

**ARMED SERVICES BOARD OF CONTRACT APPEALS
DOCUMENT FILING GUIDANCE**

June 17, 2021

I. **General Guidance.** The Board strongly encourages electronic submissions, rather than paper filings. Irrespective of Board Rule 2, all unclassified documents may be submitted electronically as set forth herein, unless the Board orders otherwise. If you want to submit classified documents, you must first contact the Board's Recorder for guidance and permission. Regardless of the method of submission, a party filing any document with the Board must send a copy to the opposing party unless the Board directs otherwise, noting on the document filed with the Board that a copy has been so furnished, in accordance with Board Rule 2(b).

II. **Submission of Notices of Appeal and Complaints.** Notices of Appeal and Complaints should be submitted without exhibits or other attachments, except a copy of the contracting officer's final decision, if one has been issued, should be attached to the Notice of Appeal. Documents attached to a Notice of Appeal or Complaint are not routinely considered part of the record upon which the Board's decision will be rendered. Board Rule 4(a) requires the government to transmit to the Board and the appellant an appeal file consisting of documents the government considers relevant to the appeal. Once the appellant receives a copy of the government's Rule 4 file, it may supplement the Rule 4 file with any additional documents the appellant considers relevant to the appeal (see Board Rule 4(b)).

III. **Email.** Except for Rule 4 file documents, documents that are 10 Megabytes or less in size should be emailed to the Board's Recorder at asbca.recorder@mail.mil.

IV. **DoD SAFE.** All Rule 4 file documents, and documents that are too large to be sent by email, should be submitted to the Board via DoD's secure access file exchange service, DoD SAFE, at <https://safe.apps.mil>, using asbca.recorder@mail.mil for the recipient's email address. If you are a non-government entity, you must submit a request to use DoD SAFE. Send your request to use DoD SAFE to asbca.recorder@mail.mil and one of the Board's IT staff will contact you with instructions.

A. Documents shall be compressed and saved as a single file in .zip format.

B. Documents shall be organized to the fullest extent practicable in accordance with Board Rule 4(c), *i.e.*, each document shall have a unique tab or exhibit number, the documents shall be arranged chronologically where practicable, and each page of each document shall be numbered.

- C. Documents shall be formatted in separate, searchable PDFs if possible, with electronic bookmarks or an interactive table of contents to mark each tab or exhibit. Documents that are not already in PDF format shall be converted to PDF documents if possible and if they cannot be converted to PDF, should be locked to prevent editing. Do not submit “fillable” PDFs. Each PDF or bookmark shall be named with the tab or exhibit number, brief document description, and date of the document (if available) (e.g., Tab 23, Modification P0001, 3.11.2011.pdf).
- D. If you are supplementing a prior Rule 4 file submission, include an index of your entire Rule 4 file submission, to include the original Rule 4 file plus all of your supplements. The index shall be in searchable PDF format, separate from other documents, and so labeled.

V. **Computer Discs.** If you are unable to submit documents via email or DoD SAFE, you may submit them on computer discs (DVDs or CDs), following the organization and formatting guidance set forth above.

- A. Computer discs may be encrypted with password protection. If encryption is used, documents shall be saved in a .zip file format using the level of encryption specified by your organization, but shall not require the installation or use of third-party executable files or programs to decrypt. Individually encrypted files are not allowed.
- B. The filing party shall label each computer disc and its case or enclosure with the name of the appeal, appeal numbers, the party submitting the filing, the name of the filing, and date of filing. (E.g., *Schmoe, Inc.*, ASBCA No. 12345; Gov’t R4, tabs x-xx; 30 March 1965).
- C. Thumb drives, flash drives, or other media requiring connection via USB port are not allowed.

VI. **Guidance Modifications.** Parties may suggest, or the Board may order, modifications to this guidance to accommodate the circumstances of particular appeals. The Board may, for example, require submission of documents in native format, or submission of documents as a single PDF, or submission of hard copies.