



Department of Defense

INSTRUCTION

NUMBER 5134.04
September 27, 2005

USD(AT&L)

SUBJECT: Director of Small and Disadvantaged Business Utilization

- References:
- (a) DoD Directive 5134.4, "Director of Small and Disadvantaged Business Utilization," March 17, 1989 (hereby canceled)
 - (b) Deputy Secretary of Defense memorandum, "DoD Directives Review – Phase II," July 13, 2005
 - (c) DoD Directive 5134.1, "Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L))," April 21, 2000
 - (d) Sections 631-656 and 657a-657g of title 15, United States Code
 - (e) through (i), see enclosure 1

1. REISSUANCE AND PURPOSE

This Instruction:

- 1.1. Reissues reference (a) as a DoD Instruction according to the guidance in reference (b).
- 1.2. Implements reference (c) and section 644(k) of reference (d) to establish the position of Director of Small and Disadvantaged Business Utilization (SADBU) under the authority, direction, and control of the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)), through the Deputy Under Secretary of Defense for Acquisition and Technology (DUSD(A&T)).
- 1.3. Updates the responsibilities, functions, relationships, and authorities of the Director, SADBU.

2. APPLICABILITY

This Instruction applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components").

3. RESPONSIBILITIES AND FUNCTIONS

The Director of Small and Disadvantaged Business Utilization is the principal advisor to the DUSD(A&T), the USD(AT&L), and the Secretary of Defense for ensuring a fair proportion of goods and services procured by the Department of Defense are acquired through small businesses and Historically Black Colleges/Universities and Minority Institutions, in accordance with reference (c) and Section 2323 of title 10, United States Code (reference (e)). In this capacity, the Director, SADBUI, shall:

3.1. Implement and execute the functions and duties assigned by sections 637 and 644 of reference (d), as they relate to the Department of Defense.

3.2. Manage and oversee the DoD SADBUI programs, consistent with DoD Directive 4205.1 (reference (f)), to include Small Business Innovative Research.

3.3. Conduct analyses, develop policies, provide advice, make recommendations, and issue guidance on DoD plans, programs, and requirements.

3.4. Develop plans, programs, procedures, goals, and objectives, and initiate actions and taskings to ensure adherence to DoD policies.

3.5. Develop systems and standards, consistent with applicable DoD information technology policies, for the administration of approved policies, plans, and programs.

3.6. Conduct reviews (including compliance reviews of the DoD Components and major prime contractors) and evaluate programs to ensure adherence to approved policies and standards.

3.7. Participate in the Planning, Programming, Budgeting, and Execution process and the Defense Acquisition System, and in development of the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement (references (g) and (h)).

3.8. Keep appropriate organizations and officials informed of significant trends or initiatives.

3.9. Promote coordination, cooperation, and mutual understanding within the Department of Defense and between the Department of Defense, Congressional committees, other Government Agencies, and the public.

3.10. Serve on boards, committees, and other groups and represent the Secretary of Defense, the USD(AT&L), and the DUSD(A&T) outside the Department of Defense.

3.11. Perform such other duties as may be assigned by the Secretary of Defense, the USD(AT&L), or the DUSD(A&T).

4. RELATIONSHIPS

4.1. In the performance of assigned responsibilities and functions, the Director, SADBUC shall:

4.1.1. Report to the USD(AT&L) through the DUSD(A&T).

4.1.2. Coordinate and exchange information with officials of the DoD Components having collateral or related responsibilities and functions.

4.1.3. Use existing systems, facilities, and services of the Department of Defense and other Federal Agencies, when practicable, to avoid duplication and to achieve maximum efficiency and economy.

4.1.4. Coordinate with and utilize procurement information maintained by the Defense Manpower Data Center, under the DoD Human Resources Activity, regarding DoD prime contracting and subcontracting data.

4.2. The other OSD officials and the Heads of the DoD Components shall coordinate with the Director, SADBUC on all matters related to the authorities, responsibilities, and functions assigned in this Instruction.

5. AUTHORITIES

The Director, SADBUC is hereby delegated authority to:

5.1. Obtain reports and information, consistent with DoD Directive 8910.1 (reference (i)), as necessary in carrying out assigned responsibilities and functions.

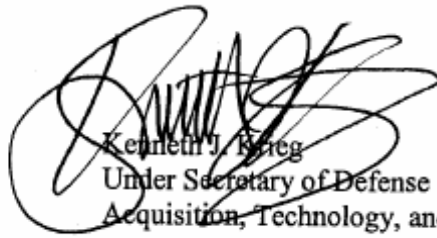
5.2. Communicate directly with the Heads of the DoD Components, as necessary, to carry out assigned responsibilities and functions, including the transmission of requests for advice and assistance. Communications to the Military Departments shall be through the Secretaries of the Military Departments, their designees, or as otherwise provided in law or directed by the Secretary of Defense in other DoD issuances. Communication to the Commanders of the Combatant Commands normally shall be transmitted through the Chairman of the Joint Chiefs of Staff.

5.3. Establish arrangements for DoD participation in non-Defense governmental programs for which the Director, SADBUC is assigned primary staff cognizance.

5.4. Communicate with other Government officials, representatives of the Legislative Branch, members of the public, and representatives of foreign governments, as appropriate, in carrying out assigned responsibilities and functions.

6. EFFECTIVE DATE

This Instruction is effective immediately.



Kenneth J. Biegg
Under Secretary of Defense for
Acquisition, Technology, and Logistics

Enclosure - 1

E1. References, continued

E1. ENCLOSURE 1

REFERENCES, continued

- (e) Section 2323 of title 10, United States Code
- (f) DoD Directive 4205.1, "Department of Defense Small Business and Small Disadvantaged Business Utilization Programs," September 11, 1996
- (g) Federal Acquisition Regulation, current edition
- (h) Defense Federal Acquisition Regulation, current edition
- (i) DoD Directive 8910.1, "Management and Control of Information Requirements," June 11, 1993