Subpart 5117.74 - Undefinitized Contract Actions

Parent topic: Part 5117 - Special Contracting Methods

5117.7404 Limitations.

(a) Foreign military sales contracts.

(1)(ii) The HCA shall approve actions as stated in DFARS 217.7404(a)(1)(ii). See Appendix GG for further delegation.

5117.7404-1 Authorization.

The HCA shall approve actions as stated in DFARS 217.7404-1. See Appendix GG for further delegation.

5117.7404-4 Limitations on obligations.

(c) If a waiver under Section D of DPCAP Class Deviation 2024-O0005- Temporary Authorizations for Covered Contracts Related to Ukraine, Taiwan, and Israel is utilized, the Contracting officer shall obligate funds only in an amount consistent with the contractor's requirements for the definitization period, up to 100% of the total amount of the contract.

5117.7404-5 Exceptions.

(b) The Assistant Secretary of the Army (Acquisition, Logistics and Technology) may waive the limitations as described in DFARS 217.7404-5. See Appendix GG for further delegation.

In accordance with Section (D) of DPCAP Class Deviation 2024- O0005 – Temporary Authorizations for Covered Contracts Related to Ukraine, Taiwan, and Israel, the Assistant Secretary of the Army (Acquisition, Logistics and Technology) may waive the limitations DFARS 217.7404(a) Foreign military sales contracts; 217.7404-3 Definitization schedule; and 217.7404-4, Limitations on obligations. See Appendix GG for further delegation. See AFARS 5153.206-93 and AFARS 5153.303-12 Format for Advance Congressional Notification When Utilizing Authorities Conferred by DPCAP Class Deviation 2024-O0005—Temporary Authorizations for Covered Contracts Related to Ukraine, Taiwan, and Israel. for instructions and sample format for reporting covered contracts applicable under this subpart to congressional defense committees.

5117.7404-6 Allowable profit.

The HCA shall perform the duties as stated in DFARS 217.7404-6. See Appendix GG for further

delegation.