



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

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

JUL 23 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: Theater Business Clearance/Contract Administration Delegation
(TBC/CAD) Non-Compliance in Afghanistan

- References: (a) Theater Business Clearance/Contract Administration Delegation (TBC/CAD)
Update, June 29, 2010
(b) Theater Business Clearance/Contract Administration Delegation (TBC/CAD)
Update, October 13, 2010
(c) CENTCOM Contracting Webpage
“<http://www2.centcom.mil/sites/contracts/Pages/Defaults.aspx>”
(d) http://www.acq.osd.mil/dpap/dars/pgi/pgi_hm/PGI225_74.htm# (click green
policy box)

This memorandum directs that all contract(s) identified in Attachment 1 be brought into compliance with the TBC/CAD requirements for Afghanistan within 30 days of the date of this memo.

As discussed in references (a) and (b) and implemented by USCENTCOM in the TBC Guide for Afghanistan contained at reference (c), all service contracts for performance in Afghanistan, or that require delivery to Afghanistan under FOB transportation terms using commercial delivery outside the United States, require that the associated solicitations and contracts be cleared by the USCENTCOM Joint Theater Support Contracting Command (C-JTSCC) TBC Program Office prior to issuance by the cognizant contracting officer. All contracting officers awarding contracts for performance in Afghanistan should comply with the policy guidance in reference (d). No Letters of Authorization (LOAs) for contractor personnel authorized to accompany the force may be issued without TBC approval and entering of an authorized TBC approval number provided by the C-JTSCC into the Synchronized Predeployment and Operational Tracker (SPOT).


Attachment 1 details contract actions contained within the SPOT with performance in Afghanistan for which the required TBC approval number is incorrect, out of date or not identified. Currently in SPOT, it is required to indicate whether TBC is required and if it is, to provide the TBC approval number issued by C-JTSCC. While we are working on implementing an IT solution that will create an online module for TBC and an automated connection to SPOT, we currently rely on the information in SPOT to ensure compliance with USCENCOM mandated requirements.

Several contracts listed in Attachment 1 reflect periods of performance of more than one year. As a reminder, the majority of TBC approvals are only valid for a 12 month period. Multi-year contracts that have a valid TBC approval number are required to obtain a new TBC approval number for each 12 month period. In addition, for those contracts/task orders requiring modification or the exercise of an option period, contracting agencies must submit a new request for TBC approval and a TBC approval number. As a result, when TBC is required, SPOT generated LOAs should only be for 12 months. Re-submission for new TBC ensures tighter control of these LOAs.

From the Commander's standpoint, compliance with TBD/CAD is important in order to: maintain situational awareness of all contracts and contractors in Afghanistan; ensure all contracts delivering or executing support the Commander's intent (ex. hiring of local nationals and supporting drawdown) and otherwise comply with Commander's requirements; ensure life support for contractor personnel has been pre-arranged (the impending drawdown will aggravate space availability in FOBs); and, assure contract administration and oversight in the JOA has been pre-arranged.

We intend to initiate a series of Webinars in the near future to target training on TBC/CAD to DoD contracting officers and will ask for your assistance to encourage participation. A podcast on this topic is available at: http://www.acq.osd.mil/dpap/dars/pgi/pgi_htm/PGI225_74.htm# (click "Supplemental Information").

Please consolidate your contracting activities' reports as required using the spreadsheet at Attachment 2 to provide justification for non-compliance with TBC and when necessary to complete the required TBC request. Attachment 3 provides additional instructions that support this data call. Submit your report to the C-JTSCC Program Manager, Mr. Harvey Von Hollen, harvey.m.vonhollen.civ@mail.mil, 210-221-1190 and provide an information copy to my POC, Mr. Bill Reich, 571-256-7009, william.reich@osd.mil.



Richard Ginman
Director, Defense Procurement
and Acquisition Policy

Attachments:
As stated

Instructions for TBC/Non-Compliance Data Call

- 1) Filter data on Agency and Office as required (SPOT Report RTN_49882_2012-06-07).xls. Filter should just show Contract Place of Performance as Afghanistan.
- 2) Distribute to cognizant contracting offices/contracting officers for action.
- 3) For those actions in the spreadsheet where the answer to the SPOT question “Is Theater Business Clearance required?” is **NO**, the contracting officer should validate this answer.
 - a. In SPOT, the only exceptions for Afghanistan are classified contracts (TBC is an unclassified database) when a DPAP waiver has been granted.
 - b. If **NO** is correct (the action is exempt from TBC), provide authority details on the Theater Business Clearance (TBC) Compliance Report.
 - c. If **NO** is incorrect, state on TBC Compliance Report Disposition and immediately submit a TBC request to the C-JTSCC TBC Program Office via the Joint Contingency Contracting System (JCCS), TBC Module at www.jccs.gov. In SPOT, change **NO** to **YES** (answer to SPOT question “Is TBC is required?”). Once TBC approval is given by C-JTSCC TBC Program Office, enter approval number into SPOT.
- 4) For those actions in the spreadsheet where the answer to the SPOT question “Is Theater Business Clearance required?” is **YES** but no approval number or an invalid approval number was provided, contracting officer needs to revalidate that a TBC request was submitted and an approval number was received from the C-JTSCC TBC Program Office. Valid approval numbers follow a prescribed format (in note below). Most TBC approvals are only valid for 12 months. For those contracts requiring modification, or the exercise of an option period, contracting agencies must submit a new request for TBC approval.
 - a. If a TBC Request was submitted and approved by the C-JTSCC TBC Program Office, add the approval number received from the C-JTSCC TBC Office into SPOT.
 - b. If a TBC Request was not submitted, immediately submit a TBC request to C-JTSCC TBC Program Office via the Joint Contingency Contracting System (JCCS), TBC Module at www.jccs.gov. Upon receipt of approval number, update SPOT.
 - c. Provide disposition details on the TBC Compliance Report.
- 5) Action addressees consolidate component contracting activities TBC Compliance Reports and forward to the C-JTSCC TBC Program Manager, Mr. Harvey Von Hollen, Harvey.m.vonhollen.civ@mail.mil and provide an information copy to OSD DPAP POC Mr. Bill Reich, William.reich@osd.mil.

Note: Prior to 1 Aug 2012, Valid TBC approval numbers follow a prescribed format, as follows:

Digit 1 – P – means preliminary approval for the solicitation only. The contract or order must also be approved and then the “P” is dropped.

Digits 2-3: AF – Afghanistan, IQ – Iraq, KU – Kuwait, PA – Pakistan.

Digits 4-11: DATE – Year XXXX, Month XX, Day XX

Digits 12-15: 4 Digit Serial Number issued by Approver

Digits 16-17: Initials of Approver in C-JTSCC TBC Office.

With the implementation of the new JCCS TBC Module, a new TBC # format will be established and electronically generated by JCCS.