



U. S. Chemical Safety and Hazard Investigation Board

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December 10, 2001

Board Action Report

Notation No.: 138

Voting Period: Urgent Notation Item November 29, 2001 – December 6, 2001, but votes are requested as soon as possible

Subject: Amendment to and Re-designation of Board Directive 720

Whereas,

1. The Board approved, on December 27, 1999, CSB Directive 720, "Acquisition of Supplies and Services";
2. Directive 720 established internal procedures for acquisition activities, including acquisitions from other Federal agencies by interagency agreement pursuant to the Economy Act;
3. Federal procurement regulations require that a written Determination & Finding (D&F) be prepared, and approved by an appropriate official to justify all Economy Act interagency agreements;
4. Section 11.b.(3) of Directive 720 currently requires that a D&F be approved by "an official with acquisition authority to contract for the supplies or services to be ordered" under the interagency agreement, and further states that such official is usually a contracting officer from the Bureau of the Public Debt;
5. Under Federal procurement regulations, the authority to approve a D&F is ultimately vested in the head of an agency, which may delegate that authority to a contracting officer or another official;
6. The Board believes that the efficient, effective, and timely conduct of critical CSB business requires that the Board have the ability under internal procedures to directly approve D&F's; and
7. The current language of Section 11.b.(3) of Directive 720 does not, on its face, clearly allow the Board to exercise the authority, with which it is vested, to approve D&F's; and

8. Separately, the nomenclature for internal Board policies has changed from "Directive" to "Order," and been renumbered since the date of Directive 720's approval;

Therefore, pursuant to its authority under 42 U.S.C. § 7412(r)(6)(N), the Board hereby votes to amend Section 11.b.(3) of Directive 720 to read as follows (*additions in italics* and [deletions in brackets]):

The determination and finding must be approved by *either the Board, a Board Member designated by the Board, or by* an official with acquisition authority to contract for the supplies and services to be ordered. In most cases, *such an official* [this] will be a Contracting Officer [from the Bureau of Public Debt].

The Board further votes, pursuant to the same authority cited above, to redesignate the amended Directive 720 as Board Order 024.

Approval Date: November 30, 2001

	<u>Approve</u>	<u>Disapprove</u>	<u>Not Participating</u>	<u>Withhold</u>
Isadore Rosenthal	x			
Gerald Poje	x			
Andrea Taylor	x			