



CIVILIAN AGENCY ACQUISITION LETTER 2008-01

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MEMORANDUM FOR CIVILIAN AGENCIES OTHER THAN NASA

FROM:

*Al Matera*

AL MATERA

CHAIRMAN

CIVILIAN AGENCY ACQUISITION COUNCIL

SUBJECT:

Class Deviation from the Federal Acquisition Regulation  
(FAR) 13.5, Test Program for Certain Commercial Items

This memorandum serves as consultation for the extension of the test program discussed in FAR 13.5. The current test program expired on January 1, 2008. Section 822 of the National Defense Authorization Act for Fiscal Year 2008, Public Law 110-181, extended the test program until January 1, 2010. That section of the Act reads:

**SEC. 822. EXTENSION OF AUTHORITY FOR USE OF SIMPLIFIED  
ACQUISITION PROCEDURES FOR CERTAIN COMMERCIAL ITEMS.**

(a) Extension- Section 4202(e) of the Clinger-Cohen Act of 1996 (division D of Public Law 104-106; 110 Stat. 652; 10 U.S.C. 2304 note) is amended by striking 'January 1, 2008' and inserting 'January 1, 2010'.

An expedited FAR case is being processed to change the date of expiration for the program in FAR 13.500(d). Pending issuance of a final rule effecting that change, it is recommended that civilian agencies authorize a class deviation in accordance with FAR 1.404 to extend the program.