



DEPARTMENT OF THE NAVY

NAVAL FACILITIES ENGINEERING COMMAND
200 STOVALL STREET
ALEXANDRIA, VA 22332

IN REPLY REFER TO
ACQ 021
22 May 1998

From: Commander, Naval Facilities Engineering Command
To: Distribution

Subj: USE OF GSA GOVERNMENT-WIDE INFORMATION TECHNOLOGY (IT)
PROGRAMS (98-26)

Encl: (1) ASN(RD&A)/ABM memo of 1 May 98

1. Enclosure (1) provides clarification regarding orders placed under GSA government-wide IT programs. Please ensure acquisition personnel are advised that orders under these programs are not Economy Act orders and therefore do not require a Determination and Findings (D&F).

A handwritten signature in black ink, appearing to read "Michael F. Howard".

MICHAEL F. HOWARD
Director, Strategic Operations



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
RESEARCH, DEVELOPMENT AND ACQUISITION
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

MAY 1 1998

MEMORANDUM FOR DISTRIBUTION

Subj: USE OF GSA GOVERNMENT-WIDE INFORMATION TECHNOLOGY (IT)
PROGRAMS

End: (1) DOD, Office of General Counsel letter of 16 Dec 1997

Enclosure (1) is provided as clarification of existing authority for acquiring IT through the General Services Administration (GSA). Questions have been raised since repeal of the Brooks Act regarding the necessity for interagency Economy Act Determinations and Findings (D&Fs) supporting orders for IT from the GSA. Enclosure (1) makes clear that orders under programs that are funded through the Information Technology Fund do not require such D&Fs since they are not "Economy Act orders." The Information Technology Fund, established at 40 U.S.C. 757, is a revolving fund, which is used to support GSA's authorized, government-wide IT programs.

Please ensure that all your acquisition personnel are advised that DoN activities are authorized to obtain IT resources through GSA programs funded through the Information Technology Fund, as provided by the Office of Management and Budget in its memorandum of August 2, 1996.

Elliott B. Branch

Elliott B. Branch
Executive Director
Acquisition & Business Management

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Subj: USE OF GSA GOVERNMENT-WIDE INFORMATION TECHNOLOGY (IT)
PROGRAMS

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DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1800 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600



16 DEC 1997

The Honorable Emily C. Hewitt
General Counsel
General Services Administration
Washington, D. C. 20405

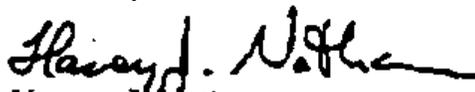
Dear Ms. Hewitt:

As you are well aware, questions have been raised by some DoD activities regarding their authority to obtain information technology resources from GSA programs that are funded through the Information technology Fund without using the authority of the Economy Act, 31 U.S.C. ss1535 and 1536. This office agrees with your conclusion that DoD activities may obtain information technology resources from GSA programs that are funded through the Information technology Fund without relying on the Economy Act.

In our view, DoD activities may obtain information technology from GSA programs that are funded through the Information Technology Fund as provided by the Office of Management and Budget in its memorandum of August 2, 1996. In that memorandum, GSA is designated under section 5112(e) of Division E of the Clinger-Cohen Act of 1996 (Pub. L. 104-106) (formerly the Information Technology Management Reform Act of 1996 (ITMRA)) as an executive agent for certain Government-wide acquisitions of information technology. This designation is effective through September 30, 1998 and applies to the Federal Systems Integration and Management Center (FEDSIM) and Federal Computer Acquisition Center (FEDCAC) programs, as well as to other then-existing government-wide information technology acquisition programs. The scope of the designation is limited to programs that are funded on a reimbursable basis through the Information Technology Fund established at 40 U. S. C. s757 and that have been, or may be, approved by OMB as part of the annual cost and capital plan for that fund.

I trust this letter will resolve lingering questions regarding application of the Economy Act to DoD use of GSA programs funded through the Information Technology Fund. In addition, we intend to provide assistance, as needed, as OMB continues to review a variety of matters dealing with the procurement of information technology pursuant to the Clinger-Cohen Act. If your, your staff, or other GSA officials need further assistance on this issue, please call Robert S. Gorman of my staff at (703) 697-5073.

Sincerely,


Harvey J. Nathan