

**U.S. Department Of Agriculture
Departmental Management
Office of Procurement and Property Management**

Federal Acquisition Regulation (FAR) Class Deviation

SUBJECT: Removal of Dollar Limitation for Set-asides under the Women-Owned Small Business Program

FINDINGS:

This deviation implements an interim rule of the Small Business Administration (SBA). Section 1697 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2013, Public Law 112-239, amended section 8(m) of the Small Business Act, (15 U.S.C. 637(m)) by removing the dollar limitations for set-asides to an economically disadvantaged women-owned small business (EDWOSB) or WOSB eligible under the Small Business Administration's Women-owned Small Business Federal Contract Program. Section 1697 became effective January 2, 2013. SBA issued its interim final rule in the Federal Register on May 07, 2013, at 78 FR 26504, conforming SBA regulations to section 1697, by revising 13 C.F.R. 127.503(a)(2) and 127.503(b)(2).

In addition, Civilian Agency Acquisition Council (CAAC) Letter 2013-03, issued by the GSA Office of Governmentwide Policy, authorizes agencies to issue a FAR class deviation, in accordance with FAR 1.404, to authorize set-asides in accordance with the change to FAR section 19.505(b) and (c).

DETERMINATION:

In accordance with the CAAC Letter cited above, I hereby determine that a FAR class deviation shall be issued removing the dollar limitation for set-asides under the Women-Owned Small Business (WOSB) Program in the Federal Acquisition Regulation in accordance with the FAR changes in Attachment 1.



Lisa M. Wilusz

Senior Procurement Executive

5-22-13
Date