



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
RESEARCH, DEVELOPMENT AND ACQUISITION
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JAN 7 2008

MEMORANDUM FOR DISTRIBUTION

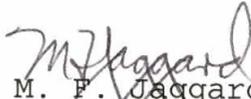
Subj: RETROACTIVE IRAQ/AFGHANISTAN CONTRACT COMPLIANCE AND
ASSIGNMENT OF CONTRACT ADMINISTRATION

Encl: (1) DPAP memo dated December 20, 2007

By enclosure (1), the Director of Defense Procurement and Acquisition Policy (DPAP) directs Department of Defense agencies to review existing contracts to ensure that they are in compliance with USCENTCOM and Multi-National Forces-Iraq policies and procedures. Applicable contracts that are not in compliance are required to be modified to make them compliant, or if, in the judgment of the contracting officer, it is not feasible to modify the contracts, the agency must justify to the Joint Contracting Command-Iraq/Afghanistan (JCC-I/A) why compliance is not feasible. Existing contracts requiring review are those described in the second paragraph of enclosure (1).

All review and modification actions are required to be completed and reported to JCC-I/A by April 8, 2008. Contracting officers are directed to assign JCC-I/A contract administration, in accordance with the provisions of FAR 42.202, for that portion of the contract that requires performance in and/or delivery to Iraq and Afghanistan.

Questions on this matter may be directed to Mr. Clarence Belton, who can be reached at (703)693-4006 or via e-mail at clarence.belton@navy.mil.


M. F. Jaggard
COS/Policy
DASN (A&LM)

Distribution:
See next page

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ASSIGNMENT OF CONTRACT ADMINISTRATION

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ACQUISITION
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OFFICE OF THE UNDER SECRETARY OF DEFENSE
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WASHINGTON DC 20301-3000

DEC 20 2007

MEMORANDUM FOR DIRECTORS OF DEFENSE AGENCIES
DEPUTY ASSISTANT SECRETARY OF THE ARMY
(POLICY AND PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE NAVY
(ACQUISITION AND LOGISTICS MANAGEMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING)
DIRECTORS OF THE DOD FIELD ACTIVITIES
DIRECTOR OF CONTRACTING (USSOCOM)
DIRECTOR OF CONTRACTING (USTRANSCOM)

SUBJECT: Retroactive Iraq/Afghanistan Contract Compliance and Assignment of
Contract Administration

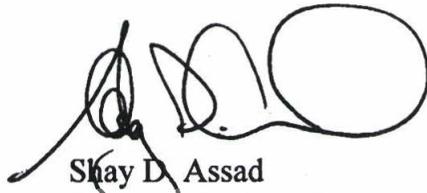
This memorandum directs Department of Defense acquisition agencies to perform a review of existing contracts to ensure they comply with USCENTCOM and Multi-National Forces-Iraq (MNF-I) / CJTF82 policies and directives. If contracts are not in compliance, agencies will take the necessary action to modify the existing contracts to make them compliant. If in the judgment of the contracting officer it is not feasible to modify any particular existing contract, the acquisition agency shall submit a list of said contracts together with the appropriate justification to JCC-I/A as to why it is not feasible. All review and modification actions shall be completed and reporting made to JCC-I/A no later than 1 April 2008. Upon completion of each acquisition agency's compliance process, a report will be made to this office and to the Joint Contracting Command-Iraq/Afghanistan (JCC-I/A) through a flag or SES level certification of compliance. Finally, this memorandum provides contract administration assignment instructions for contracts with delivery and/or performance in Iraq and Afghanistan.

The following existing contracts subject to review, modification, and reporting to JCC-I/A are contracts that 1) will have personnel in Iraq and/or Afghanistan after 1 April 2008; or 2) will deliver material to Iraq and/or Afghanistan after 1 April 2008 under FOB Destination terms using commercial transportation outside the Defense Transportation System (DTS); or 3) authorize contractor personnel, including subcontractors, to carry weapons in Iraq and/or Afghanistan regardless of the contract end date. Contracts already approved through the Theater Business Clearance (TBC) process do not require review but need to assign administration in accordance with this memo.

ENCLOSURE(1)

For those contracts that do not have the correct clauses, contracting officers will take the appropriate action to incorporate them into the contract. Once the review and necessary modifications to the contract are complete, the contracting officer will submit the package to JCC I/A for Theater Business Clearance. In the same submission, the contracting officer will include a letter assigning JCC-I/A contract administration for that portion of the contract that requires performance in theater.

Special instructions for conducting the compliance review are attached. Assignment of contract administration to JCC-I/A shall be conducted following the instructions contained in FAR Part 42.202.

A handwritten signature in black ink, appearing to read 'Shay D. Assad', is written over the printed name.

Shay D. Assad
Director, Defense Procurement
and Acquisition Policy

Attachments:
As stated

Checklist and Instructions for Compliance Contract Review

1. JCC-I/A's current Theater Business Clearance rules are the basis for the compliance review of existing contracts with performance in Iraq/Afghanistan. Read the Contracting Officer's Guide to Special Contract Requirements for Iraq/Afghanistan Theater Business Clearance and the FAQs on the CENTCOM website www.centcom.mil/sites/contracts under Joint Contracting Command Iraq/Afghanistan Contracting Requirements.

2. From the CENTCOM website, download the TBC Review Sheet with Tracker, v4, 25 Nov 07. Using the review sheet as a guide, review the contract, determine which clauses are required to be in compliance with CENTCOM policies, and modify the contract to incorporate missing clauses.

3. Fill-in the Review Sheet with Tracker. Double click on the JCC-I/A symbol to open the tracker and fill in the top row of the included spreadsheet. **Rename the Review sheet file using the naming convention given below for the email subject line.** Email the Review Sheet and attach the modification or award document and any other documents or attachments that help us resolve our concerns about authorized life support (billeting, dining, laundry, MWR, etc), security, weapons, medical care, and shipping instructions please include them. Please do not include extra documents that do not pertain to delivery or performance in Iraq, such as CDRLs, or this checklist. Do not send any classified information.

4. IN THE EMAIL SUBJECT LINE, TYPE THE FOLLOWING INFORMATION:

| <u>REQUESTING CMD</u> | <u>SERVICE</u> | <u>TITLE</u> | <u>PIIN</u> | <u>CO-NAME</u> | <u>AWARDDATE</u> | <u>ACTION**</u> |
|-----------------------|----------------|--------------|-----------------|----------------|------------------|-----------------|
| CECOM | Army | FMS-Radios | DoDAAC-08-XXXXX | Farmer | 31 Mar 08 | Existing |
| AFMC | USAF | Cessnas | DoDAAC-08-YYYYY | Baker | 10 Nov 07 | Existing |

** Existing tells us it is not a pre-award TBC review. This is used to sort emails.

5. Email all submittals:

a. For Iraq requirements, e-mail to: JCCI_PARC-I@pco-iraq.net;

b. For Afghanistan requirements, e-mail to: BGRMPARC-A@swa.army.mil.

6. File the final approval sheet in the contract file.

7. Iraq File Transfer Instructions for Large Files

For Iraq Files larger than 10M follow these steps:

- 1) Copy the file(s) (right click, copy)
- 2) Open this site: <ftp://ftp.pco-iraq.net/>
- 3) Right click on DROP BOX TWBCI
- 4) Deposit file(s) (right click, paste)

Note: Following the above instructions will paste the file into the folder. You will not receive any message confirming that this has worked. Please send a notification email to JCCI_PARC-I@pco-iraq.net informing us you have dropped something in the box.