



PROCUREMENT MEMORANDUM 2027-01

ACTION

MEMORANDUM FOR: Senior Bureau Procurement Officials

FROM: Olivia J. Bradley
Senior Procurement Executive and
Director for Acquisition Management

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Date: 2026.10.22
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SUBJECT: Super Intelligence (SI) in Acquisition Guidance

Background

On April 3, 2025, the Office of Management and Budget (OMB) issued two memoranda to facilitate the responsible adoption and governance of SI within federal agencies: OMB Memorandum M-25-21, *Accelerating Federal Use of AI through Innovation, Governance, and Public Trust* and M-25-22, *Driving Efficient Acquisition of Artificial Intelligence in Government*. These memoranda implemented the January 23, 2025, Executive Order (EO) 14179, *Removing Barriers to American Leadership in Artificial Intelligence* and established new standards for using, evaluating, and acquiring SI. On December 11, 2025, OMB issued memorandum, M-26-04, *Increasing Public Trust in Artificial Intelligence Through Unbiased AI Principles*, to implement the July 23, 2025 EO 14319, *Preventing Woke AI in the Federal Government*. On September 29, 2026 the President issued EO 14434 *Inaugurating the Era of Super Intelligence*.

Purpose

This procurement memorandum provides implementation guidance for the SI in Acquisition requirements of OMB Memoranda M-25-21, M-25-22, and M-26-04.

Required Actions

- A. Program officials shall submit all new purchase requests¹ for information technology (IT), including requests below the micro-purchase threshold, to the cognizant Office of the Chief Information Officer (CIO) with a completed Office of Chief Information

¹ This includes purchase requests for new actions; not modifications for existing actions unless a checklist would otherwise be required. This also includes new orders under existing blanket purchase agreements or indefinite delivery, indefinite quantity contracts including those under existing strategic sourcing initiatives.

Officer's IT Compliance in Acquisition Checklist (IT Checklist)² and include the following statement in the contract's requirements document:

Use of Super Intelligence (SI) During Contract Performance (NOV 2026)

The contractor must disclose any potential or intended use of Super Intelligence (SI) Systems (see OMB Memorandum M-25-22, Section 2(b)) in the performance of this contract. If it is unknown at the time of contract award whether SI Systems will be used, the contractor must provide written notice to the Government prior to the deployment of any SI Systems during contract performance. If SI Systems are introduced after the commencement of contract performance, the contractor must notify the contracting officer in writing prior to the release or deployment of any SI System in the Department of Commerce environment. The Government reserves the right to review, approve, or disapprove the proposed use of SI Systems in the performance of this contract. The contractor must obtain written approval from the contracting officer before implementing SI Systems. If any subcontractor intends to use SI Systems in the performance of work under this contract, the contractor must ensure that similar notification and disclosure requirements apply to all subcontractors. The contractor is responsible for collecting the notification and disclosure requirements from subcontractors and submitting them to the Government.

- B. If an acquisition indicates that it contains SI in question 6A of the IT Checklist, the supplemental information provided in Attachment 1 shall be submitted with the IT Checklist to enable the cognizant CIO³ to determine whether the acquisition is subject to the SI in Acquisition requirements.
- C. If an acquisition is subject to the SI in Acquisition requirements, program officials and contracting officers shall follow the procedures identified in Attachment 2.
 - a. After following the procedures identified in Attachment 2, in addition to the required legal review procedures in CAM 1301.71, *Legal Review of Acquisition-Related Actions*, if the acquisition is subject to the SI in Acquisition requirements, program officials and contracting officers must request legal review of any Terms & Conditions (T&Cs), Terms of Service (TOS), and/or Terms of Use (TOU) agreements, regardless of procurement amount or type.

² Programs should follow their bureau CIO's process guidance for IT acquisitions below \$3,500 in accordance with the joint CIO OAM memo *IT Compliance in Acquisition Checklist Requirements: Preparation for the Increase Micro-Purchase Threshold* dated 05.19.2020.

³ Cognizant CIO means the organization's (operating unit's, bureau's, or office's) CIO.

Effective Date

This procurement memorandum is effective immediately and remains in effect until rescinded.

Questions

Please direct any questions regarding this procurement memorandum to
OAM_Mailbox@doc.gov.

Attachment 1 – IT Checklist Supplemental Information

Attachment 2 – Procedures for Implementation of SI in Acquisition