

Date: April 16, 2012

From: Director, Procurement Policy and Warrant Management Service (003A2A)

Subj: Class Deviation from VA Acquisition Regulation 801.304 (VAIQ 7164546)

To: Deputy Assistant Secretary for Acquisition and Logistics (003A)

1. **Purpose:** To issue a class deviation from 801.304 to change the Deputy Senior Procurement Executive (DSPE) designation from the Associate Deputy Assistant Secretary (ADAS) for Acquisition to the ADAS for Procurement Policy, Systems and Oversight. Additionally, the offices and titles for the Chief Acquisition Officer (CAO) and SPE will be updated to reflect the current organizational structure.

2. **VA Acquisition Regulation (VAAR) Sections Impacted:** VAAR subpart 801.304.

3. **Effective Date:** Immediately.

4. **Expiration Date:** Effective until cancelled.

5. **Background:**

**Current VAAR Policy:** VAAR Section 801.304 states, the Assistant Secretary for Management is designated as the Department's CAO. The DAS for Acquisition and Materiel Management is designated as the Department's SPE and the ADAS for Acquisition is designated as the DSPE.

6. **Need for Deviation:** Effective October 1, 2011, the Department realigned the Office of Acquisition, Logistics, and Construction. Under the realignment, the ADAS for Acquisition became the Executive Director, Office of Acquisition Operations (OAO). The VAAR currently names the ADAS for Acquisition as the DSPE; however this position no longer exists. The Executive Director OAO provides comprehensive operation and strategic acquisition support for VA's highly complex acquisition requirements. As a result, a potential conflict of interest exists between the Executive Director OAO and DSPE. The Executive Director in his/her capacity as the DSPE would be required to issue deviations for procurements he/she oversees. This situation would not only create a potential conflict of interest but also decreases transparency. Additionally, current VAAR Section 801.304 refers to offices and titles for the CAO and SPE from the previous organization. The new titles of Acquisition, Logistics, and Construction and Acquisition and Logistics are added.

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7. **New Policy:** The Principal Executive Director, Office of Acquisition, Logistics, and Construction is designated as the Department's Acting CAO. The DAS for Acquisition and Logistics is designated as the Department's SPE. The ADAS for Procurement Policy, Systems, and Oversight is designated as the DSPE. The Offices of Management and Acquisition and Materiel Management are deleted. The new offices titles of Acquisition, Logistics, and Construction and Acquisition and Logistics are added.

8. **Attachment:** VA Class Deviation from VA Acquisition Regulation 801.304

9. **Additional Information:** Questions or comments regarding this class deviation may be directed to Ms. Tanya Reid, Senior Procurement Analyst, at (202) 461-7178.

/s/Marilyn Harris

Attachment

**Class Deviation from the VA Acquisition Regulation (VAAR) 801.304**

**Findings**

VAAR Section 801.304 states, the Assistant Secretary for Management is designated as the Department's Chief Acquisition Officer (CAO). The Deputy Assistant Secretary (DAS) for Acquisition and Materiel Management is designated as the Department's Senior Procurement Executive (SPE). The Associate DAS for Acquisition is designated as the Deputy Senior Procurement Executive (DSPE). This deviation will update the new titles of the CAO, SPE, and DSPE.

In addition, this deviation is required to align the DSPE position directly under the SPE, since the Associate DAS for Procurement Policy, Systems, and Oversight directly supports the DAS for Acquisition and Logistics. This change is required as a result of the recent Office of Acquisition, Logistics, and Construction (OALC) realignment.

In the realignment, the Associate DAS for Acquisition became the Executive Director, Office of Acquisition Operations. The Executive Director provides comprehensive operation and strategic acquisition support for the Department of Veterans Affairs' highly complex acquisition requirements. As a result, a potential conflict of interest was created between the duties of the Executive Director and some of the DSPE duties. The Executive Director in his/her capacity as the DSPE would have the ability to issue deviations for procurements he/she oversees. This situation not only creates a potential conflict of interest, but also decreases transparency during the procurement process.

**Determination**

In accordance with FAR 1.404 and VA Acquisition Regulation (VAAR) 801.403, I hereby issue a class deviation to designate the Associate DAS for Procurement Policy, Systems, and Oversight as the Deputy Senior Procurement Executive (DSPE).

This class deviation is effective until cancelled.

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/s/Jan R. Frye  
Senior Procurement Executive  
Attachment

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4-16-12  
Date

**Class Deviation from Department of Veterans Affairs**

**801.304 Department control and compliance procedures.**

The Executive Director, Office of Acquisition, Logistics, and Construction is designated as the Department's Acting Chief Acquisition Officer. The Deputy Assistant Secretary (DAS) for Acquisition and Logistics is designated as the Department's Senior Procurement Executive (SPE). The Associate DAS for Procurement Policy, Systems, and Oversight is designated as the Deputy Senior Procurement Executive (DSPE). The DSPE is responsible for amending the VAAR for compliance with FAR 1.304.

END