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ACQUISITION AND TECHNOLOGY

August 17, 1998

DP(DAR)

In reply refer to
DFARS Case: 97-D038
D. L. 98-021

MEMORANDUM FOR DIRECTORS OF DEFENSE AGENCIES
DEPUTY FOR ACQUISITION AND BUSINESS MANAGEMENT, ASN(RD&A)/ABM
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE (CONTRACTING), SAF/AQC
DEPUTY ASSISTANT SECRETARY OF THE ARMY (PROCUREMENT)
DEPUTY DIRECTOR (ACQUISITION), DEFENSE LOGISTICS AGENCY

SUBJECT: Quality Assurance Among North Atlantic Treaty Organization (NATO) Countries

We have amended the Defense Federal Acquisition Regulation Supplement (DFARS) to delete the reference to the NATO Standardization Agreement (STANAG) 4108, to reflect changes in STANAG 4107, and to clarify that the United States ratified STANAG 4107 with certain reservations.

The attached final DFARS rule is effective immediately and will be published in a future Defense Acquisition Circular.

Eleanor Spector

Eleanor R. Spector
Director, Defense Procurement

Attachment

cc: DSMC, Ft. Belvoir

DFARS CASE 97-D038
Final Rule.

SUBPART 246.4—GOVERNMENT CONTRACT QUALITY ASSURANCE

246.406 Foreign governments.

(1) *Quality assurance among North Atlantic Treaty Organization (NATO) countries.*

~~(i) NATO Standardization Agreement (STANAG) 4107, Mutual Acceptance of Government Quality Assurance.~~

~~(A) STANAG 4107—~~

[(i) NATO Standardization Agreement (STANAG) 4107, Mutual Acceptance of Government Quality Assurance and Usage of the Allied Quality Assurance Publications—]

~~(1)~~**[(A)]** Contains **[the processes,]** procedures, terms, and conditions under which one NATO **[member nation]** ~~country~~ will perform quality assurance for another NATO **[member nation]** ~~country,~~ or ~~for a~~ NATO organization~~.~~**[;]**

[(B) Standardizes the development, updating, and application of the Allied Quality Assurance Publications; and]

~~(2)~~**[(C)]** ~~With certain reservations, h~~ **[H]**as been ratified by the United States and other nations in NATO **[with certain reservations identified in STANAG 4107]**.

~~(B)~~**[(ii)]** Departments and agencies **[shall follow STANAG 4107 when]**—

~~(1)~~**[(A)]** ~~May ask NATO countries~~ **[Asking a NATO member nation]** to perform quality assurance; **[or]**

~~(2)~~**[(B)]** ~~Shall perform quality assurance~~ **[Performing quality assurance]** when requested by a NATO ~~country~~ **[member nation or NATO organization]**.

~~(C) The U.S. Government reserves the right to require reimbursement for work it performs for other NATO countries and organizations.~~

~~(ii) NATO Standardization Agreement (STANAG) 4108, Allied Quality Assurance Publications.~~

~~(A) STANAG 4108 provides for the application of Allied Quality Assurance Publications (AQAPs).~~

~~(B) Its annexes list AQAPs and the criteria for applying those AQAPs which are required in contracts between NATO countries.~~

(2) *International military sales (non-NATO).*
Departments and agencies shall—

(i) Perform quality assurance services on international military sales contracts or in accordance with existing agreements;

(ii) Ensure conformance to the technical and quality requirements of international military sales contracts;

(iii) Inform host or U.S. Government personnel and contractors on the use of quality assurance publications;

(iv) Specify appropriate quality requirements in contracts awarded to other countries; and

(v) Delegate quality assurance to the host government when satisfactory services are available.

(3) *Reciprocal quality assurance agreements.*
A Memorandum of Understanding (MOU) with a foreign country may contain an annex that provides for the reciprocal performance of quality assurance services. MOUs should be checked to determine whether such an annex exists for the country where a defense contract will be performed. (See Subpart 225.~~74~~**[8]** for more information about MOUs.)