

ACQUISITION LETTER

The Procurement Executive is issuing this Acquisition Letter through a delegation from the Secretary and under the authority of the Federal Acquisition Regulation (FAR), Section 1.301(a)(2).

*** * * Plain Language Note * * ***

In his memorandum dated June 1, 1998, the President directed the federal government to begin using plain language in its written communications. We are issuing this Acquisition Letter in a revised format to comply with the President's request and we welcome your comments on our approach, as well as your suggestions for additional ways we can simplify our written products. We are specifically interested in knowing if this new format clearly communicates procurement policy and is easier to understand. Please forward your comments to Kevin Smith in the Office of Procurement and Assistance Policy at kevin.m.smith@hq.doe.gov or at 202-586-8189.

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Subject: DOE Authorized Subcontract for Use by DOE Management and Operating Contractors with New Independent States' Scientific Institutes through the International Science and Technology Center

References:

DEAR 970.7103 - Contractor Purchasing System

When is this Acquisition Letter (AL) Effective?

This AL is effective 10 business days after the date of issuance.

When does this AL Expire?

This AL remains in effect until superseded or canceled.

Whom do you Contact for more Information?

Contact Robert Webb of the Office of Procurement and Assistance Policy at (202) 586-8264 or Robert.Webb@hq.doe.gov.

Visit our website at www.pr.doe.gov for information on Acquisition Letters and other policy issues.

What is the Purpose of this AL?

The purpose of this AL is to provide Contracting Officers a model subcontract for use by management and operating contractors (M&Os) that intend to enter into three-party subcontracts with the International Science and Technology Center (ISTC) and scientific institutes of the New Independent States (NIS) of the former Soviet Union.

What is the Background?

For several years DOE M&Os have entered into subcontracts for research and development services and other activities with NIS scientific institutes. For example, DOE programs, including the Initiatives for Proliferation Prevention Program (formerly the New Independent States-Industrial Partnering Program) and the Material, Protection, Control and Accounting Program have funded such subcontracts. These programs support the national security interest of preventing the proliferation of weapons of mass destruction by providing funds to NIS scientific institutes and their scientists.

The ISTC is an inter-governmental organization that was founded in 1992 by Russia, the United States, Japan, and the European Union to develop and finance projects to engage former NIS weapons scientists in activities with peaceful purposes. The Office of General Counsel has worked with the ISTC, DOE laboratories and the Office of Procurement and Assistance Management to draft a model three-party subcontract that may be used by DOE M&Os that wish to work with the ISTC. The intellectual property rights provisions are substantially the same as those set forth in AL 95-14, dated November 17, 1995.

What should Contracting Officers do?

DOE contracting officers should provide the attached model subcontract to M&Os for their use in subcontracting on a three party basis with the ISTC and scientific institutes of the NIS. This AL does not replace AL 95-14, which should continue to be used for bilateral subcontracts between M&Os and scientific institutes of the NIS, in subcontracts not including the ISTC.