



OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

MAR 08 2016

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)
DIRECTORS, DEFENSE AGENCIES
DIRECTORS, DOD FIELD ACTIVITIES

SUBJECT: Purchases from Federal Prison Industries - Updated List of Federal Supply
Classification (FSC) Codes to be Competed

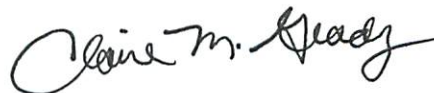
Section 827 of the National Defense Authorization Act for Fiscal Year (FY) 2008, Public Law 110-181, amended 10 U.S.C. 2410n to require the Department of Defense (DoD) to publish a list of product categories for which the Federal Prison Industries' (FPI) share of the DoD market is greater than five percent. We have issued the list annually since 2008.

The updated list of product categories for which FPI's share of the DoD market is greater than five percent is based on FY 2015 data from the Federal Procurement Data System and is attached. The product categories and the products within each of the identified product categories must be procured using competitive (or fair opportunity) procedures in accordance with Defense Federal Acquisition Regulation Supplement (DFARS) 208.602-70. Contracting officers shall consider a timely offer from FPI for any of the product categories on the list when conducting the competition. FPI must be included, even if the procurement would have been a set-aside in accordance with Federal Acquisition Regulation (FAR) Part 19. In addition, an award must be made in accordance with the policy at FAR Subparts 8.602(a)(4)(ii) through (v). For a competitive solicitation, if the FPI item is determined to provide the best value to the Government, the ordering procedures at <http://www.unicor.gov> should be followed.

The attached list shall apply to new solicitations and the resultant contracts/orders, issued 30 days after the date of this memorandum. The attached list will supersede the current list and will be posted on the DPAP website at:
http://www.acq.osd.mil/dpap/cpic/cp/specific_policy_areas.html#federal_prison.

If an FSC is not identified on the attached list, FPI currently does not have a significant market share and contracting officers should follow the procedures at FAR Subpart 8.6.

My staff point of contact for FPI procurement policy is Ms. Sheila Harris, 703-614-1333 or sheila.y.harris.civ@mail.mil.

A handwritten signature in black ink that reads "Claire M. Grady". The signature is written in a cursive, flowing style.

Claire M. Grady
Director, Defense Procurement
and Acquisition Policy

Attachment:
As stated

**Products for which Federal Prison Industries (FPI) has a Significant Market Share:
 Current Federal Supply Classification (FSC) Codes
 Reference DFARS 208.602.70 (b)
 Effective Date: April 7, 2016**

PSC to be Competed	
H946	Other QC/Test/Inspect–Water Purification & Sewage Treatment Equipment
L071	Technical Representative – Furniture
3990	Miscellaneous Materials Handling Equipment
7210	Household Furnishings
7230	Draperies, Awnings, and Shades
8405	Outerwear, Men’s
8410	Outerwear, Women’s
8415	Clothing, Special Purpose
8470	Armor, Personal
9905	Signs, Advertising Displays, and Identification Plates

- Based on Fiscal Year 2015 data from the Federal Procurement Data System.
- If an FSC is not identified in the list above, FPI does not currently have a significant market share and must be acquired in accordance with FAR Subpart 8.6.