SECRETARY OF THE AIR FORCE
WASHINGTON

MAY 3 2006

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Data Rights and Acquisition Strategy

In the most recent report to Congress, the Air Force indicated that beginning in FY07, there would be increasing challenges in meeting the 10 USC Section 2466 50% limitation on contracting out depot-level maintenance. In addition, 10 USC Section 2464 clearly outlines the necessity for the Department of Defense to maintain a core logistics capability that is government-owned and government operated to ensure a ready and controlled source of technical competence to meet national defense contingency situations.

To address these challenges and respond to Title 10 statutes in this area, I am reinforcing current guidance in AFI 63-107, Integrated Product Support Planning and Assessment to ensure all viable sustainment options are considered early in the acquisition strategy process. A key element is appropriate access to the technical data, and rights in that data, necessary to support a source of repair decision during system development and demonstration. The competitive source selection process provides the Air Force the best opportunity to address its technical data requirements to preserve its core logistics capability and 50/50 trade-space, while at the same time brokering the best deal for the taxpayer in regard to future weapon systems sustainment programs. Therefore, I am directing that the acquisition of technical data and associated rights be addressed specifically in all Acquisition Strategy Plans, reviews, and associated planning documents for ACAT programs and subsequent source selections.

My points of contact are Jan Mulligan, AF/A4MM (703-697-1052) or Joseph McWilliams, SAF/AQXA (703-588-7110).

Michael W. Wynne

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STAFF SUMMARY SHEET

	TO	ACTION	SIGNATURE (Surname), GRADE AND DATE		TO	ACTION	SIGNATURE (Surname), GRADE AND DATE
1	SAF/AQ	COORD	//SIGNED// DONALD J. HOFFMAN, Lt Gen, 2 May 06				
2	AF/A4	COORD	//SIGNED// MICHAEL AIMONE, SES, 2 May 06				
3	SAF/OS Mr. Miller	COORD					
4	SAF/OS (SAE)	SIGN					

SURNAME OF ACTION OFFICER AND GRADE	SYMBOL	PHONE	TYPISTS INITIALS	SUSPENSE DATE
Mr. Robert Boulware NH-IV	SAF/AQXA	703-588-7101	HAB	20060502

SUBJECT	DATE
Proposed Memo for SAE Signature, "Data Rights and Acquisition Strategy"	20060502

SUMMARY

1. Purpose. SAF/OS (SAE) sign at Tab 1 to reinforce current guidance on data rights and acquisition strategy.

2. Background. SAF/OS directed AQX to prepare a memo for SAF/OS (SAE) signature that reinforces the Air Force guidance regarding data rights. This is in response to recent issues with acquisition strategies and requests for proposals with regard to data rights.

3. Recommendation. SAF/OS (SAE) sign at Tab 1.

//signed, 2 May 06//
RICHARD W. LOMBARDI
Associate Deputy Assistant Secretary
(Acquisition Integration)
Assistant Secretary (Acquisition)
696-0082

Tabs
1. Data Rights and Acquisition Strategy
2. 3-Ltr Coordination
3. CRM

cc:
SAF/GC
SAF/US(D)