DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(RESEARCH, DEVELOPMENT AND ACQUISITION)
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

FEB 29 2012

MEMORANDUM FOR DISTRIBUTION

SUBJECT: FY 2012 Appropriations Provisions – ACORN Restriction

By attached memorandum dated February 2, 2012, the Director of Defense Procurement and Acquisition Policy (DPAP) provided notification of the restrictions contained in Section 8103 of the FY 2012 DoD Appropriations Act (Public Law 112-74, Division A of the Consolidated Appropriations Act, 2012). Consistent with parallel limitations contained in the three previous DoD appropriation acts, Section 8103 prohibits the obligation of any funds made available under the Act to the Association of Community Organizations for Reform Now (ACORN) or any of its subsidiaries. The prohibition applies to using FY 2012 appropriations for making new awards, obligations on awards previously made, and approving payments under existing awards to ACORN or its subsidiaries. In addition, the FY 2012 DoD appropriations precludes contractors or recipients from making any obligations or payments of FY 2012 appropriations to ACORN or its subsidiaries as subcontractors, recipients of subawards, or contractors under grants or other assistance awards. Accordingly, all contracts, grants, and other acquisition or assistance transactions are subject to this restriction.

Please advise all appropriate personnel to take all necessary steps immediately to comply with Section 8103 and the guidance contained in the DPAP memorandum.

My point of contact for this matter is Mr. Clarence Belton. He can be reached at clarence.belton@navy.mil or (703) 693-4006.

Althea H. Coetzee
RDML, SC, USN
Executive Director
DASN (AP)

Attachment:
As stated

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SUBJECT: FY 2012 Appropriations Provisions – ACORN Restriction

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ACQUISITION,
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FEB -2 2012

MEMORANDUM FOR COMMANDER, UNITED STATES SPECIAL OPERATIONS COMMAND (ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES TRANSPORTATION COMMAND (ATTN: ACQUISITION EXECUTIVE)
DEPUTY ASSISTANT SECRETARY OF THE ARMY (PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE NAVY (ACQUISITION AND PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE (CONTRACTING)
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: FY 2012 Appropriations Provisions – ACORN Restriction

The purpose of this memorandum is to alert you to restrictions contained in Section 8103 of the Department of Defense Appropriations Act, 2012 (Public Law 112-74, Division A of the Consolidated Appropriations Act, 2012). Section 8103 states "none of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries." These restrictions parallel limitations contained in the three previous DoD Appropriation Acts.

Section 8103 therefore precludes contracting and grants officers from: (1) making new awards to ACORN or its subsidiaries using FY 2012 appropriations; (2) obligating FY 2012 DoD appropriations on awards made previously to ACORN or its subsidiaries; and (3) approving payments to ACORN or its subsidiaries using FY 2012 DoD appropriations under existing awards. FY 2012 DoD appropriations precludes contractors or recipients from making obligations or payments of those appropriations to ACORN or its subsidiaries as subcontractors, recipients of subawards, or contractors under grants or other assistance awards. Awards subject to this restriction include contracts, grants, or other acquisition or assistance transactions.

My point of contact is Ms Sandra Ross, 703-695-9774, or Sandra.Ross@osd.mil. Questions on grants, cooperative agreements, or other assistance transactions should be directed to Dr. Mark Herbst, 703-588-1377, or Mark.Herbst@osd.mil.

Richard Ginman
Director, Defense Procurement
and Acquisition Policy