THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

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MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
ATTENTION: SERVICE ACQUISITION EXECUTIVES
DIRECTORS, DEFENSE AGENCIES

SUBJECT: Functional Independence of Contracting Officers

This memorandum reissues and supersedes the Under Secretary of Defense for Acquisition memorandum of June 2, 1993, on the same subject. Contracting officers provide vital support to program offices and to other requiring activities in the acquisition process. A good working relationship among all personnel involved in the acquisition process is critical to efficiently and effectively meet our defense needs.

In particular, expertise in the contracting field requires knowledge of a large number of laws, regulations, directives and instructions, as well as the skill and experience to operate successfully in a business environment. The proper exercise of this expertise requires the ability to act independently without improper influence on business decisions. Such independence does not imply a lack of support for the rest of the acquisition matrix. On the contrary, the best support that can be given by the contracting staff is the competent exercise of contracting skills involving sound business judgment.

To retain a degree of independence that allows unbiased advice based on the principles of sound business, contracting officers' evaluations will be performed within their own career program channels. The only exception will be the performance evaluation of the senior official in charge of contracting for the organization, such as the head of the contracting office. However, this exception is not appropriate when the senior official in charge of contracting is the primary contracting officer for the contracts executed within that office. Such a performance evaluation process is not inconsistent with providing support to program managers and others in the requiring community. It should be routine practice to seek input from program managers when evaluating contracting personnel.

Please share this memorandum with all of your acquisition communities. My point of contact is Ms. Teresa Brooks at teresa.brooks@osd.mil or (703) 681-8309.

Michael W. Wynne
Acting