

## 9.110-4 Procedures.

If the Secretary of Defense determines, pursuant to the procedures at [32 CFR part 216](#), that an institution of higher education is ineligible to receive funds from a covered agency because of a policy or practice described in [9.110-3](#)—

(a) The Secretary of Defense will create an active exclusion record for the institution in the System for Award Management; and

(b) A covered agency shall not solicit offers from, award contracts to, or consent to subcontracts with the institution. The prohibition in this paragraph (b) does not apply to acquisitions at or below the simplified acquisition threshold or to acquisitions of commercial products and commercial services, including commercially available off-the-shelf items.

**Parent topic:** [9.110 Reserve Officer Training Corps and military recruiting on campus.](#)