



OFFICE OF THE UNDER SECRETARY OF DEFENSE
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WASHINGTON, DC 20301-3000

ACQUISITION
TECHNOLOGY
AND LOGISTICS
DPAP(DAR)

September 13, 2005

In reply refer to
DAR Tracking Number: 2005-O0006

MEMORANDUM FOR DIRECTORS OF DEFENSE AGENCIES
DEPUTY ASSISTANT SECRETARY OF THE ARMY,
(POLICY AND PROCUREMENT), ASA(ALT)
DEPUTY ASSISTANT SECRETARY OF THE NAVY
(ACQUISITION MANAGEMENT), ASN(RDA)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING), SAF/AQC
DIRECTOR, DEFENSE CONTRACT MANAGEMENT AGENCY
EXECUTIVE DIRECTOR, ACQUISITION, TECHNOLOGY AND
SUPPLY DIRECTORATE (DLA)

SUBJECT: Class Deviation—Office of Federal Contract Compliance Programs Waiver of Certain Clause Requirements in Contracts for Hurricane Katrina Relief Efforts.

The Office of Federal Contract Compliance Programs (OFCCP), using the authority of 41 CFR 60-1.5(b), 60-250.4(b)(1), and 60-741.4(b)(1), has granted a limited exemption and waiver from some of the requirements of the laws administered by the OFCCP. The exemption and waivers relate to the requirement to develop written affirmative action programs under OFCCP regulations implementing the three laws enforced by OFCCP. Therefore, three EEO clauses are modified as follows for covered contracts entered into to provide Hurricane Katrina Relief:

At the end of 52.222-26:

Notwithstanding the provisions of this section, the Contractor will not be obligated to develop the affirmative action program, prepare the reports, or provide the notices usually required under the regulations implementing E.O. 11246, as amended.

At the end of 52.222.35:

Notwithstanding the provisions of this section, the Contractor will not be obligated to develop the affirmative action program, prepare the reports, provide the notices, or list the job openings usually required under the regulations implementing Section 4212 of the Vietnam Era Veterans' Readjustment Assistance Act, as amended.



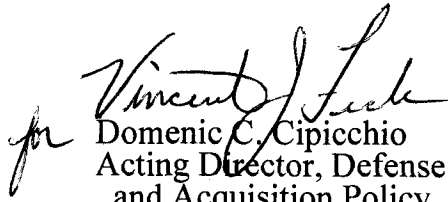
At the end of 52.222-36:

Notwithstanding the provisions of this section, the contractor will not be obligated to develop the affirmative action program, prepare the reports, or provide the notices usually required under the regulations implementing Section 503 of the Rehabilitation Act of 1973, as amended.

Notwithstanding the foregoing, the following FAR requirements will continue:

- Posting of the "Equal Opportunity is the Law" notice;
- Record keeping and record retention; and
- Employment listings with appropriate local employment service office.

This class deviation is effective upon signature, and remains in effect until December 9, 2005. My point of contact is Ms. Amy Williams, and she can be reached on (703) 602-0328, or amy.williams@osd.mil.


for Domenic C. Cipicchio
Acting Director, Defense Procurement
and Acquisition Policy

cc:
DSMC, Ft. Belvoir