



DoD DIRECTIVE 5135.02

UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT (USD(A&S))

Originating Component: Office of the Chief Management Officer of the Department of Defense

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Incorporates and Cancels: See Paragraph 1.2.

Approved by: David L. Norquist, Deputy Secretary of Defense

Purpose: Under the authority vested in the Secretary of Defense by Sections 113 of Title 10, United States Code (U.S.C.), this issuance:

- Establishes the position, responsibilities and functions, relationships, and authorities of the USD(A&S).
- Authorizes the USD(A&S), as a Principal Staff Assistant (PSA) reporting directly to the Secretary of Defense, to promulgate DoD policy within the responsibilities, functions, and authorities assigned in this issuance.

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY.

a. This issuance applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff (CJCS) and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this issuance as the “DoD Components”).

b. Nothing in this issuance should be construed as preventing the Inspector General of the Department of Defense from fulfilling his or her duties pursuant to Title 5, U.S.C., Appendix, also known and referred to as “the Inspector General Act of 1978, as amended.”

1.2. QUALIFICATIONS REGARDING CANCELLATION.

This issuance incorporates USD(A&S) responsibilities and functions, relationships, and authorities from the documents in this paragraph. The publication of this issuance and the simultaneous publication of DoD Directive (DoDD) 5137.02, the chartering directive for the Under Secretary of Defense for Research and Engineering (USD(R&E)), will cancel:

a. DoDD 5134.01, “Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)),” December 9, 2005, as amended.

b. Deputy Secretary of Defense Memorandum, “Implementation Guidance for the Establishment of the Office of the Under Secretary of Defense for Research and Engineering and the Office of the Under Secretary of Defense for Acquisition and Sustainment,” January 31, 2018.

c. Deputy Secretary of Defense Memorandum, “Establishment of the Office of the Under Secretary of Defense for Research and Engineering and the Office of the Under Secretary of Defense for Acquisition and Sustainment,” July 13, 2018.

d. Deputy Secretary of Defense Memorandum, “Acquisition Roles and Responsibilities,” December 20, 2019.

SECTION 2: RESPONSIBILITIES AND FUNCTIONS

The USD(A&S) is the PSA and advisor to the Secretary of Defense for all matters relating to acquisition and sustainment in the DoD, including the DoD Acquisition System; system design and development; production; logistics and distribution; installation maintenance, management, and resilience; military construction; procurement of goods and services; materiel readiness; maintenance; environment and energy resilience (including renewable energy, as appropriate); utilities, renewable energy, and energy management; business management modernization; document services; nuclear, chemical, and biological defense programs; nuclear command, control, and communications; and related matters. In the exercise of assigned responsibilities, the USD(A&S):

a. Serves as the DoD chief acquisition and sustainment officer with the mission of delivering and sustaining timely, cost-effective, and uncompromised capabilities for the armed forces and the DoD.

b. Serves as the Senior Procurement Executive, in accordance with Section 133b of Title 10, U.S.C., with responsibilities as prescribed in Executive Order (E.O.) 12931 and Chapter 7 of Title 41, U.S.C.

c. Serves as the Defense Acquisition Executive (DAE), who is accountable for the pathways through the Defense Acquisition System (DAS). The DAE takes precedence on all acquisition matters after the Secretary and the Deputy Secretary of Defense and is responsible for the DoD for purposes of DoD regulations and procedures providing for or requiring action by the DAE, in accordance with Section 133b of Title 10, U.S.C., with overall responsibility for:

(1) Supervising the performance of the DoD Acquisition System.

(2) Enforcing the policies and practices in DoDD 5000.01 and Office of Management and Budget (OMB) Circular No. A-109.

d. Establishes policies on, and supervises all elements of, the DoD relating to:

(1) Acquisition, including system design and supportability design considerations, development, prototyping for acquisition programs not including early development activities, production, and procurement of goods and services.

(2) Sustainment, including logistics, energy, maintenance, and materiel readiness.

e. Provides a DoD-wide policy framework and direction for acquisition and sustainment, including:

(1) Maintaining and revising existing policies.

(2) Developing new and innovative procurement policies to enable secure, efficient, and effective acquisition.

(3) Integrating Congressionally-directed changes into the policy environment.

- (4) Acting as proponent for rapid acquisition policies for urgent operational needs.
- f. Exercises policy authority over the adaptive acquisition framework and leads development of the DoD 5000 series of acquisition policy, in consultation with other OSD PSAs, as appropriate.
- g. Serves as Milestone Decision Authority (MDA) for Acquisition Category (ACAT) 1D programs and designates alternate MDAs, where appropriate.
- h. Approves the use of the Middle Tier of Acquisition pathway for programs that exceed the Major Defense Acquisition Program (MDAP) threshold.
- i. Chairs the Defense Acquisition Board and Governance Boards on programs for which the USD(A&S) is the MDA or decision authority.
- j. Plans, coordinates, and synchronizes cybersecurity throughout the DAS and the Defense Industrial Base.
- k. Directs the Secretaries of the Military Departments and the DoD and OSD Components heads in the exercise of acquisition and sustainment functions. In collaboration with other functional community managers and PSAs, as appropriate, exercises oversight and authority over all personnel (civilian and military) in the OSD with regard to matters for which the USD(A&S) has responsibility.
- l. Ensures that DoD installations and infrastructure are resilient to a wide range of challenges, including climate, natural events, disruptions to energy or water supplies, and direct physical or cyber attacks.
- m. Serves as co-MDA, along with the Deputy Director for National Intelligence (DNI) for Enterprise Capacity (DDNI/EC), for wholly or majority National Intelligence Program-funded major system acquisitions (MSAs) and Special Interest Acquisitions (SIA) being executed according to Intelligence Community (IC) acquisition policy, as directed by Public Law (P.L.) 108-458.
- n. Along with DDNI/EC, designates IC acquisition programs as MSAs, SIAs, or Experimental Research Demonstrations and determines which programs will have MDA retained or delegated to the IC Element Acquisition Authority. These decisions will be documented in the annual MSA and MDA Determinations Acquisition Decision Memorandum (ADM).
- o. Co-chairs the National Intelligence Acquisition Board on programs for which the USD(A&S) is the co-MDA.
- p. In coordination with the USD(R&E):
 - (1) Participates in mission engineering practices and tools for analysis of warfighting concepts of operation, functions, systems and portfolios in an end-to-end mission context.

(2) Leads efforts from a capability and portfolio management perspective to identify operational effectiveness of systems, and assesses procurement, supply chain, industrial base, scalability, and fielding inputs that inform investments to ensure the secure sustainment of a system throughout its lifecycle.

(3) Aligns sustainment concerns into upfront acquisition strategies to improve integrated mission performance.

(4) Ensures that all acquisition and sustainment program offices employ disciplined systems engineering processes across the life cycle to provide for successful system design and development, production, test, product support/sustainment, and modernization.

(5) Develops and implements international cooperation programs and defense exportability efforts.

q. In coordination with the Under Secretary of Defense for Personnel and Readiness (USD(P&R)):

(1) Reviews and evaluates the requirements of MDAPs and proposed weapons systems for personnel, training, and readiness implications, and the implications of weapons systems maintainability for qualitative and quantitative personnel requirements and for readiness.

(2) Supports early consideration, planning, and prioritization of training followed by concurrent development and sustainment of training capabilities with the system.

(3) Reviews any actions or activities that may affect the training capabilities of MDAPs and major automated information systems.

(4) Ensures that acquisition managers are held responsible for properly integrating embedded training capabilities into training materials and into training management network environments.

(5) Provides oversight of DoD-wide installation facilities and environmental programs to support the training mission.

r. Advises the Joint Requirements Oversight Council on requirements definition and any matters within the authority of the USD(A&S), consistent with Section 181 of Title 10, U.S.C.

s. Reviews and approves, as appropriate, the Acquisition Strategy at all required decision points for ACAT 1D programs, consistent with Section 2431a (d) of Title 10, U.S.C.

t. In consultation with the Under Secretary of Defense for Intelligence and Security (USD(I&S)) and the Chief Information Officer of the Department of Defense (DoD CIO), leads acquisition and sustainment data management and provides capabilities to enable the DoD's reporting and data analysis resulting in timely access to accurate, authoritative, and reliable data supporting oversight, analysis, decision making, and improved outcomes.

u. Ensures completion of performance assessments and root cause analysis when required due to MDAP critical cost breach, as follows:

(1) For specific programs, in accordance with the requirements of Section 2433a of Title 10, U.S.C.

(2) Regarding the DAS, in accordance with Section 2548 of Title 10, U.S.C., or

(3) As requested by authorized senior officials.

v. Ensures that acquisition portfolios and programs comply with federal regulations, international treaties, inter-agency and interoperability agreements, and DoD security policies.

w. Serves as one of three co-Chairs, along with the USD(R&E) and the Vice Chairman of the Joint Chiefs of Staff, of the Position, Navigation, and Timing Oversight Council and ensures compliance with all related policies within those acquisitions subject to the USD(A&S)'s oversight consistent with Sections 2279b(b) and (c) of Title 10, U.S.C.

x. Incorporates DoD CIO guidance for Positioning, Navigation, and Timing (PNT) and Navigation Warfare into acquisition and sustainment programs that produce or use PNT information. When acting as MDA, determines and confirms Navigation Warfare compliance at each acquisition milestone for all platforms and systems producing or using PNT information.

y. Provides oversight and establishes policy on the acquisition and use of government aircraft, including operational support airlift aircraft.

z. Represents the DoD on the Program Management Policy Council, consistent with Section 1126 of Title 31, U.S.C., and acts as the DoD Program Management Improvement Officer.

aa. Represents the DoD on the Chief Acquisition Officers Council. Serves as the primary official representing the interests of the DoD in relation to procurement and acquisition matters to external stakeholders within the Executive Branch, in accordance with Section 1311 of Title 41, U.S.C.

ab. Serves as the Head of the Contracting Activity for all Components or Activities that do not fall under the authority of a Military Department or that have been provided statutory contracting authority.

ac. Provides contingency contracting policy and guidance to the warfighter.

ad. Establishes and maintains a Defense Acquisition University structure, consistent with Section 1746 of Title 10, U.S.C.

ae. Establishes policies, guidance, and a structure for reporting of violations regarding trafficking in persons in relation to the DoD acquisition and contracting activities, including violations by contractors of the DoD, consistent with Section 7103 of Title 22, U.S.C.

af. Chairs the Warfighter Senior Integration Group, assigning for action and managing Joint Urgent Operational Needs, Joint Emergent Operational Needs, Warfighter Senior Integration Group-Identified Urgent Issues, Warfighter Senior Integration Group Interest Items, and Rapid Acquisition Authority actions.

ag. Serves as the Defense Logistics Executive with overall responsibility for improving and maintaining the Defense Logistics and Global Supply Chain Management System.

ah. Establishes policies and procedures for materiel readiness, including maintenance support of weapons systems and military equipment. Provides centralized maintenance policy and management oversight for all weapons systems and military equipment maintenance programs, and related resources within the DoD.

ai. Establishes policies and procedures for logistics to:

(1) Improve the visibility, accountability, and control of all critical assets.

(2) Support the auditability of the logistics enterprise.

aj. Establishes policies and procedures, including the promulgation of regulations, and exercises all statutory and regulatory authorities and responsibilities relating to base closures and realignments vested in the Secretary of Defense or delegated to the Secretary by another federal agency, but excluding:

(1) The authorities and responsibilities of the Secretary relating to the process for selecting installations for closure or realignment, pursuant to Title XXIX of P.L. 101-510.

(2) The authorities and responsibilities of the Secretary relating to indemnification for claims, pursuant to Section 330 of P.L. 102-484.

ak. Provides policy and oversight to preserve and enhance the operating capabilities of facilities, offshore areas, and other locations used by DoD to train and operate. Oversees programs authorized by Section 2684a of Title 10, U.S.C., and other programs to ensure mission compatibility. Serves as the DoD focal point to engage federal agencies, States, and other organizations, in order to preserve and enhance DoD's ability to execute future missions, specifically assigning a liaison to the Department of the Interior, in accordance with the June 25, 2018 Memorandum of Understanding between the DoD and the Department of the Interior.

al. Supervises the management and performance of the Strategic and Critical Materials Program, pursuant to E.O. 12626.

am. Provides oversight and coordination of DoD efforts to prevent or mitigate corrosion during the design, acquisition or construction, and maintenance of military equipment, facilities, and infrastructure.

an. Oversees the modernization of nuclear forces and the development of capabilities to counter weapons of mass destruction.

ao. Chairs the Nuclear Weapons Council and co-chairs the Council on Oversight of the National Leadership Command, Control, and Communications System, in accordance with Sections 171a and 179 of Title 10, U.S.C.

ap. Advises the Secretary and Deputy Secretary of Defense on nuclear energy, nuclear weapons, and chemical and biological defense, in accordance with Section 138(b)(4) of Title 10, U.S.C.

aq. Provides policy, exercises oversight, and leads coordination of DoD efforts in U.S. nuclear weapon safety, security, and incident response.

ar. Provides implementation guidance and executes, through the Assistant Secretary of Defense (ASD) for Nuclear, Chemical, and Biological Defense Programs (NCB) and the Director, Defense Threat Reduction Agency (DTRA), the programs and activities of the DoD Cooperative Threat Reduction (CTR) Program authorized in relevant sections of Chapter 48 of Title 50, U.S.C., consistent with policies established by the Under Secretary of Defense for Policy (USD(P)), through the Assistant Secretary of Defense for Homeland Defense and Global Security. Ensures the ASD(NCB) collaborates closely with the Assistant Secretary of Defense for Homeland Defense and Global Security to facilitate effective oversight of the CTR Program, in accordance with DoDDs 2060.02, 5105.62, 5111.13, and 5134.08.

as. Establishes policies and procedures that ensure all DoD activities are fully compliant with arms control agreements to which the United States is a party, and that national security information is not compromised in the pursuit of such efforts.

at. Establishes policies to maximize U.S. competitive advantage and ensure robust, secure, and resilient national industrial base capabilities. Establishes policies regarding access to and maintenance of viable supply of materials critical to national security.

au. In coordination and consultation with the USD(I&S), and other OSD PSAs and DoD officials, as appropriate, represents the DoD in all matters pertaining to the Committee on Foreign Investment in the United States.

av. Represents the DoD in efforts to support and encourage small business and other socio-economic participation by establishing policy and goals, and monitoring performance.

aw. Serves as the National Armaments Director (NAD) at the North Atlantic Treaty Organization Conference of NADs and in other similar NAD-level multilateral and bilateral forums.

ax. Develops, in coordination with the USD(P) and the General Counsel of the Department of Defense (GC DoD), agreements with friendly and allied nations and international organizations relating to acquisition matters.

ay. Ensures that activities related to acquisition for homeland defense and special operations and low-intensity conflict, and intelligence and intelligence-related acquisition programs, systems, and activities, effectively support the Combatant Commanders and warfighters, in coordination with the USD(P) and the USD(I&S), as appropriate.

az. Acts as the Enterprise Capability Portfolio Manager for Nuclear Command, Control, and Communications.

ba. In conjunction with the Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense (USD(C)/CFO), DoD CIO, USD(R&E), and the Director of Operational Test and Evaluation, develops, manages, and maintains policies, rules, and guidance to maintain and continually improve the acquisition workforce through DoD compliance with the following programs. Annually makes a recommendation to the Secretary of Defense regarding the funding needed to implement these programs, consistent with Section 1741 of Title 10, U.S.C.

(1) The Defense Acquisition Workforce Improvement Act, pursuant to P.L. 101-510.

(2) The Defense Acquisition Workforce Development Fund.

(3) The Acquisition Demonstration Project Program Office, pursuant to P.L. 110-181.

bb. Establishes policies and procedures for the effective management (including accession, education, training, and career development) of persons serving in acquisition positions in the DoD.

bc. Designates a senior official to manage the Defense Acquisition Workforce Development Fund, consistent with Section 1705 of Title 10, U.S.C.

bd. Annually provides a report to the Secretary of Defense listing those acquisition positions limited to Service members and a recommendation regarding the continuation of the restriction, consistent with Section 1722 of Title 10, U.S.C.

be. Participates in, or designates a representative for, those councils, boards, working groups, or other similar forums for which the USD(A&S) is directed to participate as a member. Such direction may take the form of statutory, regulatory, or Secretarial discretionary instruction.

bf. Coordinates with the USD(I&S) to ensure security requirements (e.g., personnel, information, operations, physical and industrial) are incorporated into acquisition and sustainment activities.

bg. Serves as the Principal Disclosure Authority for classified military information originated by USD(A&S). Exercises foreign disclosure authority over classified military information originated by USD(A&S)-funded programs and activities in accordance with DoDD 5230.11. Represents USD(A&S) on the National Military Information Disclosure Policy Committee.

(1) Applies foreign disclosure policies and procedures as required by DoDD 5230.11 to facilitate sharing of classified military information originated by USD(A&S)-funded programs and activities in support of international cooperation, foreign military sales, or direct commercial sales programs or other international engagement activities.

(2) These authorities will be exercised consistent with DoD policy for the disclosure of classified information to foreign entities in DoDD 5230.11, and DoD policy for international transfers in DoD Instruction (DoDI) 2040.02.

bh. In consultation with the USD(P), establishes and manages international cooperative programs under USD(A&S) purview, and promotes the establishment of mutually beneficial international cooperative programs consistent with national security considerations.

bi. Provides advice and consultation to the Defense Technology Security Administration on acquisition and sustainment matters to support DoD technology security programs.

bj. Serves as a member of the Missile Defense Executive Board, and serves as co-chairman of the Board with respect to decisions regarding acquisition and the approval of acquisition and production milestones, including with respect to the use of other transaction authority contracts and transactions in excess of \$500,000,000 (including all options in accordance with Section 1681(c) of P.L. 115-232).

bk. Ensures Special Access Program (SAP) oversight by establishing an Office of the USD(A&S) (OUSD(A&S)) SAP Central Office and designating an OUSD(A&S) SAP Central Office Director to be responsible for executing the responsibilities outlined in DoDD 5205.07. Exercises cognizance and oversight of designated DoD SAPs and personnel granted access to these programs.

bl. In coordination with the USD(P) and USD(I&S), manages and oversees DoD Alternative Compensatory Control Measures, consistent with Volume 3 of DoD Manual 5200.01.

bm. Ensures that assigned policies and programs are designed and managed to improve standards of performance, ethics, economy, and efficiency and that all of the Defense Agencies and DoD Field Activities under the authority, direction, and control of the USD(A&S) are attentive and responsive to the requirements of their organizational customers, both internal and external to DoD.

bn. Periodically assesses the DoD Executive Agent assignments under his or her cognizance for continued need, currency, and effectiveness and efficiency in satisfying end-user requirements, in accordance with DoDD 5101.1.

bo. Uses existing systems, facilities, and services of DoD and other federal departments and agencies, when possible, to avoid duplication and achieve maximum efficiency and economy.

bp. Chairs the Low Observable/Counter Low Observable (LO/CLO) Executive Committee, pursuant to DoDI 5230.28.

bq. Performs such other duties as the Secretary of Defense may prescribe.

SECTION 3: RELATIONSHIPS

3.1. USD(A&S).

In the performance of assigned responsibilities and functions, the USD(A&S):

- a. Reports directly to the Secretary of Defense.
- b. Exercises authority, direction, and control over:
 - (1) The Deputy Under Secretary of Defense for Acquisition and Sustainment.
 - (2) The ASD(NCB).
 - (3) The ASD for Acquisition (ASD(A)).
 - (4) The ASD for Sustainment (ASD(S)).
 - (5) The Director, Defense Logistics Agency, through the ASD(S).
 - (6) The Director, DTRA, through the ASD(NCB).
 - (7) The Director, Defense Contract Management Agency, through the ASD(A).
 - (8) The Director, Office of Economic Adjustment, through the ASD(S).
 - (9) The President, Defense Acquisition University, through the ASD(A).
 - (10) Such other positions and organizations as may be established by the USD(A&S), consistent with applicable law, within resources provided by the Secretary of Defense.
- c. Exercises directive authority over the SAEs and Component Acquisition Executives for programs where the USD(A&S) is the MDA or decision authority; exercises advisory authority over the SAEs for programs where the SAE is the MDA or decision authority.
- d. Coordinates and exchanges information with the other OSD officials, DoD Component heads, and federal, State, or local officials having collateral or related responsibilities and functions.

3.2. USD(R&E).

The USD(R&E) coordinates with the USD(A&S) to:

- a. Ensure that developmental technologies are successfully and securely transferred for acquisition, in accordance with the efforts, strategies, and requirements of the USD(R&E), in support of the interests of the Secretary of Defense, the needs of the Combatant Commanders, and the mission of the DoD.

b. Support the establishment of programs and development of capabilities to foster priority technologies and joint mission engineering.

c. Ensure the seamless functioning of acquisition program governance where both officials have equities, such as the USD(R&E)'s responsibility for the completion of Independent Technical Risk Assessments, among others.

d. Jointly support the successful achievement of both officials' responsibilities, especially in regard to the promotion of rapid and innovative acquisition processes, maintenance of U.S. technological advantages over adversaries, and the efficiency and effectiveness of the overall systems development and acquisition process from technology evaluation through acquisition, operation, maintenance, retirement, and replacement.

e. Support efforts in those areas in which equities are shared, or closely adjacent, such as international agreements for technology advancement and industrial base policy, fostering of innovation, and management.

f. Ensure that efforts to identify and rectify capability gaps are communicated and coordinated, especially when addressing matters affecting multiple DoD Components.

g. Identify areas in which the equities of both the USD(R&E) and USD(A&S) are relevant in governance and decision-making forums, and ensure that those equities are able to be represented whenever necessary.

3.3. USD(C)/CFO.

The USD(C)/CFO coordinates with the USD(A&S):

a. Before approving the transfer or reprogramming of funds into or from a program within the purview of the USD(A&S).

b. Before implementing a policy that will impact acquisition or sustainment operations.

3.4. USD(P).

The USD(P):

a. Coordinates with the USD(A&S):

(1) In regards to those programs for which the USD(P) has authority over policy, outcomes, or interface with external stakeholders, but where:

(a) Execution is managed through those components under the authority, direction, and control of the USD(A&S); or

(b) Operational guidance is predominantly provided by the USD(A&S) due to the acquisition-centric nature of the program.

(2) On matters concerning the capabilities relevant to the DoD Strategy for Countering Weapons of Mass Destruction, especially with regard to capabilities, requirements, and other matters within the purview of the USD(A&S).

b. Consults with the USD(A&S) and the USD(R&E) in establishing and managing USD(P) cooperative research and development programs in order to:

(1) Promote mutually beneficial international cooperative research and development programs consistent with national security considerations.

(2) As appropriate, ensure that acquisition aspects of export control policies and procedures necessary to protect the national security interests of the United States are technologically sound.

c. Coordinates Countering Weapons of Mass Destruction matters with the USD(P), in accordance with this issuance and DoDDs 2060.02, 5134.08, 5111.13, and 5105.62.

3.5. USD(I&S).

The USD(I&S):

a. Coordinates with the USD(R&E), USD(A&S) and other elements of the DoD and the IC regarding development of algorithm-based technology initiatives affecting intelligence mission areas within the DIE.

b. Coordinates with the USD(A&S) on any policy issues related to contracting involving access to classified information.

c. Coordinates all policies related to sharing of Controlled Unclassified Information, or use of such information in a secure environment, with the USD(R&E) and USD(A&S).

d. Coordinates with the USD(R&E), USD(A&S), and Director of Cost Assessment and Program Evaluation (DCAPE), in assessments of SAP and compartmented intelligence programs, consistent with Section 139a of Title 10, U.S.C.

e. Coordinates with the USD(A&S) to ensure that all intelligence-related programs, systems, and activities related to, or impacting, acquisitions effectively support the Combatant Commanders and the warfighters.

f. Applies all system and data reporting requirements set by the USD(A&S) to systems operating in a secure environment.

3.6. DOD CIO.

The DoD CIO coordinates with the USD(A&S) to:

a. Develop policies, in accordance with applicable DoD information technology (IT) policy and law, regarding governance and risk management pertaining to:

(1) The acquisition and sustainment of IT and management of information resources.

(2) The development of the Enterprise SAP IT strategy, DoD Information Enterprise policy, telecommunications infrastructure policy, SAP network IT requirements, and network and systems funding oversight policies.

b. Assist the USD(A&S) concerning his or her responsibilities pursuant to Section 3554 of Title 44, U.S.C.

c. Certify on a regular and ongoing basis that any capabilities being developed or procured meet the DoD information systems and technology standards pursuant to Section 142 of Title 10, U.S.C.

d. Incorporate cybersecurity and cyber risk management into the DAS.

e. Ensure that DoD cybersecurity policies and standards are integrated into the DAS.

f. Develop, maintain, and manage the implementation of a sound, secure, and integrated DoD IT architecture.

g. Ensure the interoperability of IT throughout the DoD.

h. Prescribe IT standards, including network and cybersecurity standards, that apply throughout the DoD.

i. Support and inform the USD(A&S) on all IT and cyber infrastructure acquisition matters and investment decisions, including IT-intensive software systems such as business systems.

j. Develop and maintain a process for maximizing the value of, and assessing and managing the risks related to, DoD IT acquisitions.

k. Develop, provide oversight, and support integration of the statutory Cybersecurity Strategy (CSS) for programs acquiring or employing mission critical or mission essential IT.

l. Establish cybersecurity standards for the Defense Industrial Base, also in coordination with the USD(R&E), and manage the DoD's Defense Industrial Base Cybersecurity Program.

m. Coordinate to improve data management and transparency in order to share data effectively across the DoD in accordance with Section 903 of P.L. 116-92.

3.7. DCAPE.

The DCAPE:

- a. Provides independent cost estimates and cost analyses for MDAPs at required milestones or at the request of the USD(A&S), consistent with Section 2334 of Title 10, U.S.C.
- b. Provides memorandums addressing the sufficiency of the analyses of alternatives for MDAPs consistent with Section 139a of Title 10, U.S.C.
- c. Provides independent cost assessments in accordance with Section 2433a of Title 10, U.S.C. for MDAPs that have experienced critical cost growth.
- d. Provides independent estimates of savings for MDAPs before a multiyear procurement is authorized by law and prior to multiyear procurement contract execution.
- e. Advises the USD(A&S) on the acceptability of candidate programs for use of Middle Tier of Acquisition procedures.
- f. Coordinates with the USD(A&S), USD(R&E), and USD(I&S) in fulfilling the Director's role as the principal official responsible for assessments of SAP and compartmented intelligence programs, consistent with Section 139a. of Title 10, U.S.C.

3.8. USD(P&R).

The USD(P&R) coordinates with the USD(A&S) on:

- a. The inclusion of training considerations throughout the acquisition process ensuring concurrent development and sustainment of training capabilities with a system.
- b. Actions or activities that may affect the training capabilities of MDAPs or major automated information systems.
- c. Policies holding acquisition managers responsible for ensuring that embedded training capabilities are properly integrated into training and into training management network environments.
- d. Oversight of DoD-wide installation facilities and environmental programs to support the training mission.

3.9. DIRECTOR, OPERATIONAL TEST AND EVALUATION.

The Director, Operational Test and Evaluation submits reports of operational and live fire tests and evaluations carried out on MDAPs to the USD(A&S) and the USD(R&E), and other senior officials as needed, in accordance with Sections 2366 and 2399 of Title 10, U.S.C.

3.10. OSD PSAS AND DOD COMPONENT HEADS.

The OSD PSAs and DoD Component heads coordinate with the USD(A&S) on matters under their purview related to the responsibilities, functions, and authorities assigned to the USD(A&S) in this issuance.

3.11. DOD COMPONENT HEADS.

In addition to the responsibilities in Paragraph 3.10., the DoD Component heads:

- a. Consult the USD(A&S) before assigning an officer or employee to serve as a program executive officer or a program manager, or reassigning an officer or employee so serving, for any program where the USD(A&S) is the MDA.
- b. Consult the USD(A&S) before assigning an officer or employee to serve as a Chief, Office of Defense Cooperation or Security Assistance Organization, or for any others performing the functions of Defense Attaché Office or Security Assistance Organization to countries with existing Defense Cooperation in Armaments programs, or reassigning an officer or employee so serving.

3.12. OFFICE OF THE DNI AND IC ELEMENTS.

The USD(A&S) will conduct joint acquisition oversight with DDNI/EC, or the DNI-designated MDA, and deliver joint direction and guidance to all wholly or majority National Intelligence Program-funded acquisition programs. Joint review and assessment of program execution against MDA-approved baselines for cost, schedule, and performance will be conducted, and the co-MDAs may conduct a more detailed joint program review for that acquisition and take actions as necessary to improve program performance when necessary.

SECTION 4: AUTHORITIES

Pursuant to the authority vested in the Secretary of Defense, and subject to his or her authority, direction, and control, and in accordance with DoD policies and issuances, the USD(A&S) is hereby delegated authority to exercise, within assigned responsibilities and functions, all authority of the Secretary of Defense derived from statute, E.O., or interagency agreement, except where specifically limited by statute or E.O. to the Secretary of Defense. The USD(A&S) is specifically delegated authority to:

a. Establish DoD policy, through DoDIs, Directive-type Memorandums (DTMs), and rules published in the Federal Register, within the authorities and responsibilities assigned in this issuance and in accordance with DoDI 5025.01 or Administrative Instruction (AI) 102.

(1) In those documents, assign responsibilities related to the authorities and responsibilities in this issuance to other OSD PSAs and the DoD Component heads. Assignment of responsibilities in DoD issuances or rules published in the Federal Register to Military Department officials must be made through the Secretaries of those Departments. DoD issuances or rules published in the Federal Register assigning responsibilities to the Combatant Commands must be coordinated with the CJCS.

(2) DoDIs and DTMs must be fully coordinated in accordance with DoDI 5025.01. Rules published in the Federal Register must be fully coordinated with impacted OSD and DoD Component heads and be consistent with AI 102.

(3) This authority may not be redelegated.

b. Approve other DoDIs, DoD Manuals, and DTMs, in areas of assigned responsibilities and functions, that implement policy already established by a DoDD, DoDI, DTM, or policy memorandum issued by the Secretary or Deputy Secretary of Defense.

(1) In those documents, assign responsibilities related to the authorities and responsibilities in this issuance to other OSD PSAs and the DoD Component heads. Assignment of responsibilities in these DoD issuances to Military Department officials must be made through the Secretaries of those Departments. DoD issuances assigning responsibilities to the Combatant Commands must be coordinated with the CJCS.

(2) Such documents must be fully coordinated in accordance with DoDI 5025.01.

(3) This authority may only be further delegated to officials as specified in DoDI 5025.01.

c. Approve Federal Register publication of significant guidance documents as defined in E.O. 13891 and determined by the OMB. This authority may not be redelegated.

d. Approve the Federal Register publication of documents other than rules and significant guidance documents (e.g., notices, orders, and non-significant guidance documents as defined by E.O. 13891 and determined by the OMB), in accordance with AI 102. Unless otherwise

restricted by law, this authority may be further delegated only in writing to officials at or above the level of a general or flag officer, Senior Executive Service member, or equivalent.

e. Reissue, when necessary, in accordance with DoDI 5025.01, Chartering DoDDs for those OSD officials who were appointed by the President with the advice and consent of the Senate and who are under the authority, direction, and control of the USD(A&S). This authority may not be redelegated. The Chief Management Officer of the Department of Defense continues to develop and maintain these chartering DoDDs, in accordance with DoDI 5025.01.

f. Communicate directly with the DoD Component heads, as necessary, to carry out assigned responsibilities and functions, including transmitting requests for advice and assistance. Communications to Military Department officials must be transmitted through the Secretaries of the Military Departments or as otherwise provided in law or directed by the Secretary of Defense in other DoD issuances. Communications to the Combatant Commanders must be in accordance with DoDD 5100.01.

g. Communicate with other government officials, tribal governments, members of the public, and representatives of foreign governments, as appropriate, in carrying out assigned responsibilities and functions. Communications with representatives and members of the Legislative Branch must be conducted through the Office of the Assistant Secretary of Defense for Legislative Affairs, except for communications with the Defense Appropriations Committees, which must be coordinated with the Office of the USD(C)/CFO.

h. Communicate with departments and agencies of the Executive Branch, and Congress on SAP matters under USD(A&S) cognizance or oversight. For all SAP matters, the USD(A&S) must conduct communications with departments and agencies of the Executive Branch and Congress in accordance with DoDD 5205.07.

i. Obtain reports and information, in accordance with DoDI 8910.01, as necessary, to carry out assigned responsibilities and functions.

j. Establish arrangements for DoD participation in non-DoD governmental programs for which the USD(A&S) is assigned primary DoD cognizance.

k. Enter into support agreements, as required for the effective performance of responsibilities and functions assigned to the USD(A&S), in accordance with DoDI 4000.19 and the February 13, 2020 Deputy Secretary of Defense Memorandum.

l. Decide the appropriate implementing actions to be taken for programs where the USD(A&S) is the MDA and at the milestone decisions, or equivalents, within the cognizance of the USD(A&S). The USD(A&S) decisions will be reflected in an Acquisition Decision Memorandum issued by the USD(A&S) for implementation by the DoD Component heads.

m. In coordination with the appropriate Service or Component Acquisition Executive, direct the USD(C)/CFO to withhold the release of funds to an acquisition program when the USD(A&S) is the MDA and determines that such direction is necessary to ensure that the program meets the exit criteria established by the Secretary of Defense or the USD(A&S). The USD(A&S) will first coordinate with the USD(I&S) before directing a withhold on the Joint

Military Intelligence Program. The USD(A&S) may not redelegate the authority granted by this paragraph to anyone other than the Deputy USD(A&S).

n. Approve the implementation plan, in accordance with Section 1706 of Title 10, U.S.C., after consultation with the USD(R&E) where appropriate, for leadership positions in MDAP management.

o. On a case-by-case basis, and in accordance with Section 1737 of Title 10, U.S.C., approve waivers of the acquisition workforce requirements for Defense Agencies and DoD Components other than the Military Departments, with respect to the assignment of an individual to a critical acquisition position.

p. Approves specific obligations of funds for MDAPs that have entered system development and demonstration (i.e., engineering and manufacturing development) without an approved program baseline description, consistent with Section 2435(b) of Title 10, U.S.C.

q. Establish, in accordance with Section 1725 of Title 10, U.S.C., one or more positions to be known as “Senior Military Acquisition Advisor.”

r. Waive the requirement to use commercial or non-government standards in lieu of military specifications and standards in limited circumstances, consistent with Section 875 of P.L. 114-328.

s. Determine in writing that an undefinitized contract action may extend beyond 90 days due to the best interests of the DoD, consistent with Section 2326 of Title 10, U.S.C.

t. Review and approve a Military Department’s proposal to withdraw from or significantly reduce participation in a joint program previously approved by the USD(A&S) or predecessor official, in accordance with Section 2311 of Title 10, U.S.C.

u. Exercise all authorities delegated to the Secretary of Defense by the Department of Commerce for the Defense Priorities and Allocations System (DPAS) Delegation No. 1, as amended and Title 15, Code of Federal Regulations (CFR) Appendix Schedule I, Part 700 - Approved Programs and Delegate Agencies. In addition, exercise the authorities delegated to the Secretary of Defense by E.O. 12742.

v. Act for the Secretary of Defense in the exercise of extraordinary contractual action authority, pursuant to P.L. 85-804, in accordance with E.O. 10789, and Part 50 of Federal Acquisition Regulation.

w. Grant the authority to enter into other transaction agreements for prototype projects, in accordance with Section 2371b of Title 10, U.S.C.

x. Make Secretarial determinations, justifications, and approvals on behalf of the Defense Contract Management Agency, the Defense Logistics Agency, DTRA, the Office of Economic Adjustment, the Defense Acquisition University, and on behalf of other DoD Components to the extent the matter is within the responsibilities of the USD(A&S), under Title 10, U.S.C., with the authority to re-delegate to the heads of those organizations, and other organizations as may be

assigned to the USD(A&S), as appropriate. Previous delegations remain in effect unless expressly rescinded in writing by the USD(A&S).

y. Act for the Secretary of Defense in making determinations and authorizing waivers, in accordance with Sections 8301-8305 of Title 41, U.S.C., also known as the “Buy American Act.”

z. Act for the Secretary of Defense on delegations of authority to him or her by the U.S. Trade Representative to waive the prohibition against procurement from certain countries, pursuant to Sections 2511 *et seq.* of Title 19, U.S.C., also known as the “Trade Agreements Act of 1979”; and E.O. 12260.

aa. Act for, and exercise the powers of, the Secretary of Defense on requests for waiver of the navigation and vessel inspection laws of the United States, under P.L. 81-891 (64 Stat. 1120), except on those matters that have been delegated by the Secretary of Defense to the Secretary of the Army.

ab. Act for, and exercise the powers of, the Secretary of Defense with regard to charter air transportation of members of the armed forces under Section 2460 of Title 10, U.S.C.

ac. Make recommendations to the Department of Energy in connection with facilities for transmission of electric energy and natural gas across U.S. borders, pursuant to the authority given the Secretary of Defense in E.O.s 10485 and 12038.

ad. Exercise all responsibilities and authorities of the Secretary of Defense, in accordance with Section 2922e of Title 10, U.S.C., pertaining to the acquisition, exchange, and sale of defined fuel sources and services, and in accordance with Section 2922a of Title 10, U.S.C., pertaining to long term energy contracts and providing for energy production facilities on real property under the jurisdiction of the Secretary of Defense.

ae. Make the determination required by Section 1512(l) of Title 50, U.S.C., on transportation, testing, or disposal of any lethal chemical or any biological warfare agent.

af. Make written determinations for conduct of all closed meetings of Federal Advisory Committees under his or her cognizance as prescribed by Appendix II of Section 10(d) of Title 5, U.S.C., also known as the “Federal Advisory Committee Act.”

ag. Act for the Secretary of Defense in the implementation of OMB Circular No. A-76, except for those functions delegated to the USD(P&R) in DoDD 1100.4.

ah. With the exception of the determination of highly sensitive classified programs, which is retained by the Secretary of Defense, exercise the responsibilities and authorities of the Secretary of Defense to designate MDAPs, as defined in Section 2430 of Title 10, U.S.C.

ai. Act for the Secretary of Defense in making certifications, providing reports, and approving waivers for MDAPs and major systems required by Title 10, U.S.C. This authority includes, but is not limited to:

(1) Submitting Selected Acquisition Reports (SARs), in accordance with Section 2432 of Title 10, U.S.C., including notifications of SAR waivers and research, development, test, and evaluation-only SARs.

(2) Making and submitting certifications required by Sections 2433 and 2433a of Title 10, U.S.C.

aj. Exercise all authorities delegated to the Secretary of Defense by E.O. 12580, on responses to releases of hazardous substances for DoD facilities and vessels, pursuant to Section 9601 *et seq.* of Title 42, U.S.C., also known as the “Comprehensive Environmental Response, Compensation, and Liability Act.”

ak. Exercise all responsibilities and authority of the Secretary of Defense, pursuant to Section 2701 of Title 10, U.S.C., relating to the Defense Environmental Restoration Program.

al. Exercise the authority of the Secretary of Defense, pursuant to Section 2354 of Title 10, U.S.C., for the DoD Components other than the Military Departments.

am. Serve on and attend meetings of the Federal Acquisition Regulatory Council. The Deputy USD(A&S) will serve in the absence of the USD(A&S).

an. Perform the functions and responsibilities with the authority to review and approve or disapprove regulations relating to procurement pursuant to Section 1303 of Title 41 U.S.C. This authority may not be redelegated to any person outside the Office of the USD(A&S).

ao. Exercise the authority of the Secretary of Defense, pursuant to Section 2350a of Title 10, U.S.C., with respect to cooperative research and development program determinations, and Section 2350b of Title 10, U.S.C., with respect to North Atlantic Treaty Organization Cooperative Projects, as defined in Section 27 of Title 22, U.S.C., also known as “the Arms Export Control Act.” The authority to make determinations as authorized in Section 2350a(b)(2) of Title 10, U.S.C., and grant waivers as authorized in Section 2350b(c)(3) of Title 10, U.S.C., may not be redelegated.

ap. Exercise all powers and duties of the Secretary of Defense, pursuant to Section 2535 of Title 10, U.S.C., to provide a comprehensive and continuous defense industrial reserve program.

aq. Act for the Secretary of Defense in the exercise of authority, pursuant to Section 98 *et seq.* of Title 50, U.S.C., also known as “the Strategic and Critical Materials Stock Piling Act,” in accordance with E.O. 12626.

ar. Act for the Secretary of Defense, in accordance with the authority of Section 501 of Title 40, U.S.C., and Part 102-82.25 of Title 41, CFR, or under any other Delegation of Authority that may hereafter the date of the U.S.C., and CFR citations be made by the Administrator of General Services, to enter into contracts for public utility services for a period not to exceed 10 years.

as. Exercise all authorities delegated to the Secretary of Defense by E.O. 12777 relating to responsibilities of federal trustees for natural resources pursuant to Section 311 of Section 1321

of Title 33, U.S.C., also known as the “Federal Water Pollution Control Act,” and Section 2701, et. seq. of Title 33, U.S.C., also known as “the Oil Pollution Act of 1990.”

at. Act for the Secretary of Defense in the exercise of authority in accordance with P.L. 105-270, also known as “the Federal Activities Inventory Reform Act of 1998.”

au. Exercise all responsibilities and authorities of the Secretary of Defense, pursuant to Sections 2914 and 2925 of Title 10, U.S.C., for the conduct of the Energy Resilience and Conservation Investment Program, the Energy Annual Report, and other energy management matters.

av. Act for the Secretary of Defense to comply with Statute 3206 of P.L. 95-619.92 and Sections 8251, 6361, and 8252 et. seq., Title 42 U.S.C., (also known as the “National Energy Conservation Policy Act”), as amended by Statute 101 of P.L. 109-58, P.L. 110-140, and Section 301 of Title 3, U.S.C., and E.O. 13834. This directs that agencies will meet such statutory requirements in a manner that increases efficiency, optimizes performance, eliminates unnecessary use of resources, and protects the environment.

aw. Exercise all responsibilities and authorities of the Secretary of Defense concerning the privatization of DoD utility systems, pursuant to Section 2688 of Title 10, U.S.C.

ax. Exercise all responsibilities of the Secretary of Defense, in accordance with Section 2222 of Title 10, U.S.C., concerning the review, approval, and oversight of the planning, design, acquisition, deployment, operation, maintenance, and modernization of any defense business systems the primary purpose of which is to support DoD acquisition, logistics, and/or installations and environment activities.

ay. Advise the Secretary of Defense on DoD use of energy and exercise all responsibilities and authorities of the Secretary of Defense concerning energy, in accordance with Sections 2911-2926 of Title 10, U.S.C., and, pursuant to Section 6241 of Title 42, U.S.C., regarding drawdown of the Strategic Petroleum Reserve.

az. In consultation with the CJCS, exercise the authority of the Secretary of Defense, in accordance with Section 2333 of Title 10, U.S.C., to develop joint policies for requirements definition, contingency program management, and contingency contracting during combat operations and post-conflict operations.

ba. Act for the Secretary of Defense in implementing Sections 841-843 of P.L. 113-291, also known as “Never Contract with the Enemy.”

bb. In coordination with the USD(I&S), act for the Secretary of Defense in making determinations of unacceptable risk to the U.S. national security and for making final findings on geographic areas of concern in accordance with Section 183a of Title 10, U.S.C.

bc. Act for the Secretary of Defense in designating countries as eligible for cross-servicing agreements, in accordance with Subchapter I, Chapter 138, Sections 2341-2350 of Title 10, U.S.C., upon appropriately:

- (1) Coordinating with the USD(P) and the GC DoD.
- (2) Consulting with the Department of State.
- (3) Notifying the appropriate Congressional committees.

bd. Act for the Secretary of Defense to conclude acquisition and cross-Service agreements in accordance with Subchapter I, Chapter 138, Sections 2341-2350 of Title 10, U.S.C., upon appropriately:

- (1) Coordinating with the GC DoD, USD(C)/CFO, and USD(P).
- (2) Consulting with the Department of State.
- (3) Authorizing the CJCS or other appropriate designees.

be. Act for the Secretary of Defense in complying with, making determinations under, and authorizing waivers from the policies and requirements of Section 318 of P.L. 107-107, also known as the “National Defense Authorization Act for Fiscal Year 2002,” relating to the procurement of light duty trucks.

bf. Certify, in accordance with Section 13212 of Title 42, U.S.C., that motor vehicles acquired and used for military purposes must be exempt from federal fleet alternative fuel vehicle acquisition requirements.

bg. In coordination with the USD(I&S), exercise all powers conferred upon the Secretary of Defense in accordance with Sections 181, 182, and 184 of Title 35, U.S.C., with respect to the secrecy of certain inventions and the withholding of patents.

bh. Oversee the implementation and execution of the programs and activities of the DoD CTR Program authorized in the relevant sections of Chapter 48 of Title 50, U.S.C., also known as the “Department of Defense Cooperative Threat Reduction (CTR) Act.” This authority may be delegated further, in writing, only to other civilian DoD officials appointed by the President with advice and consent of the Senate. DoD CTR Program programs and activities includes:

- (1) Establishment of acquisition procedures.
- (2) Expenditure of funds and allocation of resources.
- (3) Proponency for the related Planning, Programming, Budget, and Execution actions.

bi. Exercise the authority of the Secretary of Defense, pursuant to Section 2373 of Title 10, U.S.C.

GLOSSARY

G.1. ACRONYMS.

ACRONYM	MEANING
AI	Administrative Instruction
ACAT	Acquisition Category
ASD	Assistant Secretary of Defense
ASD(A)	Assistant Secretary of Defense for Acquisition
ASD(S)	Assistant Secretary of Defense for Sustainment
ASD(NCB)	Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs
CFR	Code of Federal Regulations
CJCS	Chairman of the Joint Chiefs of Staff
CTR	Cooperative Threat Reduction
DAE	Defense Acquisition Executive
DAS	Defense Acquisition System
DCAPE	Director of Cost Assessment and Program Evaluation
DDNI/EC	Deputy Director for National Intelligence for Enterprise Capacity
DNI	Director for National Intelligence
DoD CIO	Chief Information Officer of the Department of Defense
DoDD	DoD directive
DoDI	DoD instruction
DTM	directive-type memorandum
DTRA	Defense Threat Reduction Agency
E.O.	Executive Order
GC DoD	General Counsel of the Department of Defense
IC	Intelligence Community
IT	information technology
MDA	Milestone Decision Authority
MDAP	Major Defense Acquisition Program
MSA	Major System Acquisition
NAD	National Armaments Director
OMB	Office of Management and Budget
OUSD(A&S)	Office of the Under Secretary of Defense for Acquisition and Sustainment

ACRONYM	MEANING
P.L.	Public Law
PNT	Positioning, Navigation, and Timing
PSA	Principal Staff Assistant
SAE	Service Acquisition Executive
SAP	Special Access Program
SAR	Selected Acquisition Report
U.S.C.	United States Code
USD(A&S)	Under Secretary of Defense for Acquisition and Sustainment
USD(C)/CFO	Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense
USD(I&S)	Under Secretary of Defense for Intelligence and Security
USD(P)	Under Secretary of Defense for Policy
USD(P&R)	Under Secretary of Defense for Personnel and Readiness
USD(R&E)	Under Secretary of Defense for Research and Engineering

G.2. DEFINITIONS.

These terms and their definitions are for the purpose of this issuance.

TERM	DEFINITION
acquisition	The conceptualization, initiation, design, development, test, contracting, production, deployment, integrated product support, modification, and disposal of weapons and other systems, supplies, or services (including construction) to satisfy DoD needs, intended for use in, or in support of, military missions.
ACAT	Categories established to facilitate decentralized decision making and execution and compliance with statutorily imposed requirements. The categories determine the level of review, decision authority, and applicable procedures. ACAT categories include: ACAT I, ACAT II, ACAT III, ACAT IV (Navy and Marine Corps only), and Abbreviated Acquisition Program (Navy and Marine Corps only).

TERM	DEFINITION
Acquisition Strategy	Describes the Program Manager's plan to achieve program execution and programmatic goals across the entire program life cycle. Summarizes the overall approach to acquiring the capability (to include the program schedule, structure, risks, funding, and the business strategy). Contains sufficient detail to allow senior leadership and the MDA to assess whether the strategy makes good business sense, effectively implements laws and policies, and reflects management's priorities. Once approved by the MDA, the Acquisition Strategy provides a basis for more detailed planning. The strategy evolves over time and should continuously reflect the current status and desired goals of the program.
DAE	The individual responsible for supervising the DAS. The DAE takes precedence on all acquisition matters after the Secretary and Deputy Secretary of Defense.
DAS	The management process by which the DoD provides effective, affordable, and timely systems to the users. Approaches, phases, activities, and major decision points are defined within the Adaptive Acquisition Framework defined in DoDI 5000.02.
industrial base	That part of the total private- and government-owned industrial production and depot-level equipment and maintenance capacity in the United States and its territories and possessions and Canada. It is or will be made available in an emergency for the manufacture of items required by the U.S. military services and selected allies.
Joint Requirements Oversight Council	A organization that assists the CJCS in identifying, assessing, and validating joint military requirements to meet the National Defense Strategy, and in identifying the core mission area associated with each requirement, ensuring consideration of trade-offs among cost, schedule, and performance objectives for joint military requirements, in establishing and assigning priority levels for joint military requirements.
logistics	Planning and executing the movement and support of forces.
MDAP	An acquisition program within the meaning of Section 2430 of Title 10, U.S.C.

TERM

DEFINITION

MDA

Designated individual with overall responsibility for a program. The MDA will have the authority to approve entry of an acquisition program into the next phase of the acquisition process and will be accountable for cost, schedule, and performance reporting to higher authority, including Congressional reporting.

REFERENCES

- Administrative Instruction 102, “Office of the Secretary of Defense (OSD) Federal Register (FR) System,” November 6, 2006, as amended
- Code of Federal Regulations, Title 15
- DoD Directive 1100.4, “Guidance for Manpower Management,” February 12, 2005
- DoD Directive 2060.02, “DoD Countering Weapons of Mass Destruction (WMD) Policy,” January 27, 2017
- DoD Directive 5000.01, “The Defense Acquisition System,” May 12, 2003, as amended
- DoD Directive 5100.01, “Functions of the Department of Defense and Its Major Components,” December 21, 2010
- DoD Directive 5101.1, “DoD Executive Agent,” September 3, 2002, as amended
- DoD Directive 5105.62, “Defense Threat Reduction Agency (DTRA),” April 24, 2013, as amended
- DoD Directive 5111.13, “Assistant Secretary of Defense for Homeland Defense and Global Security (ASD(HD&GS)),” March 23, 2018
- DoD Directive 5134.08, “Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs (ASD(NCB)),” January 14, 2009, as amended
- DoD Directive 5137.02, “Under Secretary of Defense for Research and Engineering (USD(R&E)),” July 15, 2020
- DoD Directive 5230.11, “Disclosure of Classified Military Information To Foreign Governments and International Organizations,” June 16, 1992
- DoD Directive 5205.07, “Special Access Program (SAP) Policy,” July 1, 2010, as amended
- DoD Instruction 2040.02, “International Transfers of Technology, Articles, and Services,” March 27, 2014, as amended.
- DoD Instruction 4000.19, “Support Agreements,” April 25, 2013, as amended
- DoD Instruction 5000.02, “Operation of the Adaptive Acquisition Framework,” January 23, 2020
- DoD Instruction 5025.01, “DoD Issuances Program,” August 1, 2016, as amended
- DoD Instruction 5230.28, “Policy for Low Observable (LO) and Counter Low Observable (CLO) Programs,” December 28, 2016, as amended
- DoD Instruction 8910.01, “Information Collection and Reporting,” May 19, 2014
- DoD Manual 5200.01, Volume 3, “DoD Information Security Program: Protection of Classified Information,” February 24, 2012, as amended
- Department of Defense Strategy for Countering Weapons of Mass Destruction, June 2014
- Executive Order 10485, “Providing for the performance of certain functions heretofore performed by the President with respect to electric power and natural gas facilities located on the borders of the United States,” September 3, 1953
- Executive Order 10789, “Authorizing Agencies of the Government to Exercise Certain Contracting Authority in Connection with National Defense Functions and Prescribing Regulations Governing the Exercise of Such Authority,” November 14, 1958

Executive Order 12038, "Relating to certain functions transferred to the Secretary of Energy by the Department of Energy Organization Act," February 3, 1978

Executive Order 12260, "Agreement on Government Procurement," December 31, 1980

Executive Order 12580, "Superfund Implementation," January 23, 1987

Executive Order 12626, "National Defense Stockpile Manager," February 25, 1988

Executive Order 12742, "National Security Industrial Responsiveness," January 8, 1991

Executive Order 12777, "Implementation of Section 311 of the Federal Water Pollution Control Act of October 18, 1972, as Amended, and the Oil Pollution Act of 1990," October 18, 1991

Executive Order 12931, "Federal Procurement Reform," October 13, 1994

Executive Order 13834, "Efficient Federal Operations," May 17, 2018

Executive Order 13891, "Promoting the Rule of Law through Improved Agency Guidance Documents," October 9, 2019

Federal Acquisition Regulation, Part 50

Memorandum of Understanding Between the Department of the Defense and the Department of the Interior, June 25, 2018

Office of Management and Budget Circular No. A-76, "Performance of Commercial Activities," August 4, 1983, as amended

Office of Management and Budget Circular No. A-109, "Major System Acquisitions," April 5, 1976

Public Law 85-804, "An Act to Authorize the Making, Amendment, and Modification of Contracts to Facilitate the National Defense," August 28, 1958

Public Law 95-619.92, Statute 3206, "National Energy Conservation Policy Act," November 9, 1978

Public Law 101-510, Title XII, "The Defense Workforce Improvement Act of 1990," November 5, 1990, as amended

Public Law 101-510, Title XXIX, "The Defense Base Closure and Realignment Act of 1990," November 5, 1990, as amended

Public Law 102-484, Section 330, "The National Defense Authorization Act for Fiscal Year 1993," October 23, 1992

Public Law 105-270, "Federal Activities Inventory Reform Act of 1998," October 19, 1998

Public Law 107-107, "The National Defense Authorization Act for Fiscal Year 2002," December 18, 2001

Public Law 108-458, "The 2004 Intelligence Reform and Terrorism Prevention Act," December 17, 2004

Public Law 110-181, "National Defense Authorization Act for Fiscal Year 2008," January 28, 2008

Public Law 113-291, "Never Contract with the Enemy," December 19, 2014

Public Law 116-92, "The National Defense Authorization Act for Fiscal Year 2020," December 20, 2019

Deputy Secretary of Defense Memorandum, "Delegation of Authority for OSD Component Heads to Enter into Support Agreements," February 13, 2020

United States Code, Title 3, Section 301
United States Code, Title 5, Appendix II of Section 10(d)
United States Code, Title 10
United States Code, Title 19
United States Code, Title 22
United States Code, Title 31, Section 1126
United States Code, Title 33
United States Code, Title 35
United States Code, Title 40, Section 501
United States Code, Title 41
United States Code, Title 42
United States Code, Title 44, Section 3554
United States Code, Title 50