

## **SUSPENSION AND DEBARMENT PROGRAM**

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### **I. Purpose**

This Directive establishes the Department's program for Suspension, Debarment, and related actions.

### **II. Scope**

This Directive applies throughout the Department of Homeland Security (DHS), with the exception of the Office of Inspector General.

### **III. Authorities**

- A. Title 6, United States Code, Section 341, "Under Secretary for Management"
- B. Executive Order (E.O.) 12549, "Debarment and Suspension"
- C. E.O. 12689, "Debarment and Suspension"
- D. E.O. 12989, "Economy and Efficiency in Government Procurement through Compliance with Certain Immigration and Naturalization Act Provisions," as amended
- E. E.O. 13286, "Amendment of Executive Orders, and Other Actions, in Connection With the Transfer of Certain Functions to the Secretary of Homeland Security," as amended
- F. Title 2, Code of Federal Regulations (C.F.R.), Part 180, "OMB [Office of Management and Budget] Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)"
- G. Title 2, C.F.R., Part 3000, "Nonprocurement Debarment and Suspension"
- H. Title 48, C.F.R., the Federal Acquisition Regulations System Chapter 1, Part 9, Subpart 9.4, Debarment, Suspension and Ineligibility

I. Title 48, C.F.R., Chapter 30, Part 3009, Subpart 3009.4 [Department of Homeland Security, Homeland Security Acquisition Regulation (HSAR)], Debarment, Suspension and Ineligibility

J. DHS Delegation 00002, "Delegation to the Under Secretary for Management"

K. DHS Delegation 00200, "Suspension and Debarment"

L. Homeland Security Acquisition Manual, Chapter 3009, Subchapter 3009.4, "Debarment, Suspension, and Ineligibility"

## IV. Responsibilities

A. The **DHS Suspension and Debarment Official (SDO)**:

1. Oversees, manages, directs, and guides the Department's Suspension and Debarment Program;
2. Serves as the Department's representative to the Interagency Suspension and Debarment Committee; and
3. Delegates authority to each Component Suspension and Debarment Official, based on actual or projected suspension and debarment cases.

B. The **Component Suspension and Debarment Officials** oversee, manage, direct, and guide the Component suspension and debarment activities.

C. The **Component Suspension and Debarment Directors (SDD)** receive information pertaining to potential suspension and debarment cases from any source, analyze the information, and oversee the preparation of the administrative record with recommendations to the appropriate SDO.

D. The **DHS Chief Procurement Officer**, as appropriate, grants waivers/limited exceptions to let an excluded person participate in covered procurement transactions, including prime and subcontracts.

E. The **DHS Chief Financial Officer**.

1. As appropriate, grants waivers/limited exceptions to let an excluded person participate in covered non-procurement transactions including grants and direct loans.

2. Provides financial assistance policy guidance on enforcement actions and System for Award Management review for program and Grants Officers.

F. The **Office of the General Counsel or Component Counsel** provides legal support to the SDDs and the SDOs.

## **V. Policy and Requirements**

A. The Department's Suspension and Debarment Program:

1. Provides the organizational structure, policies, procedures, and training necessary to identify, research, and process referred suspension and debarment cases.

2. Ensures that referrals are processed in compliance with statutes and regulations that protect the Government's interests.

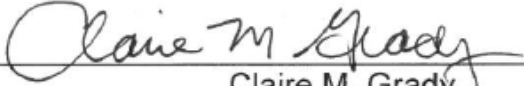
B. Components that award contracts, grants, cooperative agreements, Letters of Intent, exercise Other Transaction Authorities, or provide financial assistance designate a person to serve as the Component's SDD. Each Component SDD processes referrals and tracks the status of the Component's potential administrative actions.

C. There are suspension and debarment Centers of Excellence within DHS. Those Operational Components, and the Management Directorate, with delegated SDO authority are considered Centers of Excellence. Each Operational Component Center of Excellence has an SDO, in addition to the SDD and supporting staff.

D. A DHS-wide case tracking system is maintained for the Suspension and Debarment Program, which tracks suspension and debarment activities, case documentation, and provides for statistical reporting. Operational and Maintenance costs are shared equally by each Operational Component and the Management Directorate, if not accounted for through other means.

## VI. Questions

Address questions regarding this Directive to the Department's SDO.

  
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Claire M. Grady  
Under Secretary for Management

26 MAR 2018  
Date