the FAR pursuant to implementation of section 627 of Division E of the Consolidated Appropriations Act, 2014.

Pending the FAR change, effective immediately, the Department of Health and Human Services authorizes a class deviation, in accordance with FAR 1.404 that 1.) 52.204-11(c) is amended to add that reporting is not required as of February 1, 2014, and 2.) the clause prescription at FAR 4.1502 is deleted. Note: Section 1603 of the Recovery Act required that all funds appropriated in this Act shall remain available for obligation until September 30, 2010, unless expressly provided otherwise in this Act, so agencies should evaluate the need for the deviation.

If you have any questions on this class deviation, please contact Cheryl Howe at cheryl.howe@hhs.gov.

Attachment: CAAC Letter 2014-02, Class Deviation from the FAR to Repeal the American Recovery and Reinvestment Act of 2009's (the Recovery Act) Reporting Requirement