

FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554 FCC DIRECTIVE	TITLE	
	Interagency Agreements	
	Directive Number: FCCINST 1074.1	Effective Date: August 2016

1. **PURPOSE.** This document provides guidance to Federal Communications Commission’s (FCC or Commission) Bureaus/Offices (B/O) on the procedures for entering into Interagency Agreements (IAAs) with other Federal agencies that involve the transfer of funds between or among Federal agencies to provide, obtain, or share services, goods, or rights.
2. **SCOPE.** This directive applies to headquarters and field units. The directive does not apply to:
 - A. Agreements between or among agencies on matters of common interest that do not involve the transfer of funds.
 - B. The detail of personnel between agencies (although such details may sometimes require compliance with the Economy Act).
 - C. “Direct acquisitions,” as that term is defined and construed in section 2.101 and Subpart 17.5 of the Federal Acquisition Regulation (although such actions may involve detailed requirements for FCC’s direct use of third-party agency contract vehicles, including the need for a delegation of authority or other procedural requirements).
3. **AUTHORITIES.** Each IAA must identify the statutory authority for the transfer of funds from the requesting agency to the servicing agency for the services and/or supplies to be provided. We list below frequently used authorities for the transfer of funds under an IAA. The list is instructive but not exhaustive.
 - A. The Economy Act, 5 U.S.C. § 1535. This is the most commonly used authority for the transfer of funds. If, however, either agency has a more specific statutory authority that covers the particular transfer of funds for the IAA, that more specific authority *must* be used instead of the Economy Act;

- B. The General Services Administration Modernization Act, 40 U.S.C. § 321, which provides authority for the Acquisition Services Fund (previously known as the General Services Information Technology Fund);
- C. The Government Management Reform Act of 1994, 31 U.S.C. § 501 note, which establishes the franchise funds, such as GovWorks (Department of Interior) and FedSource (Department of the Treasury);
- D. The Government Employees Training Act, 5 U.S.C. § 4104; and
- E. The Office of Personnel Management Revolving Fund, 5 U.S.C. § 1304(e)(1).

If it is unclear what statutory authority should be relied on for a particular IAA, B/Os should consult the Senior Procurement Executive (SPE).

4. DEFINITIONS.

- A. Assisted Acquisition(s): Interagency acquisitions for which a Requesting Agency, at its discretion, has determined that it is in the best interest of the government to seek the acquisition services of a Servicing Agency in the procurement of supplies or services from the private sector (or from an Federal Funded Research and Development Center (FFRDC) that does not accept direct orders) and where the Servicing Agency awards a contract or order on behalf of the Requesting Agency.
- B. Direct Acquisition: means a type of interagency acquisition where a requesting agency places an order directly against a servicing agency's indefinite-delivery contract. The servicing agency manages the indefinite-delivery contract but does not participate in the placement or administration of an order.
- C. Interagency Agreement: A written agreement between Federal agencies or Components of Federal agencies to acquire supplies or services as authorized by statute.
- D. Interagency Acquisition: A procedure by which an agency needing supplies or services (the requesting agency) obtains them from another agency (the servicing agency), by an assisted acquisition or a direct acquisition.
- E. Requesting Agency: A Federal agency that has a requirement and desires to obtain goods or services from a Servicing Agency.
- F. Servicing Agency: A Federal agency that is willing and able to provide goods or services to a Requesting Agency.

- 5. POLICY. It is the policy of the FCC that an IAA with other Federal agencies will only be entered into when it is legally permissible.

- A. IAAs must be prepared and administered in accordance with this directive. The B/O Assistant Bureau Chief (ABC) must obtain initial approval for an IAA from the Chief Financial Officer (CFO). Once that approval is obtained, the B/O must submit the draft IAA to the Budget Center for review.
- B. All IAAs must be approved by the SPE prior to being presented to the Managing Director or his/her designee for signature.
- C. An IAA signed by officials at both agencies must be in place before commencement of services and/or provision of supplies under the IAA. Similarly, an IAA signed by officials at both agencies must be in place before any funds transfer can be made.
- D. If the IAA involves an assisted acquisition (*i.e.*, where another agency will be performing acquisition activities on behalf of the FCC, such as awarding a contract or placing on order, or vice versa), then certain procurement requirements are triggered, which will be fulfilled by a contracting officer in the Enterprise Acquisition Center (EAC), who will be supported by one or more representatives of the B/O with the requirement.

6. RESPONSIBILITIES.

- A. Managing Director. Approves all IAAs between the FCC and other Federal agencies involving the transfer of funds between agencies to provide goods or services.
- B. Senior Procurement Executive:
 - (1) Reviews all proposed IAAs and recommends action to the Managing Director.
 - (2) Serves as the FCC's subject matter expert on IAAs, responding to questions posed by Bureau/Office staff and management.
 - (3) Ensures that all requirements of the FAR are met for interagency acquisitions, especially the assisted acquisitions that require IAAs.
- C. Chief Financial Officer:
 - (1) Initially considers all requests for IAAs proposed by program offices.
 - (2) Reviews completed IAA packages to ensure fund availability as well as accuracy of accounting and financial data.
- D. General Counsel:
 - (1) Provides advice to OMD and/or SPE on legal questions relating to authority to enter into an IAA.
 - (2) Provides advice to OMD and/or SPE on legal questions relating to proposed terms of an IAA.
 - (3) Provides advice to OMD and/or SPE in the event of a legal dispute between the agencies regarding the terms of an IAA.

- (4) Provides advice to OMD and/or SPE on legal questions relating to compliance with FAR Subpart 17.5 (Interagency Acquisitions).

E. Bureaus/Offices:

- (1) Proposes IAAs that will be beneficial in fulfilling the mission of the FCC.
- (2) Drafts the IAA and proposed Statement of Work, with the assistance, where necessary of EAC.
- (3) Collaborates and supports EAC in its preparation and execution of a determination of best procurement approach, written agreement on responsibility for management and administration of solicitations, contracts, and orders arising from assisted acquisitions; and other determinations and finding required by the FAR. *See* 7.J. and L. (below).
- (4) Once approved, monitors the provision of goods and/or services obtained under the IAA to ensure the FCC receives full value and that the terms and conditions of the IAA are fulfilled.

7. GENERAL PROCEDURES.

A. Program officials are to submit requests for IAAs to their Assistant Bureau Chief for Management (or Deputy Bureau Chief as an alternative), who will request initial approval from the CFO or his/her designee. If the CFO or his/her designee approves the request for an IAA, the program office shall initiate the IAA process by completing the following steps and forwarding the draft documents to the Budget Center:

- (1) Draft the IAA. To the maximum extent possible, IAAs shall be prepared using the current version of Department of Treasury's FMS Form 7600, which consists of two sections: (i) General Terms and Conditions (Form 7600A) and (ii) Order which obligates funds (Form 7600B);
- (2) Enter the accounting information into Genesis; and
- (3) Provide a Statement of Work (SOW), if the FCC contemplates an assisted acquisition by a servicing agency or requires a statement of work for direction of work to be performed by the servicing's agency's own employees.

B. The Budget Center reviews all forms and the SOW (if applicable) and completes the following actions:

- (1) Reviews for accuracy all accounting information provided in the required forms;
- (2) Certifies fund availability for the IAA;
- (3) Ensures all financial codes are accurately provided on the FMS Form 7600B;
- (4) Assigns the IAA number (if the FCC is the requesting agency);
- (5) Create the External Direct Agreement (ERA) for IAAs, in which the Commission is the servicing agency; and

- (6) The Budget Center forwards the completed IAA package to the SPE for review.
- C. If an assisted acquisition is contemplated, EAC has final responsibility for compliance with the requirements of the FAR Subpart 17.5, and the B/O with the requirement is expected to provide its complete cooperation and support to EAC to enable EAC to discharge this responsibility.
- D. The SPE may consult with OGC on any legal questions concerning appropriate statutory authority for the IAA and/or interpretation of provisions of the IAA.
- E. Only the Managing Director or his/her designee is authorized to execute Form 7600A. Only the Chief Financial Officer (CFO) or his/her designee is authorized to execute Form 7600B as a funding official, which obligates funds. For IAA's involving assisted acquisitions, Form 7600B (Block 40) must be completed with the contact information for the contracting officer responsible for FCC's procurement responsibilities as requesting or servicing agency, and signed and dated. In the event that another agency insists on using its own IAA form or a Memorandum of Agreement (MOA), only the Managing Director or his/her designee is authorized to execute the document.
- F. If the FCC is the requesting agency, once the IAA is executed by both agencies, the SPE shall send the executed IAA to the Budget Center for entry into the Financial Management System (Genesis) so that the funds can be obligated.
- G. EAC shall maintain the official copies of all IAAs once they are executed and monitor the performance of all IAAs once they are in place.
- H. Economy Act Documentation Requirement. If authority to transfer funds under the IAA is pursuant to the Economy Act, specific documentation (a determination and finding (D&F)) must be executed prior to signing of the IAA. If the FCC is the servicing agency, the D&F is the responsibility of the requesting agency. If the FCC is the requesting agency, the D&F shall be prepared and executed by the program office (unless the IAA involves an assisted acquisition, in which case the document must adhere to the requirements in Federal Acquisition Regulation (FAR) 17.502-2(c) and be executed by a contracting officer in EAC). The supporting D&F shall state that the following requirements of 31 U.S.C. § 1535(a) have been met:
- (1) Funds are available in the amount required for the IAA;
 - (2) The IAA is in the best interest of the Federal Government;
 - (3) The servicing agency is able to provide the required goods or services; and
 - (4) The required goods or services cannot be provided by contract as conveniently or cheaply by a commercial enterprise.
- I. Duration of IAAs. An IAA must specify a period of effectiveness. An IAA is usually effective from the date that it is signed by the Managing Director or

his/her designee and remains in effect for the period specified in the IAA unless modified or terminated. B/Os shall monitor the end date of existing IAAs and ensure that new IAAs are prepared and submitted for review in a timely manner to ensure there is no lapse of service. An IAA may include provisions for IAA renewal on an annual basis. If the proposed term of an IAA will exceed one year, consult the SPE.

- J. Assisted Acquisitions. If the IAA provides for the servicing agency to perform an assisted acquisition on behalf of the FCC, EAC shall prepare and execute a Determination of Best Procurement Approach in accordance with FAR 17.502-1(a)(1). EAC and the program office will work together to prepare and negotiate with the servicing agency (as part of the Form 7600B or an incorporated attachment) a written agreement on responsibility and management of the acquisition in accordance with FAR 17.502-1(b). Alternatively, where a series of orders are contemplated that will involve several assisted acquisitions that can be addressed by a uniform approach on responsibility and management for the acquisitions, the agreement on responsibility and management of the acquisition can be made or reflected in the Form 7600A. If the assisted acquisition is being conducted under the authority of the Economy Act, a D&F is required in accordance with FAR 17.502-2(c). If the FCC is the requesting agency, the D&F is initiated by the program office, with assistance from EAC if necessary, and executed by a contracting officer in EAC. If the FCC is the servicing agency, EAC shall ensure that a copy of an executed D&F has been provided by the requesting agency.
- K. Modifications of IAAs and Orders. If an IAA or order needs to be modified, the program office shall prepare the modifications on the appropriate form and submit the form to the Budget Center. After review, the Budget Center shall send the form to the SPE for processing and approval. Modifications to IAAs must be executed by the Managing Director or his/her designee; modifications to orders must be executed by the CFO or his/her designee.



Mark Stephens
Managing Director

United States Government
Interagency Agreement (IAA) – Agreement Between Federal Agencies
General Terms and Conditions (GT&C) Section

IAA Number _____ - 0000 - _____
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<p>9. Estimated Agreement Amount (The Servicing Agency completes all information for the estimated agreement amount.) (Optional for Assisted Acquisitions)</p>						
<p>Direct Cost _____</p> <p>Overhead Fees & Charges _____</p> <p>Total Estimated Amount _____ \$0.00</p>	<p>Provide a general explanation of the Overhead Fees & Charges</p>					
<p>10. STATUTORY AUTHORITY</p> <p>a. Requesting Agency's Authority (Check One)</p> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Franchise Fund <input type="checkbox"/></td> <td style="text-align: center;">Revolving Fund <input type="checkbox"/></td> <td style="text-align: center;">Working Capital Fund <input type="checkbox"/></td> <td style="text-align: center;">Economy Act (31 U.S.C. 1535/FAR 17.5) <input type="checkbox"/></td> <td style="text-align: center;">Other Authority <input type="checkbox"/></td> </tr> </table> <p>Fill in Statutory Authority Title and Citation for Franchise Fund, Revolving Fund, Working Capital Fund, or Other Authority</p>		Franchise Fund <input type="checkbox"/>	Revolving Fund <input type="checkbox"/>	Working Capital Fund <input type="checkbox"/>	Economy Act (31 U.S.C. 1535/FAR 17.5) <input type="checkbox"/>	Other Authority <input type="checkbox"/>
Franchise Fund <input type="checkbox"/>	Revolving Fund <input type="checkbox"/>	Working Capital Fund <input type="checkbox"/>	Economy Act (31 U.S.C. 1535/FAR 17.5) <input type="checkbox"/>	Other Authority <input type="checkbox"/>		
<p>b. Servicing Agency's Authority (Check One)</p> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Franchise Fund <input type="checkbox"/></td> <td style="text-align: center;">Revolving Fund <input type="checkbox"/></td> <td style="text-align: center;">Working Capital Fund <input type="checkbox"/></td> <td style="text-align: center;">Economy Act (31 U.S.C. 1535/FAR 17.5) <input type="checkbox"/></td> <td style="text-align: center;">Other Authority <input type="checkbox"/></td> </tr> </table> <p>Fill in Statutory Authority Title and Citation for Franchise Fund, Revolving Fund, Working Capital Fund, or Other Authority</p>		Franchise Fund <input type="checkbox"/>	Revolving Fund <input type="checkbox"/>	Working Capital Fund <input type="checkbox"/>	Economy Act (31 U.S.C. 1535/FAR 17.5) <input type="checkbox"/>	Other Authority <input type="checkbox"/>
Franchise Fund <input type="checkbox"/>	Revolving Fund <input type="checkbox"/>	Working Capital Fund <input type="checkbox"/>	Economy Act (31 U.S.C. 1535/FAR 17.5) <input type="checkbox"/>	Other Authority <input type="checkbox"/>		
<p>11. Requesting Agency's Scope (State and/or list attachments that support Requesting Agency's Scope.)</p> 						
<p>12. Roles & Responsibilities for the Requesting Agency and Servicing Agency (State and/or list attachments for the roles and responsibilities for the Requesting Agency and the Servicing Agency.)</p> 						

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<p>13. Restrictions (Optional) (State and/or attach unique requirements and/or mission specific restrictions specific to this IAA).</p>
<p>14. Assisted Acquisition Small Business Credit Clause (The Servicing Agency will allocate the socio-economic credit to the Requesting Agency for any contract actions it has executed on behalf of the Requesting Agency.)</p>
<p>15. Disputes: Disputes related to this IAA shall be resolved in accordance with instructions provided in the Treasury Financial Manual (TFM) Volume I, <i>Intragovernmental Business Rules</i> Bulletin, available on the TFM Web site at http://www.fms.treas.gov/tfm/vol1/bull.html.</p>
<p>16. Termination (Insert the number of days that this IAA may be terminated by written notice by either the Requesting or Servicing Agency.)</p> <p>If this agreement is canceled, any implementing contract/order may also be canceled. If the IAA is terminated, the agencies shall agree to the terms of the termination, including costs attributable to each party and the disposition of awarded and pending actions.</p> <p>If the Servicing Agency incurs costs due to the Requesting Agency's failure to give the requisite notice of its intent to terminate the IAA, the Requesting Agency shall pay any actual costs incurred by the Servicing Agency as a result of the delay in notification, provided such costs are directly attributable to the failure to give notice.</p>
<p>17. Assisted Acquisition Agreements – Requesting Agency's Organizations Authorized To Request Acquisition Assistance for this IAA. (State or attach a list of Requesting Agency's organizations authorized to request acquisition assistance for this IAA.)</p>
<p>18. Assisted Acquisition Agreements – Servicing Agency's Organizations authorized to Provide Acquisition Assistance for this IAA. (State or attach a list of Servicing Agency's organizations authorized to provide acquisition for this IAA.)</p>
<p>19. Requesting Agency Clause(s) (Optional) (State and/or attach any additional Requesting Agency clauses.)</p>

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Order Requirements and Funding Information (Order) Section**

IAA Number _____ - _____ - _____
 GT&C # Order # Amendment/Mod #

Servicing Agency's Agreement
 Tracking Number (Optional) _____

PRIMARY ORGANIZATION/OFFICE INFORMATION					
24.	Requesting Agency	Servicing Agency			
Primary Organization/Office Name					
Responsible Organization/Office Address					
ORDER/REQUIREMENTS INFORMATION					
25. Order Action (Check One)					
<input type="checkbox"/> New					
<input type="checkbox"/> Modification (Mod) – List affected Order blocks being changed and explain the changes being made. For Example: for a performance period mod, state new performance period for this Order in Block 27. Fill out the Funding Modification Summary by Line (Block 26) if the mod involves adding, deleting or changing Funding for an Order Line .					
<input type="checkbox"/> Cancellation – Provide a brief explanation for Order cancellation and fill in the Performance Period End Date for the effective cancellation date.					
26. Funding Modification Summary by Line	Line # _____	Line # _____	Line # _____	Total of All Other Lines (attach funding details)	Total
Original Line Funding	\$	\$	\$	\$	\$0.00
Cumulative Funding Changes From Prior Mods [addition (+) or reduction (-)]	\$	\$	\$	\$	\$0.00
Funding Change for This Mod	\$	\$	\$	\$	\$0.00
TOTAL Modified Obligation	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Advance Amount (-)	\$	\$	\$	\$	\$0.00
Net Modified Amount Due	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
 27. Performance Period					
	Start Date	_____		End Date	_____
		MM-DD-YYYY			MM-DD-YYYY
For a performance period mod, insert the start and end dates that reflect the new performance period.					

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IAA Number _____ - _____ - _____
 GT&C # Order # Amendment/Mod #

Servicing Agency's Agreement
 Tracking Number (Optional) _____

28. Order Line/Funding Information			Line Number _____		
Requesting Agency Funding Information			Servicing Agency Funding Information		
ALC					
Treasury Agency Code					
Trading Partner Code					
TAS					
BETC					
Object Class Code (Optional)					
BPN					
BPN + 4 (Optional)					
Additional Accounting Classification/Information (Optional)					
Requesting Agency Funding Expiration Date		Requesting Agency Funding Cancellation Date			
MM-DD-YYYY		MM-DD-YYYY			
Project Number & Title					
Description of Products and/or Services, including the Bona Fide Need for this Order (State or attach a description of products/services, including the bona fide need for this Order.)					
North American Industry Classification System (NAICS) Number (Optional) _____					
Breakdown of Reimbursable Line Costs			OR	Breakdown of Assisted Acquisition Line Cost:	
Unit of Measure			Contract Cost	\$	
Quantity	Unit Price	Total	Servicing Fees	\$	
		\$ 0.00	Total Obligated Cost	\$ 0.00	
Overhead Fees & Charges	\$		Advance for Line (-)	\$	
Total Line Amount Obligated	\$ 0.00		Net Total Cost	\$ 0.00	
Advance Line Amount (-)	\$		Assisted Acquisition Servicing Fees Explanation		
Net Line Amount Due	\$ 0.00				
Type of Service Requirements					
<input type="checkbox"/> Severable Service <input type="checkbox"/> Non-severable Service <input type="checkbox"/> Not Applicable					

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 GT&C # Order # Amendment/Mod # Tracking Number (Optional) _____

29. Advance Information (Complete Block 29 if the Advance Payment for Products/Services was checked "Yes" on the GT&C.)

Total Advance Amount for the Order \$ _____ [All Order Line advance amounts (Block 28) must sum to this total.]

Revenue Recognition Methodology (according to SFFAS 7) (Identify the Revenue Recognition Methodology that will be used to account for the Requesting Agency's expense and the Servicing Agency's revenue)

- Straight-line – Provide amount to be accrued \$ _____ and Number of Months _____
- Accrual Per Work Completed – Identify the accounting posting period:
 - Monthly per work completed & invoiced
 - Other – Explain other regular period (bimonthly, quarterly, etc.) for posting accruals and how the accrual amounts will be communicated if other than billed.

30. Total Net Order Amount: \$ _____
 [All Order Line Net Amounts Due for reimbursable agreements and Net Total Costs for Assisted Acquisition Agreements (Block 28) must sum to this total.]

31. Attachments (State or list attachments.)

- Key project and/or acquisition milestones (Optional except for Assisted Acquisition Agreements)

- Other Attachments (Optional)

BILLING & PAYMENT INFORMATION

32. Payment Method (Check One) [Intra-governmental Payment and Collection (IPAC) is the Preferred Method.]
 If IPAC is used, the payment method must agree with the IPAC Trading Partner Agreement (TPA).

- Requesting Agency Initiated IPAC
- Servicing Agency Initiated IPAC
- Credit Card
- Other – Explain other payment method and reasoning.

33. Billing Frequency (Check One)

[An Invoice must be submitted by the Servicing Agency and accepted by the Requesting Agency BEFORE funds are reimbursed (i.e., via IPAC transaction)]

- Monthly Quarterly Other Billing Frequency (include explanation)

34. Payment Terms (Check One)

- 7 days Other Payment Terms (include explanation): _____

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Order Requirements and Funding Information (Order) Section

IAA Number _____ - _____ - _____ Servicing Agency's Agreement
 GT&C # Order # Amendment/Mod # Tracking Number (Optional) _____

35. Funding Clauses/Instructions (Optional) (State and/or list funding clauses/instructions.)

36. Delivery/Shipping Information for Products (Optional)

Agency Name	
Point of Contact (POC) Name & Title	
POC Email Address	
Delivery Address /Room Number	
POC Telephone Number	
Special Shipping Information	

APPROVALS AND CONTACT INFORMATION

37. PROGRAM OFFICIALS

The Program Officials, as identified by the Requesting Agency and Servicing Agency, must ensure that the scope of work is properly defined and can be fulfilled for this Order. The Program Official may or may not be the Contracting Officer depending on each agency's IAA business process.

	Requesting Agency	Servicing Agency
Name		
Title		
Telephone Number		
Fax Number		
Email Address		
SIGNATURE		
Date Signed		

38. FUNDING OFFICIALS - The Funds Approving Officials, as identified by the Requesting Agency and Servicing Agency, certify that the funds **are accurately** cited and can be properly accounted for per the purposes set forth in the Order. The Requesting Agency Funding Official signs to obligate funds. The Servicing Agency **Funding Official** signs to **start the work, and to bill, collect, and properly account for funds** from the Requesting Agency, in accordance with the agreement.

	Requesting Agency	Servicing Agency
Name		
Title		
Telephone Number		
Fax Number		
Email Address		
SIGNATURE		
Date Signed		

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IAA Number _____ - _____ - _____ Servicing Agency's Agreement
 GT&C # Order # Amendment/Mod # Tracking Number (Optional) _____

CONTACT INFORMATION		
FINANCE OFFICE Points of Contact (POCs)		
The finance office points of contact must ensure that the payment (Requesting Agency), billing (Servicing Agency), and advance/accounting information are accurate and timely for this Order.		
39.	Requesting Agency (Payment Office)	Servicing Agency (Billing Office)
Name		
Title		
Office Address		
Telephone Number		
Fax Number		
Email Address		
Signature & Date (Optional)		
40. ADDITIONAL Points of Contacts (POCs) (as determined by each Agency)		
This may include CONTRACTING Office Points of Contact (POCs).		
	Requesting Agency	Servicing Agency
Name		
Title		
Office Address		
Telephone Number		
Fax Number		
Email Address		
Signature & Date (Optional)		
Name		
Title		
Office Address		
Telephone Number		
Fax Number		
Email Address		
Signature & Date (Optional)		
Name		
Title		
Office Address		
Telephone Number		
Fax Number		
Email Address		
Signature & Date (Optional)		