



Homeland
Security

FEB 24 2011

MEMORANDUM FOR: Assistant Directors
Deputy Assistant Directors
Special Agents in Charge

FROM: James A. Dinkins 
Executive Associate Director
Homeland Security Investigations

SUBJECT: Expansion of Referrals for Suspension and Debarment

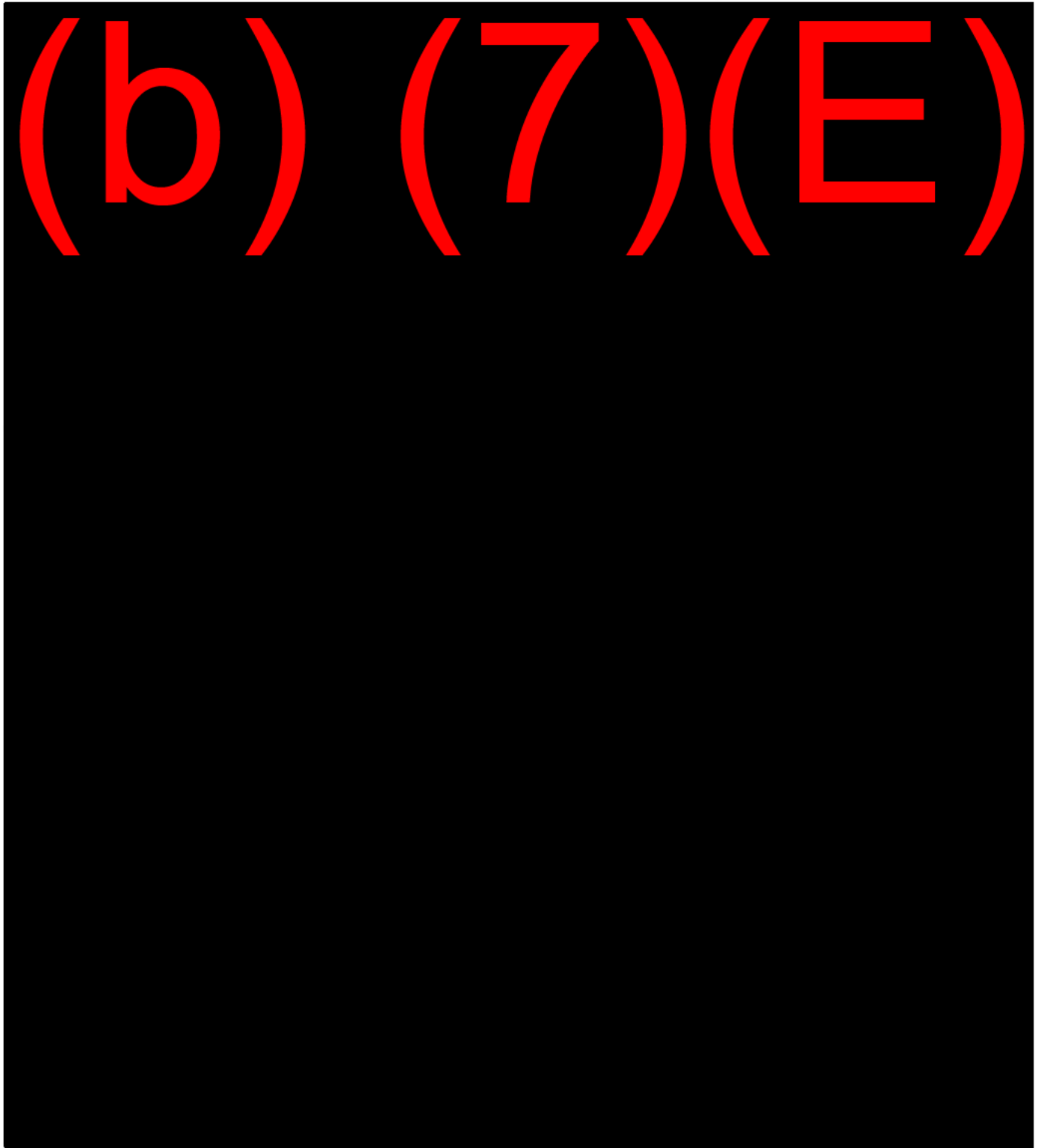
(b) (7)(E)

(b) (7)(E) in accordance with 48 Code of Federal Regulations (CFR) Subpart 9.4, to refer violators in all of HSI's programmatic areas for suspension and debarment proceedings. Individuals and businesses placed on the Excluded Parties Listing System (EPLS), as a result of a suspension or debarment proceeding¹, are prohibited from receiving federally funded contracts and other federal assistance for a period determined by the suspension and debarment official.

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Based on this success and expanded capacity at ICE to process suspension and debarment actions, the use of suspension and debarment is expanded to all HSI programs. (b) (7)(E)

¹ A suspension is a temporary action, generally lasting up to one year, to protect the Government while legal proceedings are being initiated against an individual or business. See 48 C.F.R. § 9.407-1. A debarment is an action for a specified period of time when an agency decides, on behalf of all Government, that an individual or business lacks present responsibility. See 48 C.F.R. § 9.406-1. A suspension or debarment request may be based on an allegation, indictment or conviction for violations of federal or state laws, as well as for administrative misconduct. See 48 C.F.R. §§ 9.406-2 and 9.407-2.



² A suspension may be initiated based on an indictment.

³ At present final orders based solely upon §274A(a)(1)(B) shall not be referred for debarment.

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