



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
RESEARCH, DEVELOPMENT AND ACQUISITION
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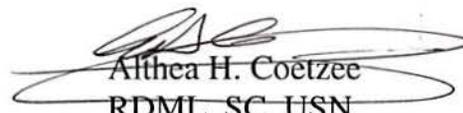
29 MAY 2013

MEMORANDUM FOR DISTRIBUTION

SUBJECT: FY2013 Consolidated Appropriations Provisions – ACORN Restriction

The attached Director, Defense Procurement and Acquisition Policy memorandum of May 16, 2013 is forwarded for your information and action, as appropriate. It notifies the DoD contracting community that funds made available under the FY2013 Department of Defense Appropriations Act and MilCon appropriations may not be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries. Consistent with the last four defense appropriations acts, provisions in the current restrictions prohibit DoD contracting and grants officers from using FY2013 appropriations for making new awards, obligating these appropriations on previous awards, or approving payments under existing awards to ACORN or its subsidiaries. The laws also preclude contractors or recipients from making obligations or payments 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.

Further details are provided within the memorandum. My point of contact is Gabrielle Trickett, gabrielle.trickett@navy.mil, 703-614-9641.


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

Attachment:
As stated

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SUBJECT: FY2013 Consolidated Appropriations Provisions – ACORN Restriction

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MAY 16 2013

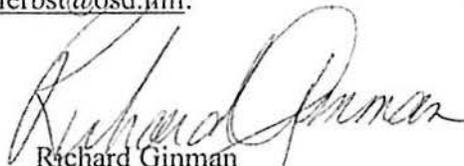
MEMORANDUM FOR COMMANDER, UNITED STATES SPECIAL OPERATIONS
COMMAND (ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES TRANSPORTATION
COMMAND (ATTN: ACQUISITION EXECUTIVE)
DEPUTY ASSISTANT SECRETARY OF THE ARMY
(PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE NAVY
(ACQUISITION AND PROCUREMENT)
DEPUTY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

SUBJECT: FY 2013 Consolidated Appropriations Provisions – ACORN Restriction

The purpose of this memorandum is to alert you to restrictions contained in Section 8098 of Division C, Department of Defense Appropriations Act, 2013, and Section 510 of Division E, Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013 of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6, hereafter referred to as “MilCon appropriations”). Sections 8098 and 510 both state “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 four previous DoD Appropriation Acts.

Sections 8098 and 510 therefore preclude contracting and grants officers from: (1) making new awards to ACORN or its subsidiaries using FY 2013 DoD or MilCon appropriations; (2) obligating FY 2013 DoD or MilCon appropriations on awards made previously to ACORN or its subsidiaries; and (3) approving payments to ACORN or its subsidiaries using FY 2013 DoD or MilCon appropriations under existing awards. Sections 8098 and 510 also preclude 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, 571-372-6547, or Mark.Herbst@osd.mil.


Richard Ginman
Director, Defense Procurement
and Acquisition Policy