



ACQUISITION
AND SUSTAINMENT

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

JUN 17 2019

MEMORANDUM FOR COMMANDER, UNITED STATES SPECIAL OPERATIONS
COMMAND (ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES TRANSPORTATION COMMAND
(ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES CYBER
COMMAND (ATTN: ACQUISITION EXECUTIVE)
INSPECTOR GENERAL OF THE DEPARTMENT OF
DEFENSE
DEPUTY ASSISTANT SECRETARY OF THE ARMY
(PROCUREMENT), ASA (ALT)
DEPUTY ASSISTANT SECRETARY OF THE NAVY
(ACQUISITION & LOGISTICS MANAGEMENT),
ASN (RDA)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING), SAF/AQC
DIRECTORS, DEFENSE AGENCIES

SUBJECT: Re-delegation of Authority Under Section 801 of the National Defense
Authorization Act for FY 2008 entitled, "Internal Controls for Procurements on Behalf
of the Department of Defense by Certain Non-Defense Agencies"

By the attached Enclosure 1, on August 27, 2018, the Director, Defense Pricing and Contracting, re-delegated his authority to make determinations in accordance with subsection (b)(2) of section 801 of the FY 2008 National Defense Authorization Act (NDAA) to the Deputy Director, Contract Policy. Consistent with that delegation, I hereby re-delegate my authority to make determinations in accordance with subsection (b)(2) of section 801 of the FY 2008 NDAA to the Department of Defense Component's Senior Procurement Executives. This authority may not be re-delegated below the Head of the Contracting Activity.

Agencies that have certified with Section 801 requirements, as detailed in the Federal Acquisition Regulation, Subpart 17.7 – "Interagency Acquisition: Acquisition by Nondefense Agencies on Behalf of the Department of Defense," can be found at https://www.acq.osd.mil/dpap/cpic/cp/interagency_acquisition.html.

My point of contact for this is Mr. Greg Snyder who can be reached at 703-614-0719, or gregory.d.snyder.civ@mail.mil.

Jill Stiglich
Director, Contract Policy

Enclosure:
As stated



ACQUISITION
AND SUSTAINMENT

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

AUG 27 2018


MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDERS SECRETARIES OF DEFENSE
DEPUTY CHIEF MANAGEMENT OFFICER
DIRECTOR, COST ASSESSMENT AND PROGRAM EVALUATION
DIRECTOR, OPERATIONAL TEST AND EVALUATION
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, NET ASSESSMENT
DIRECTOR OF THE DEFENSE AGENCIES
DIRECTOR OF THE DOD FIELD ACTIVITIES

SUBJECT: Re-delegation of Authority Under Section 801 of the National Defense
Authorization Act for FY 2008

By the attached Enclosure 1, on August 29, 2011, the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics delegated his authority to make determinations in accordance with subsection (b)(2) of section 801 of the FY 2008 National Defense Authorization Act (NDAA) to the Director, Defense Procurement and Acquisition Policy, and also delegated his authority to extend the period for which any determination is in effect. Consistent with that delegation, I hereby re-delegate my authority to make determinations in accordance with subsection 801(b)(2) of the FY 2008 NDAA to the Deputy Director, Contract Policy within the Office of the Director of Defense Pricing and Contracting.

Agencies that have certified with the Section 801 requirements, as detailed in the Federal Acquisition Regulation, Subpart 17.7 – “Interagency Acquisition: Acquisition by Nondefense Agencies on Behalf of the Department of Defense,” can be found at https://www.acq.osd.mil/dpap/cpic/cp/interagency_acquisition.html.

My point of contact for this is Mr. Michael Canales who can be reached at 703-695-8571, or michael.j.canales4.civ@mail.mil.


Shay D. Assad
Director, Defense Pricing
and Contracting

Enclosure:
As stated



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

AUG 29 2011

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
DEPUTY CHIEF MANAGEMENT OFFICER
DIRECTOR, COST ASSESSMENT AND PROGRAM EVALUATION
DIRECTOR, OPERATIONAL TEST AND EVALUATION
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANT SECRETARIES OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, NET ASSESSMENT
DIRECTOR OF THE DEFENSE AGENCIES
DIRECTOR OF THE DOD FIELD ACTIVITIES

SUBJECT: Delegation of Authority Under Section 801 of the National Defense Authorization Act (NDAA) for FY 2008

Subsection (b)(1) of section 801 of the NDAA for FY 2008, Public Law 110-181, "Internal Controls for Procurements on Behalf of the Department of Defense by Certain Non-Defense Agencies," requires that a Department of Defense (DoD) acquisition official may place an order, make a purchase, or otherwise procure property or services for the Department in excess of the simplified acquisition threshold (\$100,000) through a non-defense agency only if the head of the non-defense agency has certified that the agency will comply with defense procurement requirements for the fiscal year.

For the purposes of this section, a non-defense agency is compliant with defense procurement requirements if the procurement policies, procedures, and internal controls of the non-defense agency applicable to the procurement of products and services on behalf of the Department and the manner in which they are administered are adequate to ensure the compliance of the non-defense agency with the requirements of laws and regulations (including applicable DoD financial management regulations) that apply to procurements of property and services made directly by the Department. A procurement shall be treated as being made during a particular fiscal year to the extent that DoD funds are obligated for the procurement for that fiscal year.

Subsection (b)(2) of section 801 provides that the limitations imposed on procurements by a non-defense agency do not apply during any fiscal year in which there is in effect a written determination of the Under Secretary of Defense for Acquisition, Technology and Logistics, that "it is necessary in the interest of the DoD to continue to procure property and services through the non-defense agency during such fiscal year."

I hereby delegate to the Director, Defense Procurement and Acquisition Policy, the authority to make such determinations and the authority to extend the period for which any determination is in effect. This authority is effective until rescinded or until Section 801 is repealed or modified. My point of contact is Mr. Michael Canales, DPAP/CPIC, at 703-695-8571.

A handwritten signature in black ink, appearing to be 'Frank Kendall', written in a cursive style.

Frank Kendall
Acting