



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

MAR 20 2014

In reply refer to
DARS Tracking Number: 2014-00013

MEMORANDUM FOR COMMANDER, UNITED STATES SPECIAL OPERATIONS
COMMAND (ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES TRANSPORTATION
COMMAND (ATTN: ACQUISITION EXECUTIVE)
DEPUTY ASSISTANT SECRETARY OF THE ARMY
(PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE NAVY
(ACQUISITION AND PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING)
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Class Deviation—Prohibition Against Using Fiscal Year 2014 Funds to Contract with
Entities Convicted of Fraud Against the Federal Government

Effective immediately, funds made available by the Department of Defense Appropriations Act, 2014 (Division C of Public Law 113-76) may not be used to enter into a contract with any person or other entity that is listed in the Excluded Parties List System (EPLS)/System for Award Management (SAM) Exclusion as having been convicted of fraud against the Federal Government.

The contracting officer shall review the exclusion information in SAM and note the application of the Cause and Treatment (CT) Code associated with the exclusion. Contractors may be debarred, suspended, or proposed for debarment for a conviction of, or civil judgment for, commission of fraud or a criminal offense (see FAR 9.406-2). CT Codes specifically associated with a fraud conviction are A, A1, FF, J, J1 and R.

This class deviation is effective upon signature, and remains in effect until incorporated in the FAR or DFARS or otherwise rescinded. My point of contact is Ms. Amy Williams, who may be reached at 571-372-6106, or amy.g.williams.civ@mail.mil.


Richard Ginman
Director, Defense Procurement
and Acquisition Policy