



DEFENSE LOGISTICS AGENCY  
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MAR 11 2004

IN REPLY J-33  
REFER TO PROCLTR 04-04

MEMORANDUM FOR PROCLTR DISTRIBUTION LIST

SUBJECT: Implementation of Special Emergency Procurement Authority (SEPA), Defense Logistics Acquisition Directive (DLAD) 2.101, 12.102, and 13.201

The purpose of this PROCLTR is to implement guidance specific to an interim rule published in the Federal Register on February 23, 2004, implementing the subject authority.

The interim rule made significant changes to both the micro-purchase thresholds and the simplified acquisition threshold for procurements of supplies or services in support of a contingency operation or to facilitate the defense against or recovery from nuclear, biological, chemical, or radiological attack. Furthermore, activities carrying out a procurement of supplies or services to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack may treat such supplies or services as commercial items. DLAD 2.101, 12.102, and 13.201 are amended (Attachment). DLAD 13.003(a) is hereby deleted.

This guidance applies to all new acquisitions after the date of this PROCLTR and expires upon incorporation of the coverage into the DLAD. Please keep this office advised about SEPA implementation issues as they arise to ensure a consistent Agency approach. The point of contact is Mr. Kevin Conneen, J-3311, at DSN 427-1472, (703) 767-1472, or via e-mail Kevin.Conneen@dla.mil.

  
CLAUDIA S. KNOTT  
Senior Procurement Executive

Attachment



## Part 2-Definitions of Words and Terms

### 2.101 Definitions

#### Simplified acquisition threshold

*The Contracting Officer is delegated the authority to make the determination that the acquisitions are to be used to support a contingency operation or to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack. This determination should be placed in the contract file.*

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## PART 12-Acquisition of Commercial Items

### Subpart 12.102 Applicability

*12.102(f)(1) The Contracting Officer is delegated the authority to make the determination that the acquisitions are to be used to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack. This determination should be placed in the contract file.*

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## PART 13

### Subpart 13.201

~~*13.201(g)(1) For other than Purchase Card acquisitions, the authority to make the determination that the acquisitions of supplies or services are to be used to facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack is delegated to the Contracting Officer. The specific authority utilized (i.e. Temporary Emergency Procurement Authority or Homeland Security Act) shall be documented in the contract file. For Purchase Card acquisitions, the determination authority is delegated to the individual specified in DLA I 4105.3 who provides the written pre approval when purchasing other than routine office supplies. The written pre approval will briefly describe why the acquisition meets the requirements for the higher micro purchase threshold authority (i.e. how it facilitates defense against or recovery from radiological attack). Additionally, the Purchase Card Order Log shall be annotated to reflect the specific authority used*~~

*13.201(g)(1) For other than purchase card acquisitions the Contracting Officer is delegated the authority to make the determination that the acquisitions are to support a contingency operation or to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack. For purchase card acquisitions the determination authority is delegated to the individual specified in DLA I 4105.3 who provides the written pre-approval when purchasing other than routine office supplies. Contract files or written pre-approvals shall document how the acquisition is in support of a contingency operation or to be used to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack.*