



OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-3000

MAY 16 2013

ACQUISITION,  
TECHNOLOGY  
AND LOGISTICS

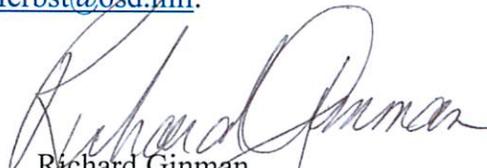
MEMORANDUM FOR COMMANDER, UNITED STATES SPECIAL OPERATIONS  
COMMAND (ATTN: ACQUISITION EXECUTIVE)  
COMMANDER, UNITED STATES TRANSPORTATION  
COMMAND (ATTN: ACQUISITION EXECUTIVE)  
DEPUTY ASSISTANT SECRETARY OF THE ARMY  
(PROCUREMENT)  
DEPUTY ASSISTANT SECRETARY OF THE NAVY  
(ACQUISITION AND PROCUREMENT)  
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE  
(CONTRACTING)  
CHIEF OF NAVAL RESEARCH  
DIRECTORS OF THE DEFENSE AGENCIES  
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: FY 2013 Consolidated Appropriations Provisions – ACORN Restriction

The purpose of this memorandum is to alert you to restrictions contained in Section 8098 of Division C, Department of Defense Appropriations Act, 2013, and Section 510 of Division E, Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013 of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6, hereafter referred to as “MilCon appropriations”). Sections 8098 and 510 both state “none of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.” These restrictions parallel limitations contained in the four previous DoD Appropriation Acts.

Sections 8098 and 510 therefore preclude contracting and grants officers from: (1) making new awards to ACORN or its subsidiaries using FY 2013 DoD or MilCon appropriations; (2) obligating FY 2013 DoD or MilCon appropriations on awards made previously to ACORN or its subsidiaries; and (3) approving payments to ACORN or its subsidiaries using FY 2013 DoD or MilCon appropriations under existing awards. Sections 8098 and 510 also preclude contractors or recipients from making obligations or payments of those appropriations to ACORN or its subsidiaries as subcontractors, recipients of subawards, or contractors under grants or other assistance awards. Awards subject to this restriction include contracts, grants, or other acquisition or assistance transactions.

My point of contact is Ms Sandra Ross, 703-695-9774, or [Sandra.Ross@osd.mil](mailto:Sandra.Ross@osd.mil). Questions on grants, cooperative agreements, or other assistance transactions should be directed to Dr. Mark Herbst, 571-372-6547, or [Mark.Herbst@osd.mil](mailto:Mark.Herbst@osd.mil).

  
Richard Ginman  
Director, Defense Procurement  
and Acquisition Policy