



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
RESEARCH, DEVELOPMENT AND ACQUISITION
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MEMORANDUM FOR DISTRIBUTION

Subj: DELEGATION OF AUTHORITY

Ref: (a) Section 1443 of Public Law 108-136 (National Defense Authorization Act for FY 2004)
(b) DASN(ACQ) memo of April 7, 2003

Reference (a) provided Special Emergency Procurement Authority for procurement of property or services that are to be used in support of a contingency operation or to facilitate the defense against or recovery from nuclear, biological, chemical or radiological attack against the United States. This authority was incorporated into the Federal Acquisition Regulation (FAR) by Federal Acquisition Circular 2001-20, effective February 23, 2004. Consistent with the delegation of authority in reference (b) for the predecessor temporary authorities under Public Laws 107-107 and 107-296, Heads of Contracting Activities are hereby delegated authority to make determinations that property or services are to be used -

- (1) in support of a contingency operation; or
- (2) to facilitate the defense against or recovery from nuclear, biological, chemical or radiological attack against the United States.

Please ensure that appropriate contracting and purchase card personnel are aware of this new permanent authority.


M. F. Maggard
Chief of Staff/Policy
for DASN(ACQ)

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