

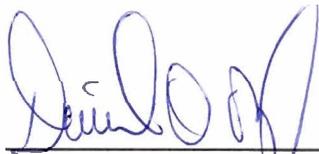
CLASS DEVIATION FINDINGS AND DETERMINATION
Federal Awardee Performance and Integrity Information Systems (FAPIIS) Requirement
at Federal Acquisition Regulation (FAR) 9.406-3(f)(1) and 9.407-3(e)(1)

Findings

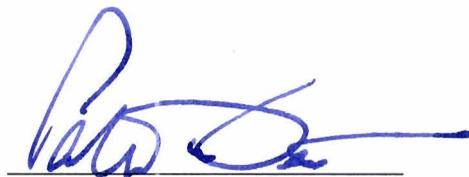
1. On March 23, 2010, the FAR Council published a final rule in the Federal Register (75FR 14058), which amended FAR 9.4 to implement section 872 of the Duncan Hunter National Defense Authorization Act for FISCAL Year 2009. Section 872 requires the establishment of a data system containing specific information on the integrity and performance of covered Federal agency contractors and grantees. The data system created for this purpose is entitled Federal Awardee Performance and Integrity Information Systems (FAPIIS), and it can be located at www.ppirs.gov and www.cpars.csd.disa.mil.
2. FAR 9.406-3(f)(1) and 9.407-3(e)(1) require debarring and suspending officials to input information on administrative agreements that were entered into to resolve suspension and debarment proceedings into FAPIIS. Presently, however, the system is not configured to accept information pertaining to administrative agreements. A future version of the system is scheduled to launch in late summer 2010 and it will have the capability to accept this information.
3. Civilian Agency Acquisition Letter 2010-02, issued on April 14, 2010, recommends that civilian agencies authorize issuance of a class deviation from FAR 9.406-3(f)(1) and 9.407-3(e)(1) until such time as FAPIIS is updated to collect information on administrative agreements.

Determination

It is hereby determined that a class deviation from FAR 9.4, specifically FAR 9.406-3(f)(1) and 9.407-3(e)(1), is appropriate to suspend full compliance with the FAPIIS requirement.



David O. Boyd, Director
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Attachment: CACC Letter 2010-02