



DEPARTMENT OF THE AIR FORCE
WASHINGTON DC

Office Of The Assistant Secretary

26 SEP 2003

Contract Policy Memo 03-C-13

MEMORANDUM FOR ALMAJCOM/FOA/DRU (CONTRACTING)

FROM: SAF/AQC
1060 Air Force Pentagon
Washington, DC 20330-1060

SUBJECT: Undefined Contract Actions and Contingency Operations in Support of
Operation Iraqi Freedom

The Defense Federal Acquisition Regulation Supplement (DFARS) 217.74, Undefined Contract Actions (UCA), implements 10 U.S.C. 2326 that imposes limitations on obligations and definitization schedule. It also provides for waiving these limitations if it is determined that a waiver is necessary to support "(1) A contingency operation as defined in 10 U.S.C. 101(a)(13)."

Operation Iraqi Freedom is the name associated with the war in Iraq. SAF/AQC memo 03-C-06, dated 21 March 2003, determined that Operation Iraqi Freedom is a contingency operation.

I, therefore, determine to waive, as described below, the limitations in DFARS 217.7404-3, Definitization schedule, and 217.7404-4, Limitations on obligations, for undefinitized contract actions that support Operation Iraqi Freedom.

Contracting officers will use the following limitations when supporting Operation Iraqi Freedom. In DFARS 217.7404-4, replace "50 percent" with "75 percent", and "75 percent" with "90 percent." Also, under exceptional circumstances the UCA approval official may permit obligation up to 100 percent. In addition, the UCA approving official may extend the definitization schedule requirements in 217.7404-3. Contracting officers must reference this memo when preparing approval documentation.

This DFARS waiver applies to actions that support Operation Iraqi Freedom. The DFARS waiver in SAF/AQC memo EF-01-03, dated 28 Nov 01, is still valid for Operations Enduring Freedom and Noble Eagle. All other undefinitized contract actions must comply with DFARS 217.74.

I am granting this waiver to help support Operation Iraqi Freedom, but everyone needs to remember that UCA's are not our normal means of conducting business and we should only use them when the negotiation of a definitive contract action is not feasible to meet our requirements.

If you have any questions, please contact David Powell, SAF/AQCP, at (703) 588-7062, DSN 425-7062 or e-mail david.powell@pentagon.af.mil.

A handwritten signature in black ink that reads "Maureen M. Clay". The signature is written in a cursive, flowing style.

MAUREEN M. CLAY, Col, USAF
Associate Deputy Assistant
Secretary (Contracting)
Assistant Secretary (Acquisition)