



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE
3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

NOV 5 2007

MEMORANDUM FOR DIRECTORS OF DEFENSE AGENICES
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

SUBJECT: Theater Business Clearance (TBC)

References: (A) Procedures for Contracting, Contract Concurrence, and Contract Oversight for Iraq and Afghanistan, October 19, 2007 (copy attached)
(B) Amplifying Guidance Regarding Procedures for Contracting, Contract Concurrence and Contract Oversight for Iraq and Afghanistan, October 25, 2007 (copy attached)

This memorandum follows references A and B and provides amplifying guidance for obtaining TBC for contracts requiring performance in or delivering material into Iraq or Afghanistan. TBC will ensure our contracts contain the appropriate terms and conditions for work to be accomplished in Iraq and Afghanistan and will ensure the planned work is in consonance with in-country commanders' plans.

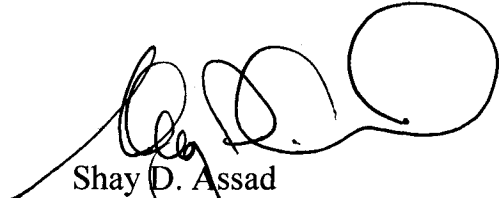
Contracting Officers will send the five elements of information in the attachment to JCC-I/A via email. JCC will respond within four business days. Please note there are two email addresses; one for Iraq work and one for Afghanistan work. Should a contract contain work to be performed in both countries, submit appropriate requests to both.

We are working to provide an alternative IT solution that will simplify the transmission of data to JCC-I/A. In the interim provide information by email as referenced above.

DLA Class 9 contracts are excluded from this requirement and will be addressed in another memorandum.



Each service and defense agency Senior Procurement Executive is requested to provide to JCC-I/A a projection of the number of acquisitions requiring TBC in the next 90 days. The projection should be broken down by commodity, service or construction and by dollar value (under \$30M, \$30M - \$100M, over \$100M). Initial projections should be provided to JCC-I/A not later than 9 November and the projections should be updated monthly.



Shay D. Assad
Director, Defense Procurement
and Acquisition Policy

Attachment:
Theater Business Clearance Request Form

Theater Business Clearance Request Format

To Request Theater Business Clearance please email to:

JCCI_PARC-I@pco-iraq.net (Iraq)

BGRMPARC-A@swa.army.mil (Afghanistan)

IN THE SUBJECT LINE TYPE THE FOLLOWING INFORMATION:

REQUESTING COMMAND SERVICE PROJECT TITLE PIIN REQUESTER'
NAME PLANNED AWARD DATE

(Example) CECOM Army FMS-Radios for Iraqi Police DoDAAC-08-XXXXX
Farmer 31 Nov 07

(Example) AFMC USAF Cessnas for Tikrit DoDAAC-08-YYYYY Baker
15 Dec 07

Include the following documents and information:

- 1) Statement of Work and Terms & Conditions (for work to be performed in Iraq or Afghanistan);
- 2) Acquisition milestones for award and for performance in Iraq/Afghanistan;
- 3) Number of employees projected for deployment to Iraq/Afghanistan;
- 4) Name of the customer/requirement POC in Iraq/Afghanistan, email and telephone number;
- 5) Name of procuring contracting officer, email and telephone number



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THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

OCT 19 2007

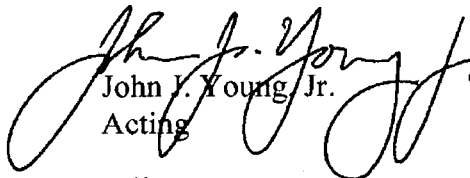
MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDERSECRETARIES OF DEFENSE
COMMANDERS OF THE COMBATANT COMMANDS
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, PROGRAM ANALYSIS AND EVALUATION
DIRECTOR, NET ASSESSMENT
DIRECTORS OF DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Procedures for Contracting, Contract Concurrence, and Contract Oversight
for Iraq and Afghanistan

Defense contractors fulfill a vital role in Iraq and Afghanistan supporting the Department of Defense in meeting its national security mission. It is important we use the most effective contracting processes and the most appropriate agency available to support our military forces engaged in combat operations.

Effective immediately, DoD contracting officers shall ensure, prior to the award of contracts, that the Commander, Joint Contracting Command – Iraq/Afghanistan (JCC-I/A), has approved any statements of work and terms and conditions that relate to the delivery of supplies and services (including any engineering and construction) in or to Iraq and Afghanistan. Upon award of any contract, the procuring contracting officer shall assign to the JCC-I/A all FAR Part 42 and DFARS Part 242 contract administration of that portion of the contract that relates to performance in Iraq or Afghanistan.

The Director, Defense Procurement and Acquisition Policy, will issue appropriate implementing guidance.


John J. Young, Jr.
Acting





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

OCT 25 2007

MEMORANDUM FOR SEE DISTRIBUTION

RE: Amplifying Guidance Regarding Procedures for Contracting, Contract Concurrence and Contract Oversight for Iraq and Afghanistan

The purpose of this memorandum is to issue amplifying guidance with regard to procedures for contracting, contract concurrence and contract oversight for Iraq and Afghanistan. The term contract means contract, delivery order, or task order.

With regard to any existing contract, those organizations presently performing contract administration duties associated with that portion of the existing contract requiring performance in, or delivery to, Iraq or Afghanistan shall continue to do so until notified differently by JCC I/A.

With regard to contract administration to be assigned to JCC-I/A by procuring contracting officers, the assigned administration is for the purpose of exercising oversight over the contractor's compliance with CENTCOM, MNF-I, CJTF-82 and CSTC-A policies, directives, and terms and conditions. With regard to all other FAR Part 42 and DFARS part 242 contract administration responsibilities, unless the capability is resident within JCC -I/A, JCC-I/A will reassign contract administration to DCMA, or a similar organization with relevant contract administration capabilities (e.g., USACE for USACE engineering and construction contracts).

A handwritten signature in black ink, appearing to read "Shay D. Assad", written over a circular stamp or mark.

Shay D. Assad
Director, Defense Procurement
and Acquisition Policy