



ACQUISITION
AND SUSTAINMENT

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

In reply refer to
DARS Tracking Number: 2020-O0014

MEMORANDUM FOR COMMANDER, UNITED STATES CYBER
COMMAND (ATTN: ACQUISITION EXECUTIVE)
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
(PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING)
DIRECTORS, DEFENSE AGENCIES
DIRECTORS, DEFENSE FIELD ACTIVITIES

SUBJECT: Class Deviation 2020-O0014—Flexibilities for Electronic Delivery of Information
Related to Suspensions and Debarments

Effective immediately, in response to the Novel Coronavirus Disease 2019 (COVID-19) outbreak, debarring and suspending officials may deviate from the requirements at Federal Acquisition Regulation (FAR) 9.406-3(c) and (e) and 9.407-3(c) and (d)(4) to provide notices of proposed debarment or suspension and debarring and suspension official decisions to contractors via certified mail, return receipt requested. In addition to these forms of notification, debarring and suspending officials are also authorized to provide such notices and decisions to contractors electronically via e-mail and/or secure file exchange service.

Initial notices of suspension or proposed debarment sent via email shall make available copies of the record which formed the basis for the decision, as required by Defense Federal Acquisition Regulation Supplement (DFARS) Appendix H-101. In addition, as a deviation to the above provisions of the FAR, suspending and debarring officials shall include instructions for a contractor to present matters in opposition or evidence relevant to the facts, as authorized by DFARS Appendix H-103 and H-104, either in writing via mail or email or in person or through a representative and, as deemed appropriate by the suspending and debarring official, via telephone or video-teleconference.

This class deviation remains in effect until rescinded. My point of contact is Mr. Jeff Grover, who is available at 703-697-9352 or jeffrey.c.grover.civ@mail.mil.

Kim Herrington
Acting Principal Director,
Defense Pricing and Contracting