



DEPARTMENT OF THE AIR FORCE

ARLINGTON, VA 22202-3258

Office of the Deputy General Counsel

VIA FEDEX

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

JUN 22 2012

Mr. Byron Cifuentes
[REDACTED]

Re: Notice of Debarment

Mr. Cifuentes:

Effective this date, the Air Force has debarred you, Byron Cifuentes, 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. The effects of debarment are set forth in the Notice of Proposed Debarment issued to you, as well as in the aforementioned regulations, which are provided on our website at:
<http://www.safgc.hq.af.mil/organizations/gcr1/index.asp>.

On May 21, 2012, the Air Force proposed you for debarment and afforded you the opportunity to submit information and argument in opposition to your proposed debarment. You were issued a Notice of Proposed Debarment and a Memorandum in Support of the Proposed Debarment. You have not responded.

I have carefully considered all information contained in the Administrative Record and have made the following determinations: a preponderance of the evidence establishes the existence of a cause for debarment; you have failed to demonstrate your present responsibility; and debarment is in the public interest and necessary to protect the Government's interests.

I have determined that a three-year debarment term is appropriate and commensurate with the seriousness of the cause for debarment. Your debarment is effective immediately and will run from the date of your proposed debarment, May 21, 2012, and, thus, will terminate on May 20, 2015.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Shaw', with a stylized flourish at the end.

STEVEN A. SHAW
Deputy General Counsel
(Contractor Responsibility)



DEPARTMENT OF THE AIR FORCE

ARLINGTON, VA 22202-3258

MAY 21 2012

Office Of The Deputy General Counsel

MEMORANDUM IN SUPPORT OF THE PROPOSED DEBARMENT OF:

BYRON CIFUENTES

Effective this date, the Air Force has proposed the debarment of Byron Cifuentes (Mr. Cifuentes) 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 the evidence that at all times relevant hereto:

1. Mr. Cifuentes is a contractor employee working at Edwards Air Force Base (Edwards AFB).
2. While working at Edwards AFB, Mr. Cifuentes exposed himself to a female employee on four separate occasions during 2010-2011.
3. On May 20, 2011, Mr. Cifuentes was charged with four counts of indecent exposure in violation of §314 of the California Penal Code as assimilated by 18 U.S.C. §13.
4. On May 1, 2012, Mr. Cifuentes plead guilty to one count of a Noise Disturbance in violation of §415(2) of the California Penal Code as assimilated by 18 U.S.C. §13 and was sentenced to a \$400 fine and six months probation.

BASES FOR THE PROPOSED DEBARMENT

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

2. Mr. Cifuentes' conviction provides a separate independent basis for his debarment pursuant to FAR 9.406-2(a)(1)(iii), commission of a criminal offense in connection with performing a public contract.

A handwritten signature in black ink, appearing to read 'S. Shaw', with a stylized flourish at the end.

STEVEN A. SHAW
Deputy General Counsel
(Contractor Responsibility)