



Department of Defense INSTRUCTION

NUMBER 4640.14

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ASD(C3I)

SUBJECT: Base and Long-Haul Telecommunications Equipment and Services

- References: (a) [DoD Directive 5137.1](#), Assistant Secretary of Defense for Command, Control, Communications, and Intelligence, March 27, 1990
- (b) [DoD Directive 5105.19](#), "Defense Information Systems Agency," June 25, 1991
- (c) [DoD Instruction 7041.3](#), "Economic Analysis and Program Evaluation for Resource Management," October 18, 1972
- (d) [DoD Directive 4640.13](#), "Management of Base and Long-Haul Telecommunications Equipment and Services," December 5, 1991
- (e) through (h), see enclosure 1

1. PURPOSE

This Instruction:

1.1. Establishes DoD policy guidelines, assigns responsibilities, and prescribes procedures to ensure effective, efficient, and economical use of base and long-haul telecommunications equipment and services.

1.2. Supplements DoD guidance in references (a), (b), (c), and (d).

1.3. Implements the telecommunications programs and initiatives in reference (d).

2. APPLICABILITY AND SCOPE

This Instruction applies to:

2.1. The Office of the Secretary of Defense, the Military Departments, the

Chairman of the Joint Chiefs of Staff and the Joint Staff, the Unified and Specified Commands, the Inspector General of the Department of Defense, the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components"). The term "Military Services," as used herein, refers to the Army, the Navy, the Air Force, and the Marine Corps.

2.2. All base and long-haul telecommunications services and equipment--including telecommunications components imbedded in automated data processing (ADP) systems and contractor-acquired telecommunications--administered, managed, acquired, operated, or used by the DoD Components.

3. DEFINITIONS

Terms used in this Instruction are defined in enclosure 2.

4. POLICY

It is DoD policy to acquire and use base and long-haul telecommunications equipment and services effectively, efficiently, and economically.

5. RESPONSIBILITIES

5.1. The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence shall:

5.1.1. Provide general policy and guidance for DoD base and long-haul telecommunications equipment and service acquisition and management to ensure effective and efficient use of those resources.

5.1.2. Provide adequate oversight of the base and long-haul functional area to ensure that policies are fully implemented to include any reporting requirements.

5.2. The Director, Defense Information Systems Agency, shall:

5.2.1. Manage and acquire long-haul telecommunications equipment and services for the Department of Defense. This includes determining which component (i.e., DDN, DSN) of the DCS or contract (i.e., FTS2000, new) that will satisfy the DoD Components' long-haul telecommunications requirements.

5.2.2. Establish a Defense Information Systems Agency (DISA) program that requires periodic market surveys to ensure that the most economical means are selected for satisfying all long-haul telecommunications requirements, consistent with applicable law and policy guidance.

5.2.3. Work with the DoD Components in planning for the most effective and economical long-haul telecommunications equipment and service acquisitions for the Department of Defense.

5.2.4. Develop, within 90 days of the effective date of this Instruction, a standard traffic management program that establishes standard procedures and criteria for ensuring optimal use of the long-haul telecommunications networks and base communications systems.

5.2.5. Establish procedures to continually review both general and special purpose long-haul telecommunications equipment and services to maximize efficiency and achieve economies. At a minimum, in conjunction with the Communications Industrial Fund-Resource Management Committee, review telecommunications billing methodology at least annually to ensure rationalization of expenses across the common-user systems and to create appropriate incentives for optimizing the economical use of DoD telecommunications assets.

5.2.6. Establish a central inventory of all long-haul telecommunications equipment and services, and establish standardized data elements and procedures for DoD-wide use. The central inventory should complement and be coordinated with the corporate information management effort. Establish and coordinate a DoD-wide cut-off date for accomplishment of the initial inventory. Establish a corrected baseline inventory by entering the results of the first inventory conducted by the DoD Components into the central database.

5.2.7. Develop, within 120 days of the effective date of this Instruction, a plan for the establishment of the central database. This plan will include the development of standardized data elements for the central database and the local base communications databases to ensure compatibility and interoperability between the databases. Develop an automated access system to the central database for DoD Component use in implementing their review and revalidation programs, reconciling their accounts, and optimizing their telecommunication services.

5.2.8. Provide the Office of the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence (OASD(C3I)), ATTN:

Telecommunication Networks Directorate, Washington, DC 20301, an annual summary report on long-haul telecommunications equipment and services that includes telecommunications services acquired, trends, and associated costs.

5.2.9. Establish procedures for implementing this Instruction. Copies of implementation procedures shall be forwarded to the OASD(C3I), ATTN: Telecommunication Networks Directorate, Washington, DC 20301.

5.2.10. Document, within 90 days of the effective date of this Instruction, the technical criteria that must be met for the DISA to recommend approval of a request for waiver from use of the DoD common-user systems. Update this documentation to keep pace with the evolving capabilities of the common-user systems.

5.3. The Heads of the DoD Components shall:

5.3.1. Establish a review and revalidation program for all base and long-haul telecommunications equipment and services that effectively implements the policy articulated in this Instruction, and ensures that only telecommunications equipment and services with a bona fide need are procured and that systems are maintained in a cost-effective configuration.

5.3.2. Establish a management system, compatible with the procedures and inventory database established under this Instruction, which includes conducting periodic market surveys to ensure that the most economical means are selected for satisfying all base and long-haul telecommunications requirements, consistent with applicable law and policy guidance.

5.3.3. Implement, within 1 year of the development of a standard traffic management program by the DISA, a Component traffic management program that uses the DISA-developed standards and criteria that optimizes base communications equipment use and services and complements the traffic management program being developed by the DISA.

5.3.4. Inventory, within 1 year of the development of a standard inventory database format, all leased base and long-haul voice, data, video, and/or integrated telecommunications equipment and services and conduct subsequent physical inventories at least every 2 years. Submit all required information, in accordance with standards and procedures to be developed by the DISA, for entry into the central database (see paragraph 5.2.5., above) and maintain the accuracy of the database information to within 30 days of service or equipment changes.

5.3.5. Establish with the DISA, within 1 year of the development of a standard inventory database format and concurrently with the first inventory, a database at the local and/or central level that includes an inventory of all base and long-haul telecommunications equipment and services. Provide updates to the appropriate database manager.

5.3.6. Promptly reconcile all base and long-haul communications invoices to the telecommunications services inventories and authorized acquisition documents before authorizing payment to ensure that the Department of Defense only pays for services received. To the maximum extent possible, this should include the use of automated billing systems with the telecommunications service providers.

5.3.7. Establish appropriate procedures in accordance with this Instruction.

6. PROCEDURES

6.1. Base Telecommunications Equipment and Services

6.1.1. The DoD Components shall acquire effective, efficient, and economical base telecommunications equipment and services. A lease versus purchase analysis shall be performed by the requesting Component or Agency to determine the most cost-effective acquisition strategy.

6.1.2. The DoD Components shall periodically, but not less than once a year, conduct market surveys to ensure that equipment and services are being acquired at the most economical cost available. Uneconomical contracts should be terminated.

6.1.3. Exempt-Procurements (10 U.S.C. 2315, reference (e)). Reference (e) exempts certain DoD communications equipment, services, and/or systems acquisitions from the requirements of Pub. L. No. 81-152 (1949) (reference (f)). The requesting DoD Component is responsible for determining whether the exemptions apply to a particular procurement. Guidelines for determining whether the exemptions apply are in enclosure 3. For all telecommunications procurements, a determination must be made. If a base telecommunications procurement is determined to be an exempt procurement, a delegation of procurement authority (DPA) from the General Services Administration (GSA) is not required.

6.1.4. The DoD Components shall maintain an inventory database of base telecommunications equipment and services. This database shall be maintained and

updated at the local level or on a central database at the DoD Component level(s) that is accessible at the local base, camp, or station level. The DISA, with assistance from the DoD Components, shall establish the database standards to ensure that databases are compatible and shall establish procedures to be used for the inventory.

6.1.5. Within 1 year of the establishment of database standards, the DoD Components shall conduct an inventory of all base telecommunications equipment and services. The information will be loaded into the local or central database within 30 days of the inventory. Subsequent inventories shall be conducted as required, but at least once every 2 years.

6.1.6. Concurrently with the first inventory and every 2 years thereafter, the DoD Components shall review and revalidate all requirements for base telecommunications equipment and service and evaluate all contracts for the equipment and service to ensure that each is still needed and represents an economical acquisition. Unneeded and uneconomical contracts should be terminated. Results of the review and revalidation and evaluation shall be documented and retained for subsequent analysis.

6.1.7. The DoD Components shall promptly reconcile their base communications invoices to telecommunications services inventories and authorized acquisition documents before authorizing payment to ensure that the Department of Defense only pays for services received.

6.2. Long-Haul Telecommunications Equipment and Services

6.2.1. Long-haul telecommunications requirements shall be satisfied as described in subparagraphs 6.2.1.1.through 6.2.1.4., below.

6.2.1.1. Exempt-Procurements (10 U.S.C. 2315, reference (e)). Reference (e) exempts certain DoD communications equipment, services, and/or systems acquisitions from the requirements of Pub. L. No. 81-152 (1949) (reference (f)). The requesting DoD Component is responsible for determining whether the exemptions apply to a particular procurement. Guidelines for determining whether the exemptions apply are in enclosure 3. For all telecommunications procurements, a determination must be made. If a telecommunications procurement is determined to be exempt, a DPA from the GSA is not required.

6.2.1.2. DoD Common-User Systems. Acquisitions of equipment and services for DoD common-user systems, such as the Defense Switched Network (DSN), the Defense Data Network (DDN), and Defense Communications System

(DCS) transmission systems have been determined to be exempt acquisitions. It is the goal of the Department of Defense to achieve interoperability for all DCS telecommunications; therefore, to ensure interoperability and economy, all long-haul telecommunications requirements that are exempt shall normally be satisfied by a DoD common-user system. DoD common-user systems may be used to support Pub. L. No. 81-152, Section 111 (reference (f)) requirements when no additional appropriated funds are expended by adding these requirements.

6.2.1.3. The Federal Telecommunications System (FTS) 2000. The DoD Components shall use FTS2000 for reference (f) long-haul telecommunications requirements within the 50 States, Guam, Puerto Rico, and the U.S. Virgin Islands unless an exception from the use of FTS2000 has been received from the GSA or the requirements are satisfied on a DoD common-user system without expenditure of additional appropriated funds.

6.2.1.4. A new acquisition may be done only to satisfy unique requirements that the DISA determines cannot be satisfied (technically, operationally, cost-effectively) by the DoD common-user systems or FTS2000. A waiver from DoD common-user systems and/or a GSA grant of an exception from the use of FTS2000 shall be required. (See paragraph 6.2.12., below, for guidance concerning procedures.)

6.2.2. Agency procurement requests (APRs) for a DPA from the GSA for requirements that are covered by reference (f) shall specify the telecommunications presently used or planned to be used. Exempt requirements and reference (f) requirements that can be totally satisfied on a DoD common-user system without the expenditure of additional appropriated funds do not require the submission of an APR for a DPA. Reference (f) requirements that are not satisfied by the FTS2000 contract require a DPA from the GSA. When a DoD common-user system is planned to totally or partially support the requirement, any required APR shall include the following statement: "The FTS2000 shall be used for all requirements covered by Pub. L. No. 81-152, Section 111, except those that can be acquired under another contract with no additional expenditure of appropriated funds."

6.2.3. As a general policy, the DoD Components shall use the FTS2000 for all "dial 9-1" service to include direct distance dialing (DDD), Wide-Area Telephone Service (WATS), 800 lines, and reference (f) dedicated circuit requirements not satisfied by a DoD common-user system. This policy does not apply to service that the FTS2000 contract does not cover such as international services, intra-local access transport area services, service within a 25-mile radius of the metropolitan area center, or services within a metropolitan area.

6.2.4. Within the constraints of subparagraphs 6.2.1.1. through 6.2.1.4., and paragraphs 6.2.2. and 6.2.3., above, the DISA shall acquire long-haul telecommunications equipment and services in accordance with the appropriate acquisition regulations. The DISA shall perform a lease versus purchase analysis to determine the most cost-effective acquisition strategy.

6.2.5. The DISA and the DoD Components shall conduct market surveys to ensure that existing long-haul acquisitions are being economically procured. Uneconomical contracts should be terminated.

6.2.6. The DISA, with assistance from the DoD Components, shall establish and maintain a central database of long-haul telecommunications equipment and services that is accessible by the DoD Components. This database shall include the required information for the effective, efficient, and economical management of all long-haul telecommunications equipment and services.

6.2.7. Within 1 year of the establishment of the database standards, the DoD Components shall conduct an inventory of all long-haul telecommunications equipment, services, and facilities, including telecommunications components imbedded in ADP systems, and contractor-acquired and/or provided telecommunications that support voice, data, video, and/or integrated telecommunications requirements. The DoD Components shall provide the inventory information to the DISA within 60 days of the inventory. Continuous updates shall be provided to the DISA by way of an automated inventory database access system. Subsequent inventories shall be conducted as required, but at least once every 2 years.

6.2.8. Concurrently with the first inventory and at least once every 2 years thereafter, the DISA and the DoD Components shall evaluate all existing long-haul telecommunications equipment and services leases and terminate all uneconomical leases. At a minimum, this evaluation should be completed concurrently with the review and revalidation program specified in paragraph 6.2.9., below. Evaluations shall be documented and retained until the next review.

6.2.9. The DoD Components, using as a baseline the DISA central inventory database, shall review and revalidate all long-haul telecommunications requirements, at least once every 2 years, to begin concurrently with the first inventory. The purpose is to ensure that each telecommunications service requirement and capability (including special features and parameters such as transmission rates, precedence, service priority, terminal equipment, and calling areas) is still needed and that the equipment and service are being maintained in a cost-effective configuration. Special

emphasis should be placed on long-haul telecommunications requirements that were transferred onto a common-user system such as the DDN, DSN, or FTS2000 to ensure that the previously used dedicated circuits were disconnected. If the dedicated circuits were not disconnected and are needed for another purpose, then a new justification is required. The review and revalidation shall be documented and retained until the next review.

6.2.10. The DoD Components shall reconcile their long-haul communications invoices to telecommunications equipment and service inventories and communications service authorizations or other acquisition documents before authorizing payment to ensure that the Department of Defense only pays for services received.

6.2.11. The DISA and the DoD Components shall ensure that the optimal mix of long-haul telecommunications equipment and services is installed to support mission requirements. Traffic studies, configuration analysis, and engineering shall be conducted for each DoD base, post, camp, station, and installation at least every 2 years with the first effort to be accomplished, where the capability exists, within 1 year of the development of standard procedures and criteria by the DISA.

6.2.12. Requests for long-haul telecommunications equipment and services shall be processed as follows:

6.2.12.1. The DoD Components shall submit requests for all long-haul telecommunications requirements to the DISA, indicating at the time of submission whether the requirements are exempt, and whether a DoD common-user system or the FTS2000 could satisfy the requirement.

6.2.12.2. Maximum use of the DoD common-user systems should be made to ensure interoperability and economy to the maximum extent feasible. The DISA shall determine, subject to applicable law and regulations, whether a requirement is to be satisfied on the DoD common-user systems, on FTS2000, or with a new acquisition.

6.2.12.3. If a Component's requirement necessitates a DPA with or without an exception from the use of FTS2000, the Component is responsible for submitting the APR (which includes the FTS2000 exception) through its appropriate channels to the GSA. However, if only an FTS2000 exception is required, a designated agency representative from DISA's Defense Commercial Communications Office shall process the application to the GSA for the appropriate exception.

6.2.12.4. If an exception from the use of DoD common-user systems is requested by a DoD Component, the DISA shall analyze the waiver request and approve or disapprove that request. The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence) (ASD(C3I)) shall resolve disagreements, when requested by the user. The DISA shall develop and issue the criteria that shall be used to evaluate waivers.

6.2.12.5. All existing waivers shall be reviewed as part of the review and revalidation process. Waivers shall be reviewed annually by a panel chaired by the DISA with Service and Agency representation to determine if the waiver should remain in effect. The ASD(C3I) shall resolve disagreements.

6.2.12.6. The following requirements may use but are not required to use DoD common-user systems:

6.2.12.6.1. Communications involving real time control (e.g., satellite control, telemetry).

6.2.12.6.2. Operational requirements less than 1 year in duration.

6.2.12.6.3. Communications in support of exercises.

6.2.12.6.4. Base communications and local communications where points are within the local dialing area.

6.2.12.6.5 Teletype circuits with line speeds of 150 bauds or less.

6.3. General

6.3.1. The DoD Components shall discontinue telecommunications equipment or services for which a bona fide need no longer exists.

6.3.2. The DoD Components shall ensure that Government-owned telecommunications equipment, systems, and facilities are effectively, economically, and efficiently maintained; accurately accounted for on existing inventory systems; biennially reviewed and revalidated; and reallocated to other uses when found to be no longer needed in their current configuration.

7. INFORMATION REQUIREMENTS

The annual reporting requirement listed in paragraph 5.2.8., above, has been assigned Report Control Symbol DD-C3I(A)1857.

8. EFFECTIVE DATE AND IMPLEMENTATION

This Instruction is effective immediately. Forward one copy of implementing documents for each DoD Component's review and revalidation program, telecommunications services management review program, and base communications database(s) to the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence within 180 days.



Duane P. Andrews
Assistant Secretary of Defense
(Command, Control, Communications,
and Intelligence)

Enclosures - 3

- E1. References, continued
- E2. Definitions
- E3. Exemptions

E1. ENCLOSURE 1

REFERENCES, continued

- (e) Section 2315 of title 10, United States Code
- (f) Section 111 of Public Law 81-152, "Federal Property and Administrative Services Act of 1949," June 30, 1949, as amended (40 U.S.C. 759)
- (g) Public Law 100-440, "Treasury, Postal Service and General Government Appropriations Act, 1989," September 22, 1988
- (h) Public Law 101-136, "Treasury, Postal Service and General Government Appropriations Act, 1990," November 3, 1989

E2. ENCLOSURE 2

DEFINITIONS

E2.1.1. Base Communications. Facilities, equipment, and services used to support the electromagnetic dissemination, transmission, or reception of information via voice, data, video, integrated telecommunications, wire, or radio within the confines of a post, camp, station, base, installation, headquarters, or Federal building. This includes local interconnect trunks to the first serving commercial central office providing service to the local community and to other DoD Component facilities in the local area.

E2.1.2. Defense Communications System (DCS). A composite of DoD-owned and -leased telecommunications subsystems and networks comprised of facilities, equipment, services, and personnel under the management control and operational direction of the DISA. It provides the long-haul, common-user, and special purpose (dedicated or point-to-point) telecommunications services needed to satisfy the requirements of the Department of Defense and certain other Government Agencies. The DCS includes those telecommunications required to interconnect the National Command Authority, the Chairman of the Joint Chiefs of Staff, and the Unified and Specified Commanders.

E2.1.3. Defense Data Network (DDN). A general purpose telecommunications network of the DCS that is the primary means of providing long-haul digital data communications among DoD data systems.

E2.1.4. Defense Switched Network (DSN). A general purpose telecommunications network of the DCS that provides end-to-end common-user and dedicated telephone service for the Department of Defense with the capability of incorporating voice, data, video, and/or integrated telecommunications transmission.

E2.1.5. DoD Common-User Systems. The portion of the DCS, both switched and dedicated, that serves the DoD community.

E2.1.6. Federal Telecommunications System (FTS)2000. A general purpose telecommunications network managed by the GSA and designed to provide analog and digital data transmissions for the total Federal Government within the 50 States and the Trust Territories of the United States.

E2.1.7. Long-Haul Telecommunications. All general purpose and special

purpose long-distance facilities and services (including terminal equipment and local circuitry supporting the long-haul service) used to support the electromagnetic and/or optical dissemination, transmission, or reception of information via voice, data, video, integrated telecommunications, wire, or radio to or from the post, camp, base, or station switch and/or main distribution frame (except for trunk lines to the first-serving commercial central office for local communications services). That includes FTS2000, DSN, DDN, the Automatic Digital Network, dedicated point-to-point service, and the primary inter-exchange carrier service associated with business or tie line to the local exchange carrier (e.g., DDD, Foreign Exchange, WATS, 800 service, etc.) and contractor-provided telecommunications including the interconnection of various functional ADP systems.

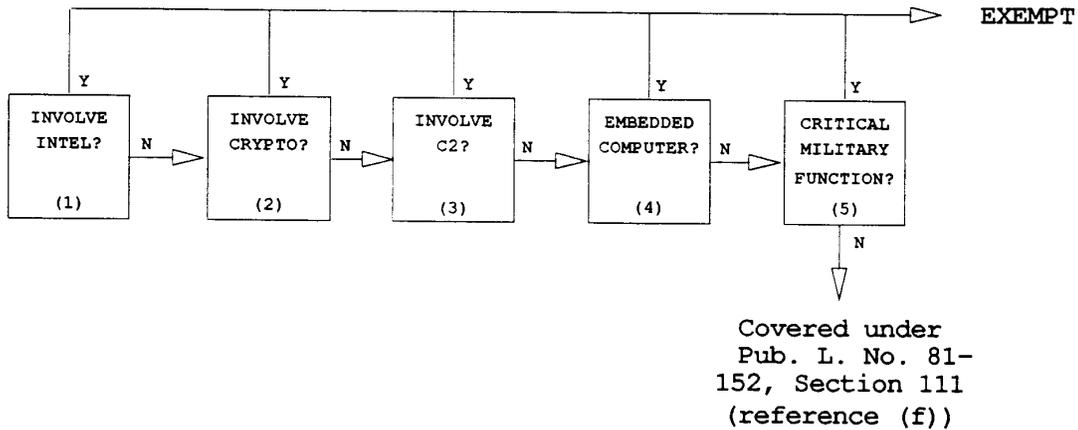
E2.1.8. Telecommunications Equipment or Services. Circuits or equipment used to support the electromagnetic and/or optical dissemination, transmission, or reception of information via voice, data, video, integrated telecommunications transmission, wire, or radio. The equipment or service must be a complete component capable of standing alone. This includes the following type of items: telephones, multiplexers, a telephone switching system, circuit termination equipment, radio transmitter or receiver, a modem, card cage with the number and type of modem cards installed, etc. This does not include the following type of items: a chip, circuit card, equipment rack, power cord, a microphone, headset, etc.

E2.1.9. Telecommunications Review and Revalidation. Analysis done, usually by the designated operational user, network manager, or funding agency to ensure that a telecommunications requirement (leased or Government-owned) is justified on the basis of a bona fide need that is supported by a thorough analysis and proper documentation, and is being procured or used in a cost-effective manner.

E3. ENCLOSURE 3

EXEMPTIONS

Exemption Determination



BLOCK EXPLANATION

(keyed to 10 U.S.C. 2315 (reference (e)))

BLOCK

- 1 Does the function, operation, or use of the items or services involve intelligence activities? Does it involve the research and development of, or use in, the intelligence activities of the intelligence community?
- 2 Does the function, operation, or use of the items or services involve cryptologic activities related to national security? Does it involve the research and development of, or use in, cryptologic activities authorized by the National Security Agency?
- 3 Does the function, operation, or use of the items or services involve the command and control of military forces? (Use expanded procedures for block 3.)
- 4 Does the function, operation, or use of the items or services involve equipment as an integral part of a weapon or weapons system? (Use expanded procedure for block 4.)

- 5 Is the function, operation, or use of the items or services critical to the direct fulfillment of military or intelligence missions? (Use expanded procedure for block 5.)

Expanded Procedure

Reference: block 3

Does the function, operation, or use of the items or services involve the research and development of, or use in, the command and control (C2) of military forces? The acquisition of equipment or services for the following would be exempt:

- (1) Service having an authorized TSP subcategory assignment of A, B, or C (Ref: National Communications System Manual 3-1-1 TSP System for NSEP Service User Manual, Chapter 6). This service may also be a critical military function.
- (2) Interconnecting command centers (e.g. Red Switch T1).
- (3) Deploying forces (e.g. Strategic Air Command Alert Net).
- (4) Communicating direction or coordination with military forces essential for defense or retaliation.
- (5) Conducting diplomatic negotiations critical to the arresting or limiting of hostilities.
- (6) Disseminating critical civil alert information essential to national security and survival.
- (7) Fulfilling critical U.S. internal security functions.
- (8) Communicating information related to catastrophic events of national or international significance.
- (9) Providing communications for situations that gravely affect the security of national or allied forces.
- (10) Directly supporting the reconstitution of forces.
- (11) Providing vital information having an immediate effect on aircraft, spacecraft, missile operations, and military operations.

- (12) Providing logistic support functions supporting military actions and diplomatic negotiations critical to national security and survival.
- (13) Supporting communications of Allied Forces.
- (14) Short-term service in support of military exercises.
- (15) Supporting early warning and reconnaissance.
- (16) Necessary for the planning, directing, coordinating, or controlling of forces and operations in accomplishment of the mission (during peace and war).
- (17) Supporting strategic connectivity missions.
- (18) Essential to the maintenance of a C2 system or circuit.
- (19) Supporting a Threat Level II, III, IV, or V mission.
- (20) Interoperating with systems supporting a Threat Level II, III, IV, or V mission.

Expanded Procedure
Reference: block 4

Does the function, operation, or use of the items or services involve equipment as an integral part of a weapon or weapons systems? This includes automated data processing equipment (ADPE) that is:

- (1) Physically a part of the weapon or weapons system.
- (2) Dedicated to a weapon or weapons systems.
- (3) Essential in real time to performance of the mission of a weapon or weapons system.
- (4) Used for specialized training or simulation of a weapon or weapons system.
- (5) Used for diagnostic testing and maintenance or calibration of a weapon or weapons system.
- (6) Used for research and development of weapons or a weapons systems.

Expanded Procedure
Reference: block 5

Is the function, operation, or use of the items or services critical to the direct fulfillment of military or intelligence missions? This includes ADPE that is part of and/or is used in the research and development of:

- (1) Systems that will deploy as mission support in a combat environment.
- (2) War planning systems.
- (3) Environmental systems supporting military missions and specifically weather, oceanographic, or satellite systems.
- (4) Projects whose existence are classified.
- (5) Warning, surveillance, reconnaissance, and electronic warfare systems.
- (6) Mapping, charting, and geodesy systems.
- (7) Airlift, sealift, and port facilities systems.
- (8) Military communications systems.
- (9) Logistics systems providing direct support to operating forces or maintenance of weapons systems (e.g., organic supply, software support, facilities for weapons systems, etc.). This does not include logistic systems that support contracting, disbursement, and budgeting.

Exemption Considerations

1. The term "involves" is important in determining whether an acquisition is exempt from Pub. L. 81-152, Section 111 (40 U.S.C. 759, reference (f)) as provided in Section 2315 of 10 U.S.C. (reference (e)).

a. To be exempt, at least one of the actual intended purposes of the function, operation, or use of the equipment or services being procured must directly relate to the activities, functions, or equipment specified in subsection (a) (1) through (a) (4) of reference (e) (blocks 1 through 4, page 3-1 of this enclosure).

b. The equipment and services also may have additional purpose(s) other than those specified in blocks 1 through 4 (e.g., routine business and administrative purposes).

2. Subsection (a) (5) of Section 2315 of 10 U.S.C. (reference (e)) (block 5, page 3-2 of this enclosure) exempts procurements used for purposes that are critical to the direct fulfillment of military and intelligence missions. Unlike blocks 1 through 4, block 5 does not include ADPE used for routine administrative and business applications.

3. Subsection (a) (3) of reference (e) (block 3, page 3-1 of this enclosure) provides that Pub. L. 81-152, Section 111 (reference (f)) does not apply to DoD procurements of ADPE equipment or services if their function, operation, or use "...involves the command and control of military forces." Use the following additional guidance in making a determination under block 3.

a. The involvement need not be exclusive. The operation, function, or use may involve the C2 of military forces, even if:

(1) All the equipment and services are used for both C2 and other communications, or

(2) Some of the equipment and services is only used for other than C2 purposes.

(3) Pub. L. No. 100-440, Section 627 and Pub. L. No. 101-136, Section 621 (references (g) and (h)) prohibit expending appropriated funds for telecommunications equipment or services that are available on GSA's FTS2000 contract unless either:

(a) A specific exception has been granted by GSA; or

(b) The services to be acquired are not ADPE as defined in 40 U.S.C. 759 (reference (f)). Therefore, telecommunication services that are covered by reference (f) may be procured as part of an exempt acquisition only when no additional funds are expended by adding reference (f) services to the acquisition.

b. This exemption does not require that the procurement be for equipment or services that are, or are part of, a C2 system or network. It only requires that the function, operation, and use of the equipment or services involve the C2 of military forces.

c. A procurement of telecommunications resources is exempt if at least one of its intended purposes is to provide any military

force the means to receive or send C2 communications. For this exception to apply, it does not matter:

- (1) Whether the communications are in peace or war.
- (2) Where the military forces are located.
- (3) What format the communications are in.
- (4) Whether the communications are transmitted over both commercial and military systems or networks.