

CLIENT ALERT

Prohibition on Contracting with Corporations with Felony Conviction or Delinquent Taxes

On December 4, 2015, the FAR Council issued an interim rule – with an effective date of February 26, 2016 – that would require a corporation responding to any federal solicitation to represent whether it (1) has a felony conviction for a violation under any federal law within the preceding 24 months or (2) has any unpaid federal tax liability that has been assessed and is not being appealed or paid in a timely manner. Consistent with the Consolidated and Further Continuing Appropriation Acts, any affirmative response made by a corporation to either representation would effectively create an automatic exclusion that precludes award of federal contracts, unless the agency's suspension and debarment official has reviewed the matter and determined that further action is not necessary to protect the interests of the government.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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