# 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.