

**CLASS DEVIATION
FINDINGS AND DETERMINATION
FEDERAL ACQUISITION REGULATION REGARDING EXCEPTIONS TO THE
LIMITATIONS ON SUBCONTRACTING REQUIREMENTS FOR SMALL BUSINESS
CONCERNS UNDER FAR PART 19**

Findings

1. The Small Business Administration (SBA) published a final rule amending its regulation at 13 CFR 125.6 to include exclusions to FAR Clause 52.219-14, Limitations of Subcontracting. The rule was published in the Federal Register on November 29, 2019 at 84 FR 65647.
2. The Civilian Agency Acquisition Council (CAAC) issued CAAC Letter 2021-02 on August 13, 2021, which authorizes agencies to issue class deviations to apply the exceptions to the limitations on subcontracting (LOS) requirements for small business concerns at 13 CFR 125.6 which was implemented in the Small Business Administration's (SBA) final rule.
3. CAAC letter 2021-02 constitutes consultation in accordance with FAR 1.404(a)(1) with the Chair of the CAAC allowing agencies to authorize a class deviation to implement the changes.

Determination

It is hereby determined that a class deviation (using the FAR Deviation text included in CAAC Letter 2021-02) is appropriate to include exclusions to FAR Clause 52.219-14, Limitations of Subcontracting. This class deviation is enforced upon the effective date and will remain in effect until cancelled or until the FAR is amended.

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S. Keith Hamilton,
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Effective Date:_____

Attachment: CAAC Letter 2021-02 with FAR Deviation text