

September 18, 2012

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The Interagency Suspension and Debarment Committee (ISDC) is pleased to present its Fiscal Year 2011 report to Congress on the status of the Federal suspension and debarment system. This report, required by section 873(a)(7) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, identifies the progress, activities and accomplishments of Executive Branch agencies related to suspension and debarment during the last fiscal year. It also discusses a number of important achievements made in FY 2012 as a result of ongoing government-wide initiatives to strengthen agencies' ability to use these tools.

Suspension and debarment are two of the Government's most powerful tools for ensuring contract and program integrity. These tools protect taxpayers from waste and abuse by allowing agencies to exclude entities and individuals that have shown they are unworthy of the public trust from receiving awards of contracts, grants, and other forms of financial assistance. Despite the importance of these tools, reports issued in recent years, including an August 2011 report by the Government Accountability Office, found that too many agencies have failed to adequately use the suspension and debarment authorities that are placed at their disposal and, in some cases, have failed even to maintain the most basic program capabilities required to suspend or debar non-responsible parties.

Over the last 20 months, the ISDC has accelerated efforts to make sure agencies are properly positioned to give appropriate consideration to suspension and debarment as tools to fight waste and abuse. Special attention has been given to helping agencies that either lack or have weak suspension and debarment programs and leveraging the experiences of agencies with well-established programs. These efforts were reinforced by the Office of Management and Budget, which directed all agencies subject to the Chief Financial Officers Act ("CFO Act") to take a number of actions to address any program weaknesses and reinforce best practices. See OMB Memorandum M-12-02, *Suspension and Debarment of Federal Contractors and Grantees* (November 15, 2011), available at <http://www.whitehouse.gov/sites/default/files/omb/memoranda/2012/m-12-02.pdf>.

With the support and active assistance of the ISDC, agencies have improved their ability to effectively consider suspension and debarment when necessary to protect the government's interests. Of particular note:

- All of the 24 CFO Act agencies reported to the ISDC that they have a senior accountable official for suspension and debarment activities.
- All of the CFO Act agencies reported taking steps to address resources, policies, or both between October 1, 2011 and the date of this report, to strengthen the consideration of suspension and debarment. Noteworthy actions include formally establishing suspension and debarment programs, increasing personnel resources for existing programs, creating new internal monitoring mechanisms, simplifying processes for making referrals, and implementing new policies that require automatic referral to the SDO in certain situations.
- All CFO Act agencies are represented on the ISDC and either currently support or expressed an intent to begin supporting, the “lead agency” process used by the ISDC to manage the coordination of suspension and debarment actions across the government.
- Agencies have been working closely with the ISDC and OMB to implement new statutory requirements for considering suspension and debarment before making an award to a corporation with a felony conviction or tax delinquency.

To build on this important progress, the ISDC established a number of standing subcommittees to address ongoing needs. For example, one subcommittee is focused on mentoring agencies that require individualized help in standing up or strengthening their suspension and debarment office. This subcommittee is also ensuring that educational materials support the needs of the various stakeholders (e.g., offices of general counsel, offices of inspectors general, program officials, and contracting officers) who support the suspension and debarment process. Another subcommittee is reviewing opportunities to improve practices and processes for coordinating suspension and debarment actions among agencies when two or more agencies have an interest in initiating suspension and debarment proceedings pertaining to the same contractor.

The ISDC looks forward to its continued partnership with agencies in their ongoing efforts to manage their debarment and suspension programs in the most effective manner possible and helping the government eliminate fraud, waste, and abuse from its programs and operations.

Sincerely,



David M. Sims
Chair, ISDC



Duc Nguyen
Vice Chair, ISDC

Identical Letter Sent to: The Honorable Susan M. Collins, The Honorable Darrell E. Issa,
and The Honorable Elijah E. Cummings

Report by the Interagency Suspension and Debarment Committee on Federal Agency Suspension and Debarment Activities

The Interagency Suspension and Debarment Committee (ISDC) is required to report the status of the Federal suspension and debarment system to Congress each year.¹ Specifically, the ISDC must report: 1) progress and efforts to improve the suspension and debarment system; 2) agency participation in the Committee's work; and, 3) a summary of each agency's activities and accomplishments in the government-wide debarment system.

This report discusses key government-wide and agency suspension and debarment initiatives from FY 2011 to the present, including management actions individual agencies are taking to strengthen their suspension and debarment capabilities in accordance with direction provided by OMB in Memorandum M-12-02, *Suspension and Debarment of Federal Contractors and Grantees* (November 15, 2011). In particular, the report identifies the agency's senior accountable official, describes how oversight is provided, lists key internal controls, and highlights the agency's most significant activities and accomplishments. The report also provides data for FY 2011 on agency suspension and debarment actions.

Background

The ISDC is an interagency body, comprised of Executive Branch organizations that work together to provide support for suspension and debarment programs throughout the Government.² The ISDC operates both as a forum for agencies to discuss best practices, trends, and current issues and challenges, and a coordinating body to promote efficient handling of actions by ensuring there is a "lead agency" when two or more agencies have an interest in initiating suspension or debarment proceedings.³ It also provides expert analysis and advice. For example, the ISDC Chair testified before the Senate Homeland Security and

¹ Section 873(a)(7) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, Public Law 110-417.

² The ISDC was initially created in 1986 to monitor implementation of Executive Order 12549, which established a suspension and debarment system for non-procurement matters such as grants, insurance and guarantees. Since its initial establishment, the ISDC has grown to take cognizance of procurement debarment matters in addition to its original non-procurement jurisdiction.

The Federal government uses two debarment rules. The Nonprocurement Rule is codified at Title 2 of the Code of Federal Regulations (C.F.R.) in Part 180 and separate agency enacting pieces promulgated in Subtitle B of that Title. The FAR, or procurement rule, is found at Title 48 in the C.F.R. at Part 9.4. Both rules have reciprocal effect. A suspension or debarment under either rule renders the respondent ineligible for participation in procurement and nonprocurement transactions throughout the Executive branch.

³ Resolving issues regarding which of several Federal agencies is the lead agency having responsibility to initiate suspension or debarment proceedings and coordinating actions among interested agencies with respect to such action is one of several enumerated responsibilities identified in section 873. Others include encouraging and assisting federal agencies in entering into cooperative efforts to pool resources and achieve operational efficiencies in the government-wide suspension and debarment system; recommending to the Office of Management and Budget (OMB) changes to the government suspension and debarment system and its rules, if such recommendations are approved by a majority of the Interagency Committee; and reporting to Congress.

Governmental Affairs Committee to discuss the role of suspension and debarment in the federal acquisition system and provided input to both the Government Accountability Office (GAO) on its report on agency suspension and debarment efforts and the Commission on Wartime Contracting on its assessment of the use of these authorities in the theatre of operation.

All 24 agencies covered by the Chief Financial Officers Act (CFO Act) are standing members of the ISDC. In addition, eighteen independent agencies and government corporations participate on the ISDC. Together, these agencies are responsible for virtually all federal procurement and non-procurement transactions. This broad membership base allows the ISDC to perform more effectively as a support structure for coordinating actions and a forum for Federal agencies to share best practices and lessons learned.

Government-wide initiatives

Over the last 20 months, the ISDC has pursued a number of initiatives to strengthen agencies' ability to consider suspension and debarment, including increased attention on helping agencies that either lack or have weak suspension and debarment programs and leveraging the experiences of agencies with well-established programs. These initiatives are discussed below.

Training. ISDC acts as a clearinghouse to provide training expertise to agencies. Since the beginning of FY 2011, the ISDC consulted with at least 13 agencies, including the Departments of Commerce, Health and Human Services, Justice, State, Treasury, and the Federal Emergency Management Agency – i.e., the six agencies that GAO called on in its August 2011 report to improve their suspension and debarment programs. The ISDC provided these and other agencies with a sample practice manual and action documents, fact-finding procedures, and a case law compendium, to assist in the development and implementation of robust debarment programs. These materials distill years of suspension and debarment experience into easily adopted forms and practice models that allow agencies with previously dormant suspension and debarment programs to establish a functioning program without the added burden and delay of independently developing the basic forms used in such a program.

The ISDC established a standing subcommittee dedicated to training. In addition to mentoring agencies that require individualized help in standing up or strengthening their suspension and debarment office, this subcommittee is also ensuring that educational materials support the needs of the various stakeholders (e.g., offices of general counsel, offices of inspectors general, program officials, contracting officers) who support the suspension and debarment process. In FY 2011, ISDC members served as instructors for the Federal Law Enforcement Training Center suspension and debarment training courses, which are offered to agencies across the government. ISDC also contributed materials to the October 2011 suspension and debarment workshop co-hosted by the Council of Inspectors General for Integrity and Efficiency Suspension and Debarment Working Group and the Recovery Accountability and Transparency Board.

Implementation of new statutory requirements addressing the consideration of suspension and debarment for corporations with felony convictions or tax delinquencies.

Agencies have been working closely with the ISDC and OMB to implement new statutory provisions that require the consideration of suspension or debarment before making an award to a corporation that either has been convicted of a felony or has unpaid tax delinquencies. This collaborative effort has resulted in general agreement on the following basic principles to help guide implementation:

- An awarding official should require (e.g., through a solicitation for contractors or an announcement for grants) an offeror/applicant to self-disclose if it is a corporation with either a felony conviction or unpaid tax delinquency.

The Department of Defense and a number of civilian agencies issued class deviations pursuant to section 1.404 of the Federal Acquisition Regulation (FAR) in order to create a tailored solicitation provision and contract clause for inclusion in covered acquisitions that requires the offeror to self-represent whether it has a felony conviction within the past 24 months or unpaid tax delinquencies.

For non-procurement awards/programs, agencies may determine whether to obtain awareness via representation or assurance, or both, as the agency deems most appropriate for the particular program. OMB's Office of Federal Financial Management has explored with representatives of the Council on Financial Assistance Reform sample language that could be included as part of a representation or assurance.

- The awarding official (e.g., the contracting officer or grants officer) must notify the agency SDO immediately upon learning of a contractor's ineligibility in order to afford the agency SDO sufficient time to make a determination. In many instances, the SDO will need to hear from the contractor before making a determination and time will be needed to afford the contractor an opportunity to make a submission and for the SDO to evaluate that submission. Additionally, where the SDO determines that a notice of proposed debarment or notice of suspension should be issued, there are procedures that the SDOs must follow under governing regulations before rendering a final determination.

Unless an SDO has considered suspension or debarment of the corporation and made a determination that further action is not necessary to protect the interests of the government, the awarding official is prohibited by statute from awarding to the entity that affirmatively responded. If the funds are coming from another agency's appropriations, the awarding official must confer with the other agency's SDO who must consider suspension or debarment and conclude that suspension or debarment is not necessary before the awarding official can make award to the entity with the felony conviction and/or tax delinquency.

The ISDC is working with SDO offices to establish a process for agencies to share and consider determinations that suspension and debarment is not necessary to protect the government's interest. Conducting lead agency coordination whenever practicable can help to avoid duplicative and potentially inconsistent actions on the same factual information. Moreover, the sharing of information will allow the funding agency to meet its responsibility to

consider suspension or debarment by (1) considering another agency's determination as to why suspension and debarment is not necessary and, (2) if it concurs with the other agency's determination, adopting that determination as its own without conducting an independent review of the entire record behind the determination or requiring the corporation to appear and make a duplicative presentation. Ordinarily, there should be no need for the funding agency to conduct a further review or initiate a new independent (de novo) review to meet its responsibility if it has reviewed the determination made by the other agency regarding why suspension or debarment is not necessary and is satisfied with the explanation provided in the written record created by the other agency.

Lead agency coordination. Section 873 of the 2009 DOD Authorization Act, 48 C.F.R. § 9.402(c), and 2 CFR § 180.620 provide that when more than one agency has an interest in the debarment or suspension of a contractor, the ISDC is to “resolve the lead agency issue and coordinate such resolution among all interested agencies prior to the initiation of any suspension, debarment, or related administrative action by any agency.” Lead agency coordination enhances the efficiency of the suspension and debarment process by helping agencies avoid needlessly expending funds for duplicative or inconsistent efforts, and by furthering the collaboration needed to support a government-wide system designed to address systemic problems.

The ISDC alerts its member agencies to actions planned by other agencies and helps to focus the lead for action in the agency with the most direct and appropriate interest. Lead coordination can also continue beneficially after action initiation. For example, if an administrative agreement is being considered by the lead agency, coordination can allow other agencies to contribute useful information regarding agreement terms beneficial to the government award community. This allows the lead agency to understand the steps being taken by the contractor or nonprocurement participant so that the agency can determine if such steps represent appropriate risk mitigation.

In FY 2011, the ISDC stood up a subcommittee to review opportunities to improve practices and processes for coordinating suspension and debarment actions among agencies when two or more agencies have an interest in initiating suspension and debarment proceedings pertaining to the same contractor. The coordination process is a key component in helping agencies avoid needlessly expending funds for duplicative actions or working at cross purposes.

Enhanced coordination of remedies. In Fiscal Year 2011, the ISDC continued its efforts to encourage suspension and debarment in parallel with the pursuit or consideration of civil and criminal cases. As part of this effort, the ISDC engaged several Federal Inspectors General to identify best practices for promoting early coordination of suspension and debarment with other remedies.

On January 30, 2012, the Attorney General issued a Memorandum “Coordination of Parallel Criminal, Civil, Regulatory, and Administrative Proceedings” (January 30, 2012), which directed all United States Attorney's Office and litigating components of DOJ to ensure early and appropriate coordination of the government's criminal, civil, regulatory and administrative remedies. The memo also provides guidance to DOJ litigating components on establishing

policies and procedures to ensure timely coordination with other government personnel to secure the full range of remedies available to the government.

Assistance to the General Services Administration (GSA) on the Excluded Parties List System (EPLS). The ISDC continued to assist GSA with streamlining the cause and treatment codes used in EPLS. Cause and treatment codes on the EPLS identify the basis for a party's exclusion from doing business with the Government. The EPLS is the Government's main repository of information regarding individuals and entities excluded from various forms of participation in procurement and non-procurement transactions. These exclusions come from several sources including suspensions, debarments, Executive Orders identifying terrorism-related individuals or entities, and various statutory exclusions such as the Clean Air and Clean Water Acts.

The current EPLS contains over 74 Cause and Treatment (CT) codes. The ISDC leadership and other members participated actively in the effort to create a simplified set of CT codes focused around a limited number of categories based on the essential status and effect information, which contracting officers and award officials need to ascertain by an EPLS check. That project culminated in the Spring of 2011 with the GSA adoption of streamlining changes to the CT code which will be implemented as part of the EPLS migration to the System for Award Management (SAM). Over the course of FY 2011, the ISDC further supported GSA development of SAM by advising GSA on general debarment program interface questions, such as how the lead agency process works, to ensure the centralized SAM repository is responsive to suspension and debarment needs.

Other actions. The ISDC established a website subcommittee to develop a web portal to enhance information sharing and collaboration among agency suspension and debarment programs. The new ISDC portal is expected to have a public and a private site. The publicly accessible portion of the site is expected to contain information about the ISDC's mission and history, membership, and current activities. Planned features for the secure portion of the site include a library of training resources, action templates, and a calendar of meetings and training events.

The ISDC also established a standing subcommittee to improve the quality of agency information documenting annual suspension and debarment activities. As part of its activities, the Subcommittee collected information from ISDC members on their management activities to help gauge agency efforts in connection with OMB's guidance in Memorandum M-12-02.

Agency level efforts

Reports issued in recent years by GAO, Federal Inspectors General, and others, serve as important reminders that management and resources devoted to suspension and debarment are inconsistent across the Government. In some cases, for example, suspension and debarment work has been treated as a secondary concern, resulting in unnecessary delays in processing cases. In other cases, lack of central monitoring and oversight has hampered the agency's ability to identify problems and take corrective action in a timely manner.

An August 2011 report by GAO, found that a number of agencies still lack the characteristics common among active and effective suspension and debarment programs – namely, dedicated staff resources, well-developed internal guidance, and processes for referring cases to officials for action. In commenting on the report, the ISDC expressed its agreement with GAO's assessment regarding characteristics of a successful suspension and debarment program.

On November 15, 2011, OMB directed agencies, in particular those subject to the CFO Act, to take a number of actions consistent with suspension and debarment policies in Subpart 9.4 of the FAR (addressing procurement activities) and 2 CFR Subtitle A (addressing non-procurement activities) to establish and/or maintain active suspension and debarment programs. These actions include the following:

- Appointing a senior accountable official, if one has not already been designated, to be responsible for assessing the agency's suspension and debarment program, the adequacy of available resources (including, where appropriate, full-time staff) and training, and maintaining effective internal controls and tracking capabilities, taking into consideration the agency's mission, organizational structure, and level of procurement and grant-making activities. The accountable official may be the agency's suspension and debarment official.
- Reviewing internal policies, procedures, and guidance as necessary to ensure that suspension and debarment are being considered and used effectively, whenever appropriate, to protect the Government's interests and taxpayer funds, and have been coordinated with other remedies available to the government that are designed to ensure potential recipients have the requisite business integrity to receive Federal funds before an award is made.
- Ensuring that relevant databases and other information sources are reviewed by the agency award official(s) prior to the award of any Federal grants, contracts, or benefits.
- Where the agency learns that a Federal contract or grant was improperly awarded to a suspended or debarred entity, taking prompt corrective action, including appropriate action regarding the specific award and establishment of systemic controls and procedures to prevent recurrence.

Management actions and internal controls. With the support and active assistance of the ISDC, agencies have improved their ability to effectively consider suspension and debarment when necessary to protect the government's interests. While there is more to be done, agencies are taking steps, including actions to address the OMB directive, to strengthen suspension and debarment activities and better protect taxpayer funds from unnecessary risk of waste, fraud and abuse. According to agency responses to an ISDC survey:

- All of the 24 CFO Act agencies reported to the ISDC that they have an accountable official for suspension and debarment activities. In the majority of agencies, this official is the suspending and debarring official.
- All CFO Act agencies are represented on the ISDC and either currently support, or expressed their intention to begin supporting, the "lead agency" process used by the ISDC to manage the coordination of suspension and debarment actions across the government.
- All CFO Act agencies reported taking steps to address resources, policies, or both between October 1, 2011 and the date of this report, to strengthen the consideration of suspension and debarment. Noteworthy actions include:
 - formally establishing suspension and debarment programs;
 - dedicating greater staff resources to handle referrals and manage cases;
 - entering into agreements to be mentored by the managers of successful programs; and
 - simplifying processes for making referrals and implementing new policies that require automatic referral to the SDO in certain situations.
- All 24 CFO Act agencies reported having internal agency controls in place to support their suspension and debarment efforts in FY 2011. These include supplements to the FAR, standard operating procedures, handbooks, policy papers, bulletins, internal suspension and debarment councils to process referrals, and regular conference calls with agency fraud counsel.

Additional information, by agency, is provided in the appendices. Appendix 1 identifies the agency's senior accountable official, describes how oversight is provided and highlights the agency's most significant activities and accomplishments. Appendix 2 lists key internal controls.

Two important refinements have been made to the internal controls list since the last report. First, an entry has been added to identify if training on relevant suspension and debarment databases (most notably EPLS and FAPIIS) is provided. As explained above, Memorandum M-12-02 emphasizes the importance of ensuring that agency award official(s) check relevant databases prior to the award of any Federal grants, contracts, or benefits.

Second, a new entry has been added to indicate if the agency has specific procedures for forwarding actions to the SDO. This measure recognizes the importance of having appropriate mechanisms to ensure that information of potential waste and abuse is getting into the hands of the SDO and his or her program support to determine if action is necessary to protect the agency’s interests. Although specific data was included in last year’s report, variation in how agency suspension and debarment programs are structured makes it difficult to provide meaningful transactional information on this activity. For example, in some agencies, such as the Navy and the Air Force, case development, notice issuance and final determination of whether exclusion is warranted often occurs within the same organizational unit of the agency. In those situations, there is generally no independent referral to report.

Suspension and debarment actions. As was done for the consolidated Section 873 Report for FY 09 and FY 10 submitted last year, the ISDC again surveyed agencies to provide data on suspension and debarment actions in FY 2011. As shown in Table 1, CFO Act agencies issued 928 suspensions in FY 2011. There were a total of 2,512 parties proposed for debarment, and 2,398 debarments. During the year DOD, the DHS, the Environmental Protection Agency (EPA), HUD, and the Office of Personnel Management (OPM) were among the top agencies in terms of number of overall actions. For a breakdown by agency, see appendix 3.

Table 1. CFO Act Agency Debarment and Suspension Actions

Actions	FY 2011
Suspensions	928
Proposed for Debarment	2512
Debarments	2398
Total Actions	5838

Five agencies reported entering into voluntary exclusion agreements during the reporting period.⁴ In a voluntary exclusion, a party voluntarily agrees to an exclusion from eligibility to receive government contracts or subcontracts and participation in nonprocurement transactions. Voluntary exclusions are addressed only in the non-procurement debarment rule. The FAR does not contain a parallel provision, but such exclusions are government-wide in effect and are entered into EPLS with suspensions and debarments.

While debarments generally do not exceed three years in duration, some agencies reported that they imposed debarments with longer periods where circumstances warranted in order to protect public funds and programs. USDA and HUD, for example, issued permanent or indefinite debarments during this reporting period. Another thirteen Federal agencies reported imposing a debarment in excess of three years during FY 2011.

Ten agencies reported issuing “show cause” letters during the reporting period. See Table 2. Show cause letters are pre-notice communications, which advise an entity that it is being considered for suspension or proposed debarment. These letters typically identify the

⁴ The agencies using voluntary exclusions, and number of voluntary exclusions allowed, are as follows: USDA – 8; Education – 2; HHS – 1; DOT – 6; and NSF – 3.

assertion of misconduct that has been brought to the attention of the SDO and give an entity an opportunity to respond within a specific period of time before the agency takes action.

Table 2. Show Cause Letters

Agency	FY 2011
DOD	41
DHS	8
HUD	1
DOJ	3
DOT	11
USAID	1
EPA	10
GSA	21
SBA	11
SSA	13
Total	120

Administrative agreements. In addition to issuing suspensions, debarments and proposed debarments, sixteen Federal agencies reported entering into administrative agreements. See Table 3. Administrative agreements, sometimes referred to as administrative compliance agreements, ordinarily are considered after the contractor or participant has responded to a notice of suspension or proposed debarment. The election to enter into an administrative agreement is solely within the discretion of the suspension or debarment official, and will only be used if the administrative agreement furthers the Government’s interest. As explained in last year’s report, if properly structured, an administrative agreement creates an incentive for a company to improve its ethical culture and business process to avoid debarment. Having a reformed contractor available provides the government with access to another responsible source.

While administrative agreements will vary by agency and individual settlement, all will require the entity to take certain verifiable actions, such as implementation of enhanced internal corporate governance practices and procedures, and adoption of compliance, ethics, and reporting programs. Agreements may also call for the use of independent third party monitors or the removal of individuals associated with a violation from positions of responsibility within a company.

The Air Force, for example, has entered into agreements that require contractors to engage consultants to assess their business practices, including their ethics program and/or compliance program, to recommend process improvements, and that require the contractor to implement such recommendations barring good reason not to do so. The Air Force maintains its active administrative agreements on its website at <http://www.safgc.hq.af.mil/organizations/gcr/adminagreements/index.asp>.

Table 3. Administrative Agreements

Agency	FY 2011
USDA	4
Air Force	3
Army	6
DLA	1
DHS	2
Education	3
DOI	1
Justice	1
DOT	7
Treasury	1
USAID	1
EPA	3
GSA	4
NASA	1
NSF	2
SBA	6
Total	46

Appendix 1
Agency Management & Notable Actions

Agency	Management: Senior Accountable Official & Oversight Practices	Notable activities and accomplishments
USDA	<p><i>Senior Accountable Official</i> – Chief Financial Officer</p> <p><i>SDO</i> – Sub-agency Administrators; Senior Procurement Executive (Director, Office of Procurement and Property Management)</p> <p><i>Oversight</i> – Provided by OFCO who manages the development of department-wide guidance that is approved by the Department’s S&D Council.</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Established a suspension & debarment (S&D) council to oversee S&D efforts across the Department • Mandatory web-based training developed for agency personnel supporting the Department’s S&D program <p><i>Policies</i></p> <ul style="list-style-type: none"> • Established a cause and treatment code in the EPLS for permanent debarment from all USDA programs • Interim guidance on S&D was issued to the sub-agencies and is the baseline for a Departmental Regulation
Commerce	<p><i>Senior Accountable Official</i> – Senior Procurement Executive & Director for Acquisition Management</p> <p><i>SDO</i> – Same as SAO</p> <p><i>Oversight</i> – Provided by SPE in coordination with agency OIG and OGC</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Established a suspension & debarment program <ul style="list-style-type: none"> ○ Suspension and Debarment Coordinator position created to support SDO ○ SDO conducted standing monthly meetings with OIG and OGC to ensure regular communication and active program management ○ DOC conducted several suspension and debarment actions in FY 2011 – the first in at least 15 years ○ Suspension and debarment training and outreach was provided at DOC’s FY 2011 (and 2012) Acquisition Conference. <p><i>Policies</i></p> <ul style="list-style-type: none"> • Interim policy and procedures were development
Defense		
Air Force	<p><i>Senior Accountable Official</i>— Deputy General Counsel (Contractor Responsibility), Department of the Air Force</p> <p><i>SDO</i> – Same as SAO</p> <p><i>Oversight</i> – SDO oversees and leads the Air Force’s suspension and debarment program.</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Conducted training for fraud counsel, investigators, AUSAs, contracting personnel, and auditors at multiple Air Force bases throughout the world, the Federal Law Enforcement Training Center, and the Defense Acquisition University • Chaired the DOD Procurement Fraud Working Group • Overhauled a public website to increase transparency regarding the Air Force’s debarment operations and to improve the dissemination of relevant information. <p><i>Policies</i></p> <ul style="list-style-type: none"> • Conducted reviews of internal policies and procedures and continued efforts to improve operations; <p><i>Other</i></p> <ul style="list-style-type: none"> • Entered into an Interagency Agreement with Commerce to assist it in standing up a suspension and debarment program and provided on-the-job training to multiple Commerce

		<p>attorneys</p> <ul style="list-style-type: none"> • Served as advisors to the World Bank and United Nations concerning their debarment programs and to non-governmental organizations regarding international anti-corruption initiatives • Spearheaded DOD's efforts to adopt a Values-Based Ethics program and engaged in the process of developing and implementing the program • Testified before Congress to discuss characteristics of a model suspension and debarment program • Published “Fraud Facts” for Air Force workforce to address issues of importance to the suspension and debarment and procurement fraud fighting communities
Army	<p><i>Senior Accountable Official –</i> Suspension and Debarment Official</p> <p><i>SDO – Same as SAO</i></p> <p><i>Oversight –</i> The Procurement Fraud Branch (PFB) regularly reviews internal policies, procedures, and guidance. The SDO, Chief of the PFB and Chief of the Contract and Fiscal Law Division work closely together to ensure PFB programs and systems are continuously examined for improvements.</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Chief of the PFB provided instruction to Army attorneys at The Judge Advocate General's Legal Center and School and issued a quarterly newsletter to Army procurement fraud advisors. • SDO participated in training presentation at annual DOD Procurement Fraud Working Group Training Session. <p><i>Policy</i></p> <ul style="list-style-type: none"> • Initiated a review of its governing regulation to ensure Service S&D procedures were accurate, effectively implemented and current. • Coordinated with practitioners in the field to identify best practices and challenge areas.
Defense Logistics Agency	<p><i>Senior Accountable Official –</i> Suspension and Debarment Official</p> <p><i>SDO – Same as SAO</i></p> <p><i>Oversight -</i> The Business Integrity Council regularly reviews internal policies, procedures, and guidance to work to continuously improves the processes and systems.</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • DLA General Counsel conducted training for all its attorneys in the areas of fraud and suspension and debarment. • Field fraud attorneys trained contracting officers on the suspension and debarment process, fraud indicators, and the DLA Counterfeit Material/Unauthorized Product Substitution (CM/UPS) program (this training is provided annually). • In addition to the CM/UPS team that has been at DLA Land and Maritime for 24 years, DLA established CM/UPS programs at its other two hardware centers, DLA Troop Support and DLA Aviation. <p><i>Other</i></p> <ul style="list-style-type: none"> • Senior Procurement Executive received monthly briefings on procurement fraud cases in the agency, as well as suspension and debarment action.
Navy	<p><i>Senior Accountable Official –</i> Assistant General Counsel (Acquisition Integrity) for the Department of the Navy</p> <p><i>SDO – Same as the SAO</i></p> <p><i>Oversight -</i> The Acquisition Integrity</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Provided S&D training to over 2,000 Navy personnel <p><i>Policies</i></p> <ul style="list-style-type: none"> • Enhanced pre-award contractor responsibility determination policy to require more robust pre-award responsibility determination for contractor who has completed a suspension or debarment and been removed from the EPLS within prior

	Office (AIO) is responsible for reviewing all acquisition fraud policies, procedures, and reports and coordinates with acquisition fraud community, including the Naval Audit Service, the Naval Criminal Investigative Service, and the Navy OIG.	2 years
DHS	<p><i>Senior Accountable Official</i> – Senior Counselor to the Under Secretary for Management (USM)</p> <p><i>SDO</i> – Same as SAO</p> <p><i>Oversight</i> – Provided by centralized S&D office, headed by a Department-wide SDO who is a direct report to the USM.</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Department has stood up an office to centralize S&D functions. <ul style="list-style-type: none"> ○ Each DHS component has identified a primary point person for suspension and debarment issues and has allocated resources based on the number of referrals anticipated from their investigative organizations. ○ At least one point person from each DHS component has attended the suspension and debarment course sponsored by the Federal Law Enforcement Training Center; ICE (which has a very active suspension and debarment program) assisted in mentoring and training personnel from other DHS components, such as FEMA. The SDO is monitoring progress. ○ The SDO actively coordinates with OIG and OGC and regularly reviews OIG audit findings. <p><i>Policies</i></p> <ul style="list-style-type: none"> • New policies and procedures developed to standardize processes throughout the Department have been vetted and are awaiting signature. • Acquisition “News Flash” issued to remind workforce that contracting officers must review the Excluded Parties List System (EPLS) both after receipt of proposals and immediately prior to award, and that the contract file must be documented with a copy of the EPLS search results.
Education	<p><i>Senior Accountable Official</i> – Chief Financial Officer</p> <p><i>SDO</i> – Senior Procurement Executive (for procurement); Director, Office of Hearings and Appeals (for cases involving lenders, guarantee agencies, or institutions of higher education); Assistant Inspector General for Audit Services (for CPA cases), and Director, Risk Management Services (for all other non-procurement cases)</p> <p><i>Oversight</i> –The CFO exercises management responsibility and ensures compliance through accountability of designated officials</p>	<p><i>Policies</i></p> <ul style="list-style-type: none"> • The contracting activities developed a manual on suspension and debarment and created an internal “acquisition alert” system to improve internal awareness of actions taken by other agencies. • Non-procurement activities are reviewing internal policies, procedures, and guidance, as necessary, to ensure that suspension and debarment are being considered and used effectively. The applicable Departmental Directive is currently being updated.

<p>Energy</p>	<p><i>Senior Accountable Official – Deputy Director, Office of Acquisition and Project Management (for other than NNSA)</i></p> <p>National Nuclear Security Administration Senior Accountable Official – Director, Office of Acquisition Management</p> <p><i>SDO – Same as SAOs</i></p> <p><i>Oversight – DOE and NNSA SDOs and OGCs provide centralized management of internal policies, procedures and guidance. Revised policy is approved by the SDOs in coordination with OGC S&D office. SDO and GC offices meet and discuss policy and procedural changes as needed and coordinate all S&D cases.</i></p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Designated additional OGC staff to support suspension and debarment actions. <p><i>Policies</i></p> <ul style="list-style-type: none"> • Conducted reviews of internal policies and procedures for improvement action. <p><i>Other</i></p> <ul style="list-style-type: none"> • Instituted procedures to ensure DOE’s SDO is personally briefed on all suspension and debarment actions. • Improved communication and coordination of SDO and support staff, OGC and OIG referring offices on current and proposed actions. • Initiated a quality assurance review of all current EPLS suspension and debarment records.
<p>HHS</p>	<p><i>Senior Accountable Official – Deputy Assistant Secretary for Grants, Acquisition Policy, and Accountability</i></p> <p><i>SDO – Same as SAO.</i></p> <p><i>Oversight – SDO attends monthly Program Integrity Coordinating Council meetings, which consists of senior leaders at the Department and of its agencies.</i></p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Established a suspension and debarment organization with three dedicated staff <p><i>Policies</i></p> <ul style="list-style-type: none"> • SDO, OIG, and OGC have finalized detailed policy guidance to strengthen implementation of FAR, non-procurement common rule (NCR), and HHS’ FAR Supplement policies and procedures on suspension and debarment <p><i>Other</i></p> <ul style="list-style-type: none"> • Case management system is in development to track referrals and follow-up activities • HHS and serves on various ISDC subcommittees • SDO meets monthly with OIG and other HHS agencies to coordinate suspension and debarment referrals • In addition to the five debarment actions taken by HHS in FY 2011, HHS OIG excluded over 2,500 persons from participating in federal health care programs under section 1128 of the Social Security Act
<p>HUD</p>	<p><i>Senior Accountable Official- Director, Departmental Enforcement Center (DEC)</i></p> <p><i>SDO – Same as SAO</i></p> <p><i>Oversight - SDO meets, at least monthly with OIG and bi-weekly with various program heads. SDO provides</i></p>	<p><i>Policies</i></p> <ul style="list-style-type: none"> • Protocols developed with various offices in HUD, including the OIG, for referrals to the Compliance division in DEC. <p><i>Other</i></p> <ul style="list-style-type: none"> • DEC training highlights websites supporting S&D, such as EPLS, and importance of reviewing websites prior to making an award.

	bi-weekly updates to HUD management on operation and accomplishments of the S&D program.	
Interior	<p><i>Senior Accountable Official</i> - Director, Office of Acquisition and Property Management. The Office of Acquisition and Property Management is located in the Office of the Secretary, DOI.</p> <p><i>SDO</i> – same as SAO</p> <p><i>Oversight</i> –The DOI Debarment Program Manager and OIG Debarment Program Manager as part of a close collaborative working relationship conduct discussions, ordinarily on a weekly basis, to evaluate on an ongoing basis the effectiveness of the Department’s S&D practices and procedures</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Maintains a full-time debarment program manager in the Office of Acquisition & Property Management to assist the SDO and coordinate with the OIG which maintains dedicated positions to support case development and tracking. The DOI OIG also maintains a full time debarment program position for action development, referral, and training. <p><i>Policies</i></p> <ul style="list-style-type: none"> • Issued directives requiring contracting officers & award officials to refer all terminations for default and for cause and assistance program equivalents to the debarment program to consider suspension & debarment. <p><i>Other</i></p> <ul style="list-style-type: none"> • Debarment program manager serves as Chair of the ISDC • Conducted procurement officer & OIG personnel awareness training • Conducts outreach with professional associations
Justice	<p><i>Senior Accountable Official</i> – The Deputy Assistant Attorney General for Policy, Management and Planning, Justice Management Division</p> <p><i>SDO</i> – Same as SAO.</p> <p><i>Oversight</i> – SDO program staff meet periodically to review effectiveness of Department’s policies, procedures, and guidance in the context of particular issues arising in specific S&D actions</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • The SDO and support staff, including OGC staff, regularly communicate and coordinate with OIG regarding potential suspension and debarment matters <p><i>Policies</i></p> <ul style="list-style-type: none"> • The Senior Procurement Executive issued procurement guidance on suspension and debarment to acquisition workforce • The Attorney General issued new guidance on parallel processing of criminal and civil proceedings and suspending and debarment proceedings. The Department anticipates that this new guidance will increase awareness among the prosecuting and litigating attorneys, resulting in improved coordination and referrals • Developed a Standard Operating Procedure (SOP) for reporting individuals and entities into the Excluded Parties List System <p><i>Other</i></p> <ul style="list-style-type: none"> • Implemented a new electronic case management system to track referrals and follow-up activities to ensure timely disposition of suspension and debarment matters
Labor	<p><i>Senior Accountable Official</i> – Chief Acquisition Officer</p> <p><i>SDO</i> – Senior Procurement Executive</p> <p><i>Oversight</i> – The Office of Acquisition Management Services, which provides procurement and grant policy support to</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Senior Management established a formal suspension and debarment (S&D) working group to review and oversee S&D efforts throughout the Department • Designated additional staff within the Office of the Solicitor and the Office of Acquisition Management and Services to support S&D actions and review existing procedures • Developed training for procurement personnel on the S&D

	<p>the Chief Acquisition Officer and Senior Procurement Executive, periodically reviews S&D policies and procedures</p>	<p>process</p> <p><i>Policies</i></p> <ul style="list-style-type: none"> • Conducted a review of existing DOL S&D policies and procedures • Assigned staff to enhance existing policies, including development of an internal debarment practice manual and coordination with the ISDC regarding the implementation of best practices
State	<p><i>Senior Accountable Official – SDO – Same as SAO</i></p> <p><i>Oversight – SDO meets quarterly with OIG Office of Investigations to review current debarment and suspension activity and to strengthen procedures</i></p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • SDO established quarterly meetings with OIG • Conducted training for contracting officers and grants officers in suspension and debarment • Identified additional training for personnel handling debarment and suspension activities. Training shared between OIG and SDO offices <p><i>Policies</i></p> <ul style="list-style-type: none"> • Issued detailed suspension and debarment policies for procurement and non-procurement activities <p><i>Other</i></p> <ul style="list-style-type: none"> • Created process for tracking referrals and follow-up activities • Terminations for default reviewed for potential debarment or suspension
DOT	<p><i>Senior Accountable Official—Senior Procurement Executive</i></p> <p><i>SDO – Each agency or operating administration (OA) within DOT has its own SDO</i></p> <p><i>Oversight – The Dept’s S&D program is managed and coordinated through the Office of the Senior Procurement Executive (OSPE). OSPE oversees a department-wide database to track activity. Operating Administrations (OAs) meet internally to ensure timely treatment of individual cases.</i></p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Provided S&D training to new staff and contractors. • Conducted information sessions on the required use of the Excluded Parties List System (EPLS) and the Federal Awardee Performance and Integrity Information System (FAPIIS). <p><i>Policies</i></p> <ul style="list-style-type: none"> • Several OAs updated internal S&D policies to ensure increased oversight and compliance – e.g., Federal Highway Administration (FHWA) updated various sections of their "Contract Administration Core Curriculum Participant's Manual and Reference Guide," which is used to train staff for contract compliance.
Treasury	<p><i>Senior Accountable Official – Senior Procurement Executive</i></p> <p><i>SDO – Same as SAO</i></p> <p><i>Oversight – The SDO in coordination with the Suspension and Debarment Oversight Council reviews suspension and debarment policies, procedures, and training</i></p>	<p><i>Policies</i></p> <ul style="list-style-type: none"> • Formed a task force comprised of procurement, legal and IG members from across the Department that met with agencies identified as having best practices, obtained policy/procedural language, forms and templates to incorporate best practices into Treasury guidance • Issued Treasury Directive to enhance suspension and debarment process, including more robust referral process • In collaboration with the IG and legal communities, developed Department-wide training for suspension and debarment. • Established a suspension & debarment oversight council to

		<p>coordinate and manage cross-functional suspension and debarment policies, procedures, and training across the Department.</p> <ul style="list-style-type: none"> • <p><i>Other</i></p> <ul style="list-style-type: none"> • SDO maintains case management system to track referrals and follow-up activities
VA	<p><i>Senior Accountable Official</i> – Associate Deputy Assistant Secretary for Procurement Policy, Systems, and Oversight</p> <p><i>SDO</i> – Deputy Assistant Secretary for Acquisition and Logistics</p> <p><i>Oversight</i> – HQ Procurement Policy Office meets regularly with OGC, Veterans Health Administration and the Office of Small Disadvantaged Business Utilization to review internal policies and procedures and discuss other agencies’ best practices</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Provided six sessions of training on suspension and debarment at the VA Acquisition Academy as a part of the CON 353 class on Advanced Business Solutions. • Database training provided at Department’s national acquisition conference.
USAID	<p><i>Senior Accountable Official</i> – Division Chief, Compliance Division</p> <p><i>SDO</i> – Senior Procurement Executive</p> <p><i>Oversight</i> – The Suspension and Debarment Task Team, led by the Deputy Administrator, provides senior-level guidance on high-profile administrative actions.</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Chartered Compliance Division <ul style="list-style-type: none"> ○ Hired 6 full-time dedicated staff ○ Works closely with OIG and OGC to track partner performance and ensure appropriate and timely action is taken by both HQ offices and field missions when non-compliance or ethical violations are identified ○ Initiated extensive outreach to educate AID workforce about role of compliance division and its specific functions and provided training to contracting and grant officers, contracting officer representatives, and controllers in Washington, D.C. and the field. Similar outreach sessions were conducted with the partner community. <p><i>Policies</i></p> <ul style="list-style-type: none"> • Developed suspension and debarment policies and procedures <p><i>Other -</i></p> <ul style="list-style-type: none"> • Established multiple communication tools to facilitate referrals and information sharing -- e.g.; hotline, webpage, email address • Created tracking mechanism for all referrals.
EPA	<p><i>Senior Accountable Official</i> – Assistant Administrator, Office of Administration and Resources (OARM)</p> <p><i>SDO</i> – Head of the Suspension and Debarment Official’s Office in the</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • Co-sponsored and provided instructors for the National Suspension and Debarment Training Program, a three-day program offered through the Federal Law Enforcement Training Center, which provides detailed S&D training for government investigators, contracting officers, award

	<p>Office of Grants and Debarment, OARM</p> <p><i>Oversight</i> – The Suspension and Debarment Division and SDO Office work together to review roles and responsibilities and meet quarterly with referral sources (OIG, Office of Enforcement and Compliance Assurance)</p>	<p>officials, auditors, IG personnel, and lawyers.</p> <ul style="list-style-type: none"> Supported development of coursework on suspension and debarment process for the IG Academy
<p>GSA</p>	<p><i>Senior Accountable Official</i> – Senior Procurement Executive</p> <p><i>SDO</i> – Same as SAO</p> <p><i>Oversight</i> – The S&D Division maintains detailed procedure and guidelines in standard operating procedures that are regularly reviewed and updated as necessary; an electronic case management system tracks work flow and sends reminders to enter information in and update EPLS as soon as an action is taken</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> The S&D Division: <ul style="list-style-type: none"> trained members of GSA's Procurement Management Review team (which conducts peer reviews of contract activities across GSA), GSA's Chief Acquisition Officer, and representatives from GSA's Public Building Services and Federal Acquisition Services branches; provided a brown bag training to GSA employees to educate the GSA Central Office on the S&D function
<p>NASA</p>	<p><i>Senior Accountable Official</i> – Deputy General Counsel</p> <p><i>SDO</i> - Same as SAO</p> <p><i>Oversight</i> – S&D function is supported by the Acquisition Integrity Program (AIP) within NASA's OGC and fraud counsel at each NASA Center. AIP attorneys conduct monthly teleconferences to discuss cases and potential policy and procedural improvements with AIP Center attorneys and the Counsel to the NASA IG; agency S&D directives must be revalidated every 5 years.</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> NASA trained new personnel, members of the legal community, and Space Act Agreement managers. NASA provides fraud awareness training, which includes suspension and debarment, to all NASA employees every two years. <p><i>Policies</i></p> <ul style="list-style-type: none"> NASA updated its regulatory procedures regarding S&D in the NASA FAR Supplement to: (1) simplify the process for making a referral for possible S&D action to the NASA SDO, (2) ensure quality and consistency in the consideration of entities for S&D, (3) outline the roles and responsibilities of the Acquisition Integrity Program (AIP) attorneys and the Office of Procurement personnel in the suspension and debarment process, and (4) address the review process for eligibility determinations when prospective contractors certify or represent the existence of indictments, convictions, or judgments. NASA revised the Space Act Agreement (SAA) Guide to include guidance regarding EPLS to help ensure that no SAAs are awarded to excluded parties. <p><i>Other</i></p> <ul style="list-style-type: none"> The NASA AIP Western Region Coordinator serves as Vice Chair of the ISDC The Acting NASA AIP Director serves as Co-Chair of

		the DOD Procurement Fraud Working Group
NSF	<p><i>Senior Accountable Official</i> – Deputy Director of NSF</p> <p><i>SDO</i> - Deputy Director of NSF</p> <p><i>Oversight</i> – Officials from the Office of the Director, OGC, and OIG communicate regularly on S&D matters.</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • OIG, in conjunction with Council of Inspectors General for Integrity and Efficiency and the Recovery Accountability and Transparency Board, sponsored a Suspension and Debarment Workshop attended by over 400 agency and inspector general personnel. <ul style="list-style-type: none"> ○ The workshop included basic training on suspension and debarment, case studies, a research misconduct voluntary exclusion, an 18-year conviction-based debarment, and an audit-based debarment of parties engaged in mortgage fraud, an overview of an agency suspension and debarment program, an overview of an OIG audit of an agency suspension and debarment program, and presentations by the Financial Fraud Task Force and the Recovery Board.
NRC	<p><i>Senior Accountable Official</i> – Director of the Office of Administration</p> <p><i>Suspending and Debarring Official</i> – Same as SAO</p> <p><i>Oversight</i> - The NRC Office of Administration/Division of Contracts (ADM/DC) annually reviews the agency’s suspension and debarment policy, procedures and guidance to ensure effective implementation and staff compliance</p>	<p><i>Resources</i></p> <ul style="list-style-type: none"> • NRC/ADM/DC recently revised NRC’s Management Directive (MD) 11.6, entitled “Financial Assistance Program” to include updated suspension and debarment procedures, and is revising its Management Directive 11.1, entitled “NRC Acquisition of Supplies and Services” to include new suspension and debarment guidance. • NRC/ADM/DC issued comprehensive Federal Awardee Performance and Integrity Information System guidance in 2011. • A contracting officers’ checklist has been posted electronically, requiring COs prior to making an award, to consider the applicability of suspension and debarment regulations, and check the electronically posted EPLS • NRC provided training to its acquisition staff in connection with EPLS and FAPIIS databases <p><i>Policies</i></p> <ul style="list-style-type: none"> • ADM/DC issues agency acquisition instructions and policy guidance as required to ensure timely notice to agency staff of new/amended suspension and debarment information and requirements <p><i>Resources</i></p> <ul style="list-style-type: none"> • Provided training to its acquisition staff in connection with EPLS and FAPIIS databases.
OPM	<p><i>Senior Accountable Official</i> – Chief Operating Officer</p> <p><i>SDO</i> – SAO and Assistant Inspector General for Legal Affairs (Federal Employee Health Benefit Carriers Plan healthcare provider sanctions)</p>	<p><i>Policies</i></p> <ul style="list-style-type: none"> • Began updating the internal policies and procedures for the OPM OIG Administrative Sanctions Program. • Established procedure to identify and analyze e-debarment cases. • Began updating the OPM Guidelines for Federal Employee Health Benefit Carriers for Implementing a Debarment/Suspension Program.

	<p><i>Oversight</i> – SAO provides general oversight of suspension and debarment activities, such as in connection with entities who engage in offenses such as criminal acts, unethical activity, or willful failure to perform. OIG oversees administrative sanctions program under 5 U.S.C. 8902a, which authorizes OPM to debar health care providers from participation in the Federal Employees Health Benefits Program.</p>	<p><i>Other</i></p> <ul style="list-style-type: none"> • Began evaluating ways to improve the OPM Debar Database, managed by the Administrative Sanctions Branch (which is within the OIG). • Digitized over 3,000 records for all debarment/suspension files.
<p>SBA</p>	<p><i>Senior Accountable Official</i> – Chief Operating Officer</p> <p><i>SDO</i> - Associate General Counsel for Procurement Law (Procurement and Grants)</p> <p>Director, Credit Risk Management (Lending/Financial)</p> <p><i>Oversight</i> – At the direction of the Administrator of the SBA, a Fraud Waste and Abuse and Lender Supervision and Enforcement Taskforces was created. These Task Forces have been reviewing SBA’s policies and procedures and regulations, including SBA’s suspension and debarment policies and procedures. As part of this process SBA has been updating and revising its regulations, polices, and SOP’s to provide better oversight, transparency, and accountability.</p>	<p><i>Resources</i> –</p> <ul style="list-style-type: none"> • Designated two additional attorneys to assist the suspending and debarring officials. They were added due to the complex nature of SBA’s “fact based” actions. • Trained SBA employees on suspension and debarment procedures, to encourage referrals from program offices whenever warranted, as well as how to recognize and report fraud. • Initiated the development of an agency-wide referral and tracking program that will increase the efficiency and accountability of SBA’s program. • Created a Fraud Waste and Abuse Taskforce and a Lender Supervision and Enforcement Taskforce. Both bodies have been tasked with ensuring SBA’s contracting and lending programs maintain integrity. Additionally, these Taskforces will review SBA’s polices and procedures, and make recommendations to improve both supervision and enforcement processes. These groups will also be responsible to review and update training where necessary. • SBA is launching a new page on SBA.gov to document supervision and enforcement actions.
<p>SSA</p>	<p><i>Senior Accountable Official</i> – Director of the Office of Acquisition Support</p> <p><i>SDO</i> – Same as SAO</p> <p><i>Oversight</i> – The Director, Office of Acquisition Support, assesses agency practices for compliance with suspension and debarment procedures</p>	<p><i>Policies</i></p> <ul style="list-style-type: none"> • Agency has been focused on procedures for suspension and debarment associated with contractors that have unpaid tax delinquencies.

Appendix 2.
Actions and Infrastructure to Support Suspension & Debarment in FY 2011

Agency	Policies and/or Procedure for S&D*	Internal agency controls in place*					Additional administrative tools used in FY 2011		
		Case Mgmt System for S&D Cases	Procedures to forward actions to the SDO(s)	Training of Award Officials Includes Need to Check EPLS and FAPIIS	Lead Agency Coordination Participation	S&D considered based on audit findings, contract termination or termination of assistance agreements	Show Cause Notices	Administrative Agreements	Voluntary Exclusions
USDA	✓	✓	✓	✓	✓	✓		✓	✓
Commerce	✓	✓	✓	✓	✓	✓			
Defense									
Air Force	✓	✓	✓	✓	✓	✓	✓	✓	
Army	✓	✓	✓	✓	✓	✓	✓	✓	
DLA	✓	✓	✓	✓	✓		✓	✓	
Navy	✓	✓	✓	✓	✓	✓	✓		
DHS	✓	✓	✓	✓	✓	✓	✓	✓	
Education	✓	✓	✓	✓	✓	✓		✓	✓
Energy	✓	✓	✓	✓	✓	✓			
HHS	✓	✓	✓	✓	✓				✓
HUD	✓	✓	✓	✓	✓	✓	✓		
Interior	✓	✓	✓	✓	✓	✓		✓	
Justice	✓	✓	✓	✓	✓	✓	✓	✓	
Labor	✓	✓	✓	✓	✓	✓			
State	✓	✓	✓	✓	✓	✓			
DOT	✓	✓	✓	✓	✓	✓	✓	✓	✓
Treasury	✓	✓	✓	✓	✓	✓		✓	
VA	✓		✓	✓	✓	✓			
USAID	✓	✓	✓	✓	✓	✓	✓	✓	
EPA	✓	✓	✓	✓	✓	✓	✓	✓	
GSA	✓	✓	✓	✓	✓		✓	✓	
NASA	✓	✓	✓	✓	✓	✓		✓	
NSF	✓	✓	✓		✓	✓		✓	✓
NRC	✓		✓	✓					
OPM	✓	✓	✓			✓			
SBA	✓	✓	✓	✓	✓	✓	✓	✓	
SSA	✓		✓				✓		

*In some cases, checkmark may reflect management actions taken by the agency in FY 2012 (e.g., as part of actions taken in response to OMB Memorandum M-12-02).

Appendix 3.
Suspension & Debarment Actions in FY 2011¹

Agency	Suspensions	Proposed for Debarment	Debarments	Administrative Agreements
USDA	3	48	12	4
Commerce	1	4	4	0
Defense				
Air Force	148	139	80	3
Army	112	235	179	6
DLA	34	212	190	1
Navy	24	80	92	0
DHS	13	225	222	2
Education	84	72	43	3
Energy	26	26	25	0
HHS	0	5	5	0
HUD	240	246	314	0
Interior	4	52	39	1
Justice	18	16	16	1
Labor	2	0	0	0
State	5	6	0	0
Transportation	52	62	71	7
Treasury	4	1	1	1
VA	7	17	10	0
USAID	4	38	21	1
EPA	113	122	118	3
GSA	6	66	27	4
NASA	2	5	4	1
NRC	0	0	0	0
NSF	6	9	5	2
OPM	4	794	765	0
SBA	16	32	23	6
SSA	0	0	0	0
Total	928	2512	2398	46

¹The ISDC obtained this information through a survey of member agencies. The number of debarments does not include voluntary exclusion actions, which are reported in the narrative section of this report.