

**NWS Guidance for Requesting OGC Clearance of Agreements: MOU, MOA, Joint Projects, Interagency Agreements, etc.**

June 18, 2013

At least 7 weeks before you need clearance from the DOC's Office of General Counsel's General Law Division (GLD), forward the documents you need cleared. EA needs BOTH electronic and printed copies of the documents. If you need the documents cleared in less than 45 days, include a written justification. International agreements may need a determination from the State Department. GCW will indicate if C-175 clearance is needed. File the C-175 memo from the State Department immediately under the POC list on the left side.

**UPDATE** (June 26, 2012): If your agreement involves an assisted acquisition, get email clearance from OGC's Contract Law Division (CLD) before submitting to EA. Call or email Mark Langstein, head of the DOC OGC's CLD. His telephone number is (202) 482-4732 and email is [MLangstein@doc.gov](mailto:MLangstein@doc.gov). GLD will **NOT** clear until CLD provides preliminary clearance. [CAM 1317.570](#) (revised April 2010) defines assisted acquisition as follows:

An **assisted acquisition** is a type of interagency acquisition where the parties enter into an interagency agreement pursuant to which the servicing agency performs acquisition activities on the requesting agency's behalf, such as awarding a contract, task order, delivery order, or blanket purchase agreement.

EA will request NWS CFO's clearance before sending through NOAA for OGC clearance.

**EXCEPTIONS** (Update June 19, 2013): CFO does not need to review packages for fund transfers for previously cleared agreements. Where no exchange of funds will occur, CFO will review concurrently with OGC's own review. After CFO has cleared, EA will upload to WebDocFlow, assign to NOAA Exec Sec, and forward printed copy to NOAA for further processing. EA will then send an email to the POCs. The email will include the phone number for the DOC OGC Lawyer of the Day and the WebDocFlow folder for the agreement. If after 2 business days a lawyer does not contact the POC, call that number.

The printed copies should be in a regular manila folder, arranged as follows (applies only to offices in SSMC2):

**Left side of the folder, top to bottom:**

(If requesting expedited clearance, the written justification is on top.)

Document 1. Point of contact(s)

Name:

Phone:

Email:

Document 2. Previous OGC clearance (new agreements will not have prior clearance)

**Right side of the folder, top to bottom**

1. Agreement to be cleared (agreement can be MOU, MOA, JP, IA, amendments)
2. Statement of Work, if appropriate
3. Funding document, if appropriate
4. Signed Determination & Findings (D&F), if appropriate

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**NOTE:** If agreement involves an assisted acquisition, forward a copy of OGC Contract Law Division's email clearance. The clearance will be part of the package going to NOAA.

Once EA has an electronic copy of the OGC clearance, EA will forward by email to the POC and XO and place a printed copy in the office mailbox. OGC no longer sends original clearance.

Sample POC list

MEMORANDUM OF UNDERSTANDING

Between

NOAA/NWS and Department of Virtual Learning

for

Computer Learning Center

**NWS points of contact**

Technical:

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Administrative:

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