



DEPARTMENT OF THE NAVY  
OFFICE OF THE ASSISTANT SECRETARY  
RESEARCH, DEVELOPMENT AND ACQUISITION  
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MEMORANDUM FOR DISTRIBUTION

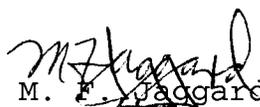
Subj: CHANGE 03-6 TO THE NAVY MARINE CORPS ACQUISITION  
REGULATION SUPPLEMENT (NMCARS) AND CHANGE 03-4 TO THE  
NAVY MARINE CORPS ACQUISITION GUIDE (NMCAG)

Encl: (1) NMCARS Change 03-6  
(2) NMCAG Change 03-4

The changes identified in Enclosures (1) and (2) are hereby incorporated into the November 2003 NMCARS and the November 2003 NMCAG, respectively.

The NMCARS and NMCAG are hereby amended as a result of the DFARS Change Notice 20041215 that moved text from the Defense Federal Acquisition Regulation Supplement (DFARS) to the Procedures, Guidance and Information (PGI).

Additionally, the NMCARS and NMCAG are amended to incorporate PGI citations. These changes are effective immediately and will be reflected in the NMCARS and NMCAG online.

  
M. F. Jaggard  
Chief of Staff/Policy  
For DASN (ACQ)

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The following changes are hereby incorporated into the November 2003 NMCARS:

1. Subsection 5201.105-2 is revised to address PGI citations. The revised subsection is as follows:

## **PART 5201 FEDERAL ACQUISITION REGULATIONS SYSTEM**

### **SUBPART 5201.1--PURPOSE, AUTHORITY, ISSUANCE**

\* \* \* \*

#### **5201.105 Issuance.**

##### **5201.105-2 Arrangement of regulations.**

###### *(c) References and citations.*

(1) References to this supplement within this supplement will be without a name or acronym prefix. References to FAR citations in this supplement should be read to include any corresponding paragraphs of the DFARS and this supplement and any additional authorizations, restrictions, policies and procedures they may contain. For example, the words "...when authorized under FAR Part 25..." include authorities granted under FAR Part 25, DFARS Part 225 and Part 5225 of this supplement. A DFARS cite in parentheses immediately after the NMCARS cite means related coverage is contained in the DFARS (e.g. 5201.104 (DFARS 201.104)). A Procedures, Guidance and Information (PGI) cite in parenthesis immediately after the NMCARS cite means related coverage is contained in PGI (e.g. 5201.104 (PGI 201.104)).

2. Subsection 5209.406-3 is revised to reflect movement of text from DFARS 209.406-3 to PGI 209.406-3. The revised subsection is as follows:

## **PART 5209 CONTRACTOR QUALIFICATIONS**

### **SUBPART 5209.4--DEBARMENT, SUSPENSION AND INELIGIBILITY**

\* \* \* \*

#### **5209.406 Debarment.**

##### **5209.406-3 (DFARS 209.406-3) Procedures**

Refer all matters to Counsel, Procurement Integrity Office.

Enclosure (1)

3. Subsection 5209.407-3 is revised to reflect movement of text from DFARS 209.407-3 to PGI 209.407-3. The revised subsection is as follows:

## **PART 5209 CONTRACTOR QUALIFICATIONS**

### **SUBPART 5209.4--DEBARMENT, SUSPENSION AND INELIGIBILITY**

\* \* \* \*

#### **5209.407 Suspension.**

#### **5209.407-3 (DFARS 209.407-3) Procedures.**

Refer all matters to Counsel, Procurement Integrity Office.

Enclosure (1)

The following changes are hereby incorporated into the November 2003 NMCAG:

1. Section G5201.105 is added to address PGI citations. The new section is as follows:

## **PART G5201 FEDERAL ACQUISITION REGULATIONS SYSTEM**

### **SUBPART G5201.1--PURPOSE, AUTHORITY, ISSUANCE**

\* \* \* \*

#### **G5201.105 Issuance.**

##### **G5201.105-2 Arrangement of regulations.**

###### *(c) References and citations.*

(1) A DFARS cite in parentheses immediately after the NMCAG cite means related coverage is contained in the DFARS (e.g. G5201.104 (DFARS 201.104)). A Procedures, Guidance and Information (PGI) cite immediately after the NMCAG cite means related coverage is contained in PGI (e.g. G5201.104 (PGI 201.104)).

2. Section G5209.406 is added to reflect movement of text from DFARS 209.406-3 to PGI 209.406-3. The new section is as follows:

## **PART G5209 CONTRACTOR QUALIFICATIONS**

### **SUBPART G5209.4--DEBARMENT, SUSPENSION AND INELIGIBILITY**

\* \* \* \*

#### **G5209.406-3 ( PGI 209.406-3) Procedures.**

(a)(7) The summary shall also include comments regarding the U.S. Attorney's position on release of any investigative reports included in the report.

(a)(10) (iv) Signed and dated copies of indictments, judgments, plea agreements, or search warrants, in advance of certified copies of such documents, if certified copies are not readily available. In cases involving indictments, forward reports within fifteen calendar days after the indictment is filed.

Enclosure (2)

(a)(10)(vi)(S-90) Copies of DD350 reports for the previous two fiscal years.

(S-91) A copy of a current Dun and Bradstreet report on the contractor and any subsidiaries or divisions, along with a recommendation for debarment or suspension action in the case of each subsidiary division and the officers thereof.

(S-92) Current mailing addresses of individuals involved in the case, along with a recommendation for debarment or suspension action for each individual.

(S-93) If Government employees are involved in the wrongdoing, the names and current addresses of the employees, disciplinary action taken and the current employment status of each individual. If no disciplinary action was taken against Government employees involved in the wrongdoing, and the contractor or contractor personnel are recommended for debarment or suspension, a statement explaining why no disciplinary action was taken, and why debarment or suspension is appropriate under the circumstances.

3. Subsection G5209.407-3 is revised to reflect movement of text from DFARS 209.407-3 to PGI 209.407-3. The revised subsection is as follows:

## **PART 5209 CONTRACTOR QUALIFICATIONS**

### **SUBPART 5209.4--DEBARMENT, SUSPENSION AND INELIGIBILITY**

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#### **5209.407 Suspension.**

#### **5209.407-3 (DFARS 209.407-3) Procedures.**

Prepare and process reports in accordance with 5209.406-3.