DEPARTMENT OF THE AIR FORCE
ARLINGTON, VA 22202-3258

Office of the Deputy General Counsel

SEP 26 2011

VIA FEDERAL EXPRESS

SAF/GCR
1235 S. Clark Street
Suite 301
Arlington, VA 22202

Symeon Hunter
[redacted]

Re: Notice of Debarment

Mr. Hunter:

Effective this date, the Air Force has debarred Symeon Hunter (Mr. Hunter) from Government contracting and from directly or indirectly receiving the benefits of federal assistance programs. This action is initiated pursuant to Federal Acquisition Regulation (FAR) Subpart 9.4, Defense FAR Supplement 209.4 and Appendix H, and 2 C.F.R. Part 1125.

On August 24, 2011, the Air Force proposed Mr. Hunter for debarment and afforded him the opportunity to submit information and argument in opposition to his proposed debarment. Mr. Hunter was issued a Notice of Proposed Debarment and a Memorandum in Support of the Proposed Debarment. To date, Mr. Hunter has not responded.

I have carefully considered all information contained in the Administrative Record and determined that a preponderance of the evidence establishes the existence of a cause for debarment, and Mr. Hunter has failed to demonstrate his present responsibility. I have, therefore, concluded that debarment is in the public interest and necessary to protect the Government's interests.

The effects of debarment are set forth in the Notice of Proposed Debarment issued to Mr. Hunter, as well as in FAR Subpart 9.4, Defense FAR Supplement 209.4 and Appendix H, and 2 C.F.R. Part 1125, which are provided on our website at: http://www.safgc.hq.af.mil/organizations/gcr/index.asp. Mr. Hunter's debarment is effective immediately, and will last for three years from the date of his proposed debarment, August 24, 2011. Mr. Hunter's debarment will terminate on August 23, 2014.

Sincerely, [redacted]

STEVEN A. SHAW
Deputy General Counsel
(Contractor Responsibility)

DEPARTMENT OF THE AIR FORCE
ARLINGTON, VA 22202-3258

Office of the Deputy General Counsel

AUG 24 2011

VIA FEDERAL EXPRESS

SAF/GCR
1235 S. Clark Street
Suite 301
Arlington, VA 22202

Mr. Symeon Hunter
c/o Thomas J. Hasty
[redacted]

Re: Notice of Proposed Debarment

Mr. Symeon Hunter,

You are hereby notified that the Air Force has proposed that you, Symeon Hunter, be debarred from federal Government contracting and from directly or indirectly receiving the benefits of federal assistance programs. This action is initiated pursuant to the authority and the procedures of the Federal Acquisition Regulation (FAR) Subpart 9.4. Copies of FAR 9.4, Defense FAR Supplement 209.4 and Appendix H, and 2 C.F.R. Part 1125 are provided on our website at http://www.safgc.hq.af.mil/organizations/gcr/index.asp. 2 C.F.R. Part 1125 is the Defense Department's implementation of the Nonprocurement Common Rule referenced in FAR 9.401. If you do not have access to the Internet and wish to receive a hardcopy of the aforementioned regulations, please submit a written request to my counsel as designated below.

The proposed debarment is based upon the information in the attached Memorandum In Support of the Proposed Debarment (Encl. 1).

The proposed debarment is effective this day and has the following consequences during the period of proposed debarment:

1. Your name will be published in Excluded Parties List System, available at https://www.epls.gov/, a publication of the General Services Administration that contains the names of contractors debarred, suspended, proposed for debarment, or declared ineligible by any agency of the Federal Government. Proposed debarment is effective throughout the executive branch of the Federal Government and applies to procurement and nonprocurement programs.

2. Offers will not be solicited from, contracts will not be awarded to, existing contracts will not be renewed or otherwise extended for, and subcontracts requiring Government approval will not be approved for you by any agency in the executive branch of the Federal Government unless the head of the agency taking the contracting action or a designee states in writing the compelling reason for continued business dealings between you and the agency.

3. You may not conduct business with the Federal Government as an agent or representative of other contractors, nor may you act as an individual surety for other contractors.

4. No Government contractor may award you a subcontract equal to or in excess of $30,000 unless there is a compelling reason to do so and the contractor first notifies the contracting officer and further complies with the provisions of FAR 9.405-2(b).

5. No agency in the executive branch shall enter into, renew, or extend primary or lower-tier covered transactions in which you are either a participant or principal, unless the head of the agency grants an exception in writing. (Covered transactions are defined at 2 C.F.R. Section 1125.30).

6. You may not act as an agent or representative of other participants in federal assistance programs.

7. Your affiliation with or relationship to any organization doing business with the Government will be carefully examined to determine the impact of those ties on the responsibility of that organization to be a Government contractor or to receive federal assistance.

Within 30 calendar days of the date of this notice, you may submit, either in person or in writing, or both, information and argument in opposition to the proposed debarment. If you provide a written response, an original and one hardcopy must be submitted and an electronic copy is appreciated. You are encouragaed to Bates number your submission, including attachments thereto.

If you designate a representative to respond on your behalf, please notify my counsel in writing of the identity of the representative. The designation should specifically state the names and addresses of all individuals or companies the designee has the authority to represent in this matter.

Your submission, if any, should include any specific information that may raise a genuine dispute over material facts. If it is found that the information submitted raises a genuine dispute over material facts, fact-finding may be conducted to determine the disputed facts. Facts proved by conviction or civil judgment, however, are not subject to dispute in this proceeding.

This debarment proceeding has been initiated on the basis of an administrative record. A copy of the record will be furnished upon request. Any written information submitted by you will be added to the administrative record.

The determination whether or not to debar you is discretionary and will be made on the basis of the administrative record, together with any written materials submitted for the record by the Government or you during the period of proposed debarment.

If debarment is imposed, the limitations described in Paragraphs 1 through 7 above will continue to apply and your name will continue to be published in the List of Parties Excluded From Federal Procurement and Nonprocurement Programs. Your status, however, will be changed to reflect that you are debarred.

Any communications regarding this matter should be directed to my counsel: David Robbins, SAF/GCR, 1235 S. Clark Street, Suite 301, Arlington, VA 22202, and david.robbins@pentagon.af.mil. Email communication is preferred. If you wish to send hard copies, please use the physical address in this paragraph rather than the return address above for your correspondence.

Sincerely,

STEVEN A. SHAW
Deputy General Counsel
(Contractor Responsibility)

DEPARTMENT OF THE AIR FORCE
Arlington, VA 22202-3528

AUG 24 2011

Office of the Deputy General Counsel

MEMORANDUM IN SUPPORT OF THE PROPOSED DEBARMENT OF:

SYMEON HUNTER

Effective this date, the Air Force has proposed the debarment of Symeon Hunter ("Hunter") from Government contracting and from directly or indirectly receiving the benefits of federal assistance programs. This action is initiated pursuant to Federal Acquisition Regulation ("FAR") Subpart 9.4

INFORMATION IN THE RECORD

Information in the record establishes by a preponderance of evidence that at all times relevant hereto:

1. Hunter performed engineering work on the Joint Strike Fighter program as an employee of a large, global defense contractor ("contractor").

2. In a recent mandatory disclosure, the contractor revealed that Hunter improperly charged a substantial amount of time to the Air Force contract. Hunter improperly charged 174.7 hours to the government over a six month period. During this period, the contractor's security gate records demonstrate that Hunter was not in the office as reported on his time cards. This resulted in what would be equivalent to over 4 weeks of paid vacation.

3. Hunter was terminated as a result of this mischarging.

BASIS FOR THE PROPOSED DEBARMENT

The improper conduct of Hunter is of so serious or compelling a nature that it affects his present responsibility to be a government contractor or subcontractor and provides a basis for his debarment pursuant to FAR 9.406-2(c).

STEVEN A. SHAW
Deputy General Counsel
(Contractor Responsibility)