

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

September 22, 2023

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 (unless a contracting officer's final decision has been issued, in which case it should be submitted with 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 appellant an appeal file consisting of documents the government considers relevant to the appeal. After appellant receives a copy of the government's Rule 4 file, it may supplement the Rule 4 file with any additional documents 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 and Box.** All Rule 4 file documents, and documents that exceed 10 megabytes in size, should be submitted to the Board via either DoD's secure access file exchange service, DoD SAFE, at <https://safe.apps.mil>, or Box, at <https://box.com>. Regardless of which platform you elect to use, the recipient's email address is asbca.recorder@mail.mil. 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 folder 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. Each party's Rule 4 file should begin with tab 1 and be numbered sequentially (*e.g.*, government's Rule 4 tabs 1-50; appellant's supplemental Rule 4 tabs 1-25).

- C. Documents shall be formatted in separate, searchable PDFs. Documents that are not already in PDF format shall be converted to PDF documents. If they cannot be converted to PDF, they should be locked to prevent editing. Do not submit "fillable" PDFs. Each PDF 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, DoD SAFE, or Box, 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.