

Memorandum for Record
Limiting Competition at or below the Simplified Acquisition Threshold

1. Requiring Activity: 1ST Special Forces Command (A)

2. Contracting Activity: Mission and Installation Contracting Command – Ft. Bragg, NC

3. Description of Action: Clearview AI Software License

Nature of Requirement: ☐ New ☒ Follow-on

Contract Vehicle: ☒ Purchase Order Number
 ☐ Blanket Purchase Agreement (BPA)
 ☐ Order/BPA# against FSS Contract # _____
 ☐ Order against Multiple Award IDIQ Contract
 ☐ Order against a single award IDC Contract
 ☐ Modification to existing PO/TO/DO/Call Order

Pricing/Contract Type: ☒ Fixed Price ☐ Time & Materials/Labor Hours
 ☐ Cost Reimbursable ☐ Hybrid

Funds: ☒ Operations & Maintenance, Army (OMA) ☐ Other Funds: _____
FY: 26

Name of Proposed Contractor(s) and Address: N/A

Brand Name Buy: ☒ Yes ☐ No

4. Description of Services or Supplies: Clearview AI is a brand name recognition software that parses through social media photos and enables users to positively identify potential subjects and victims from diverse social medial sources. The need is to procure five (5) Clearview AI software licenses.

Base Period: 20 MAR 2026 to 19 MAR 2027
Option Period 1: 20 MAR 2027 to 19 MAR 2028
Option Period 2: 20 MAR 2028 to 19 MAR 2029
Option Period 3: 20 MAR 2029 to 19 MAR 2030

Value: [REDACTED]
Value: [REDACTED]
Value: [REDACTED]
Value: [REDACTED]

Total: [REDACTED]

5. Authority: Select the appropriate authority below:

☐ FAR 13.106-1(b)(1): For purchases not exceeding the simplified acquisition threshold (SAT), only one source reasonably available, urgency, exclusive licensing agreements, brand name, or industrial mobilization.

Or,

- ☐ FAR 8.405-6(a)(1)(i)(A) Urgency
- ☐ FAR 8.405-6(a)(1)(i)(B) Only One Source is Capable
- ☐ FAR 8.405-6(a)(1)(i)(C) Logical Follow-on
- ☐ FAR 8.405-6(b)(1) Brand Name

Or,

- ☐ FAR 16.505(b)(2)(i)(A) Urgency
- ☐ FAR 16.505(b)(2)(i)(B) Only One Awardee is Capable
- ☐ FAR 16.505(b)(2)(i)(C) Logical Follow-on
- ☐ FAR 16.505(b)(2)(i)(D) Minimum Guarantee
- ☒ FAR 16.505(a)(4) Brand Name

6. Reasons for Authority Cited:

a. Clearview AI is sole source facial recognition software that parses through social media photos and enables users to positively identify potential subjects and victims from diverse social media sources. This content is not readily available from any other AI source.

b. The U.S. government's National Institute of Standards and Technology (NIST) have confirmed the superior accuracy and reliability of Clearview AI's platform with a 99.85% accuracy rating. This platform allows us to stay ahead of our foreign competitors. Currently this is the only AI software that can meet the requirements for the 1st Special Forces Command.

c. Without Clearview AI, DoD cannot rapidly analyze vast amounts of facial data, which makes it challenging to identify high-value targets with the required rate of accuracy needed for 1st Special Forces Group

7. Publicizing Contract Actions: For FAR Part 13 actions, the public display and synopsis requirements of FAR 5.101 and FAR 5.203 ☐ do not apply due to the \$ threshold, ☐ apply and will be followed, or ☐ do not apply due to an exception at FAR 5.202(a)(6).

Requirement to post justification in accordance with FAR 8.405-6(b)(3), FAR 13.105(c), or FAR 16.505(a)(4)(iii)(A) unless:

- ☐ Action is NOT a brand name restriction and is under \$250K, no posting required.
- ☐ Action is a brand name restriction, under \$25K, no posting required.
- ☒ Action is a brand name restriction, over \$25K. It will be redacted and posted with the solicitation.

☐ Action is a brand name restriction over \$25K but will not be posted due to the following exception:

- ☐ FAR 6.305(f)
- ☐ FAR 8.405-6(b)(3)(ii)(A)
- ☐ FAR 8.405-6(b)(3)(ii)(B)
- ☐ FAR 8.405-6(b)(3)(ii)(C)
- ☐ FAR 16.505(a)(4)(iii)(C)

8. Market Research: Clearview AI provides facial recognition technology currently used by law enforcement and military bodies. No other AI Software provides this capability to the extent required and keeps our forces ahead of our adversaries. There are two sources that are currently used, Faceck.ID and Pimeyes.com, both are open source and can be accessed by one and does not provide the accuracy that Clearview AI software does. Only the software users are able to access the system.

9. Other Facts: This facial recognition content is not readily available from any other source. Based on the previous contract this requirement was procured as a sole-source due to the fact that no quotes were received on an RFQ posted on the General Services Administration (GSA) platform.

10. Technical/Requirements Certification: I certify that the supporting data under my cognizance which are included in the justification are accurate and complete to the best of my knowledge and belief.



11. Contracting Officer Certification/Approval:

I hereby determine that the anticipated cost or price to the Government for this contract action will be fair and reasonable based upon price analysis.

I certify that this justification is accurate and complete to the best of my knowledge and belief, and that completing this purchase as a sole source is in the best interest of the Government. Additionally, I approve this justification to limit competition subject to the availability of funds and provided that the services or supplies herein described have otherwise been authorized for acquisition.

