



**Department of Energy
Acquisition Regulation**

No. AL 2019-05
Date 6/25/2019

ACQUISITION LETTER

This Acquisition Letter is issued under the authority of the Senior Procurement Executive of DOE. It is intended for use by procurement professions of DOE, primarily Contracting Officers, and other officials of DOE that are involved in the acquisition process. Other parties are welcome to its information, but definitive interpretations of its effect on contracts, and related procedures, if any, may only be made by DOE Contracting Officers.

Acquisition Letters (AL) that remain in effect are identified below. All other previously issued ALs have been superseded by a formal rule-making, incorporated into other guidance, and/or discontinued as indicated.

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ACQUISITION LETTERS REMAINING IN EFFECT

2019-04	4/24/2019	Contractor Workforce Restructuring
2019-03	1/11/2019	Acquisition Letter (AL) 2019-03 and Financial Assistance Letter (FAL) 2019-02 Congressional Notifications and Quarterly Reporting to the Appropriations Committees in Accordance with Division A, Title III Section 301 of the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019
2019-02	12/10/2018	Implementation of Division A, Title III and Title V of the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019, Pub. L. No. 115-244
2019-01	11/29/2018	Use of Products and Services of Kaspersky Lab
2018-08	5/3/2018	Contractor Domestic Extended Personnel Assignments
2018-06	4/5/2018	Agreements for Commercializing Technology
2018-03 Rev 1	6/25/2019	Class Deviation to FAR 31.205-44(a), Training and education costs, and approval of training on overtime
2018-02	10/17/2017	Employee Benefits Cost Study
2018-01	10/3/2017	STRIPES Mandatory Use Policy
2016-08	8/11/2016	DOE Policy on Contractor Defined Benefit Pension Plans Participation
2016-07	7/29/2016	DOE Policy on the Department's Use of Benefit Value Studies
2016-06	8/8/2016	Provisional Reimbursement and Allowability of Costs Associated with Whistleblower Actions
2016-05 Rev 1	6/25/2019	Determining if an activity is a FAR 31.205-44 training and education activity (and consequently rendering the overtime costs caused by the activity specifically unallowable); and Managing all overtime costs.
2015-01R Rev 1	6/25/2019	Incrementally Funding Fixed-Price Actions

2014-02	10/29/2013	Provisional Payment of Fee
2014-01	10/16/2013	Management and Operating Contractors' Audit Coverage of Cost-reimbursement Subcontracts
2013-08	6/19/2013	The Whistleblower Protection Enhancement Act of 2012
2013-02	2/5/2013	Implementation of Indian Energy Preference Provision
2012-10	8/16/2012	Implementation of the Price-Anderson Amendments Act of 2005
2012-06	1/12/2012	Implications of Receiving Time-Limited Funds on Contract Planning, Award, and Administration
2012-05 Rev 1	6/25/2019	Meal Costs in Management and Operating Contracts
2012-04 Rev1	6/25/2019	Home Office Expenses for Management and Operating Contracts
2010-05 Rev 1	3/20/2013	Contract Periods of Performance Exceeding 5 Years
2009-01	10/6/2008	Management Reserve and Contingency
2008-02	7/25/2008	Audit Management
1994-19	12/9/1994	Basic Labor Policies Fringe Benefits
1993-04	4/7/1993	Displaced Workers Benefits Program

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ACQUISITION LETTERS DISCONTINUED WITH THIS NOTICE

<u>#</u>	<u>TITLE</u>	<u>DATE</u>	<u>REASON FOR DISCONTINUANCE</u>
2018-12	Implementation of Division D, Title III and Title V, and Division E, Title Title VII of the Consolidated Appropriations Act, 2018, Pub. L. No.115141	5/7/2018	Superseded by AL 2019-02
2018-11	Congressional Notifications and Quarterly Reporting to the Appropriations Committees in Accordance with the Energy and Water Development and Related Agencies Appropriations Act, 2018, Division D, Title III, Section 301 for Contract, Financial Assistance, or Other Transaction Agreement Actions to Include Related Congressional Notifications for Prior Fiscal Years' Appropriations Acts.	5/16/2018	Superseded by AL 2019-03

<u>#</u>	<u>TITLE</u>	<u>DATE</u>	<u>REASON FOR DISCONTINUANCE</u>
2018-10	Acquisition Letters Remaining in Effect	5/9/2018	Superseded by AL 2019-05
2018-04	Management & Operating Contractor Subcontract Reporting Capability (MOSRC) with Corporate “H” Clause	11/7/2017	Now standard practice
2017-05	Implementation of Division D, Titles III and V, and Division E, Title VII of the Consolidated Appropriations Act, 2017, Pub.L. No 115-31	7/25/2017	Superseded by AL 2018-12, which was superseded by AL 2019-02
2017-03	Congressional Notifications and Quarterly Reporting	6/22/2017	Superseded by AL 2018-11, which was superseded by AL 2019-03
2016-01	Streamlining DOE’s Oversight of Compensation and Benefits	1/15/2016	Outdated Actions
2015-09	Conference-Related Activities and Spending	8/25/2015	Outdated Guidance
2015-07	Performance of Inherently Governmental and Critical Functions	7/7/2015	Policy obsolete
2014-07	Benchmark Compensation Amount for Individual Executive Salary	5/23/2014	New statute and coverage in the FAR
2014-03	Allowability of Contractor Litigation	1/6/2014	Does not merit Department-wide guidance
2013-10	Nondisplacement of Qualified Workers under Service Contracts	6/19/2013	Outdated due to FAR implementation of requirements
2013-07	Applying the changes of the May 3, 2013, Final Rule on Contractor Legal Management Requirements to existing contracts	6/4/2013	Information no longer relevant
2012-09	Guidance for Fast-Track Cooperative	6/22/2012	Superseded by AL 2018-08
2012-03	The Allowability of Incurred Costs Due to Contractor Errors	10/24/2011	Does not merit Department-wide guidance
2012-02	Labor Standards Considerations under	10/6/2012	Covered under Acquisition Guide Chapter 22.403
2006-10	Class Deviation for Certain DEAR	8/11/2006	Outdated guidance