



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

MAR 11 2014

In reply refer to
DARS Tracking Number 2014-O0012

MEMORANDUM FOR 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
(ACQUISITION AND PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING)
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Class Deviation—Repeal of the Recovery Act Reporting Requirements

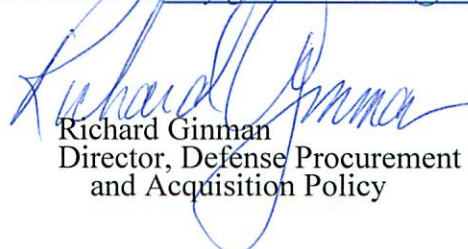
Effective immediately, contracting officers shall no longer implement FAR subpart 4.15 or require contractors to comply with the clause at 52.204-11, American Recovery and Reinvestment Act—Reporting Requirements, except to the extent necessary to review reports already submitted prior to February 1, 2014, and make changes and corrections to such reports as needed, prior to March 20, 2014. Section 627 of Division E of the Consolidated Appropriations Act, FY 2014 (Pub. L. 113-76), repealed the contractor reporting requirements that were in section 1512(c) of Division A of the American Reinvestment and Recovery Act (Recovery Act) (Pub. L. 111-5). A message has been posted at www.federalreporting.gov notifying Federal contractors of this change. On March 20, 2014, the website is closed for future reporting.

As a result of this statutory change, if there are still open contracts with an ongoing reporting requirement under the Recovery Act, contracting officers shall modify the contract to no longer require reporting under FAR clause 52.204-11.

Section 627 also amended section 1512(d) to replace the requirement that agencies make publicly available the information previously reported by contractors under section 1512(c) with the requirement that each agency that made recovery funds available to any recipient, 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).

Although Federal contractors and agencies are no longer required to comply with the reporting requirements of the Recovery Act, as implemented in FAR subpart 4.15 and the clause at 52.204-11, American Recovery and Reinvestment Act—Reporting Requirements, both groups are still required to continue their FFATA reporting on existing contracts, as implemented in FAR subpart 4.14 and clause 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards.

If you have any questions or require additional information, please contact Ms. Amy Williams, telephone 571-372-6106 or email at amy.g.williams.civ@mail.mil.


Richard Ginman
Director, Defense Procurement
and Acquisition Policy