



Homeland  
Security

**MEMORANDUM FOR:** Albert Dainton  
Head of Contracting Activity  
U.S. Immigration and Customs Enforcement  
NINA M

**FROM:** Paul Courtney FERRARO  
Senior Procurement Executive/Chief Procurement Officer

**SUBJECT:** Department of Homeland Security – U.S Immigration and  
Customs Enforcement HSAM Class Deviation 25-01, Authority of  
Ordering Officials (HSAM 3001.671-3(a))

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FERRARO  
Date: 2024.10.30 09:39:55  
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**Purpose.** This class deviation provides the U.S. Immigration and Customs Enforcement (ICE) authority to appoint ordering officials to place firm-fixed price orders for services against indefinite delivery contracts and blanket purchase agreements (BPAs) awarded by DHS contracting officers.

**Effective Date.** Upon issuance.

**Background.** HSAM 3001.671, Selection, Appointment and Termination of Non-Warranted Ordering Officials, provides policy and procedures concerning the appointment of non-warranted, non-1102 DHS employees to serve as ordering officials. Among other restrictions, HSAM 3001.671-3(a)(2), limits an ordering official's authority to placing delivery orders only for supplies. On September 10, 2024, ICE requested a deviation from HSAM 3001.671-3(a)(2) to permit the appointment of ordering officials for placing firm fixed price orders for services (or orders for supplies and services). ICE is requesting this deviation to reduce administrative costs, promote efficiency and economy in contracting, avoid unnecessary burdens for the agency, and help meet program office needs in a timely manner.

**Deviation.** As provided in attachment (1), this HSAM Class deviation revises HSAM 3001.671-3(a)(2) to permit the ICE HCA, or designee, to appoint certified ordering officials to place firm fixed price orders for services against indefinite delivery contracts and BPAs awarded by DHS contracting officers. This deviation is conditioned upon ICE publishing and maintaining its Ordering Official Procedures Manual and limiting the authority to appoint ordering officials to no lower than the Chief of the Contracting Office.

**Component Action.** ICE shall appoint ordering officials following the requirements of HSAM 3001.671 and Management Directive 0783, Ordering Official Certification. Orders placed by ICE ordering officials shall comply with all applicable contract or BPA terms and conditions and applicable requirements of the FAR, HSAR, and HSAM, including but not limited to requirements for reporting orders to FPDS and submission of Congressional Notifications. Additionally, one year after issuance of the deviation, I am requesting ICE provide me an

assessment concerning the effectiveness of this deviation in terms of reducing administrative cost and burden for ICE and improvements in meeting program office needs. This information will help me determine if this deviation should be continued for ICE or if the HSAM policy should be revised to allow ordering officials to place firm fixed price orders for both supplies and services. Your assistance in helping me make this determination is appreciated.

**Expiration Date.** This deviation shall remain in effect through March 31, 2026 and is subject to renewal.

Attachment

**Baseline is HSAM Notice 24-09, October 1, 2024**

**Deviations are shown by [bracketed, bold additions] and strikeouts. HSAM text unchanged shown as asterisks \* \* \* or \* \* \* \* \*.**

## **CHAPTER 3001 FEDERAL ACQUISITION REGULATION SYSTEM**

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### **Subchapter 3001.6 Career Development, Contracting Authority, and Responsibilities**

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#### **3001.671 Selection, Appointment and Termination of Non-Warranted Ordering Officials.**

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##### **3001.671-3 Procedures.**

(a) \* \* \*

(2) For contract actions deemed appropriate, a DHS non-warranted federal employee may be appointed as an ordering official to place delivery orders for supplies **[and services]** against indefinite delivery contracts and blanket purchase agreements (BPAs), that were awarded by DHS contracting officers, provided the contract terms permit placement of the orders and orders placed are within monetary limitations specified in the contract.

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