

- 413.635 May the Ex-Im Bank settle a debarment or suspension action?
- 413.640 May a settlement include a voluntary exclusion?
- 413.645 Do other Federal agencies know if the Ex-Im Bank agrees to a voluntary exclusion?

Subpart G—Suspension

- 413.700 When may the suspending official issue a suspension?
- 413.705 What does the suspending official consider in issuing a suspension?
- 413.710 When does a suspension take effect?
- 413.715 What notice does the suspending official give me if I am suspended?
- 413.720 How may I contest a suspension?
- 413.725 How much time do I have to contest a suspension?
- 413.730 What information must I provide to the suspending official if I contest a suspension?
- 413.735 Under what conditions do I get an additional opportunity to challenge the facts on which the suspension is based?
- 413.740 Are suspension proceedings formal?
- 413.745 How is fact-finding conducted?
- 413.750 What does the suspending official consider in deciding whether to continue or terminate my suspension?
- 413.755 When will I know whether the suspension is continued or terminated?
- 413.760 How long may my suspension last?

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- 413.800 What are the causes for debarment?
- 413.805 What notice does the debarring official give me if I am proposed for debarment?
- 413.810 When does a debarment take effect?
- 413.815 How may I contest a proposed debarment?
- 413.820 How much time do I have to contest a proposed debarment?
- 413.825 What information must I provide to the debarring official if I contest a proposed debarment?
- 413.830 Under what conditions do I get an additional opportunity to challenge the facts on which the proposed debarment is based?
- 413.835 Are debarment proceedings formal?
- 413.840 How is fact-finding conducted?
- 413.845 What does the debarring official consider in deciding whether to debar me?
- 413.850 What is the standard of proof in a debarment action?
- 413.855 Who has the burden of proof in a debarment action?
- 413.860 What factors may influence the debarring official's decision?
- 413.865 How long may my debarment last?
- 413.870 When do I know if the debarring official debars me?
- 413.875 May I ask the debarring official to reconsider a decision to debar me?
- 413.880 What factors may influence the debarring official during reconsideration?
- 413.885 May the debarring official extend a debarment?

Subpart I—Definitions

- 413.900 Adequate evidence.
- 413.905 Affiliate.
- 413.910 Agency.
- 413.915 Agent or representative.
- 413.920 Civil judgment.
- 413.925 Conviction.
- 413.930 Debarment.
- 413.935 Debarring official.
- 413.940 Disqualified.
- 413.945 Excluded or exclusion.
- 413.950 Excluded Parties List System.
- 413.955 Indictment.
- 413.960 Ineligible or ineligibility.
- 413.965 Legal proceedings.
- 413.970 Nonprocurement transaction.
- 413.975 Notice.
- 413.980 Participant.
- 413.985 Person.
- 413.990 Preponderance of the evidence.
- 413.995 Principal.
- 413.1000 Respondent.
- 413.1005 State.
- 413.1010 Suspending official.
- 413.1015 Suspension.
- 413.1020 Voluntary exclusion or voluntarily excluded.

Subpart J—[Reserved]

Appendix to Part 413—Covered Transactions

Authority: Sec. 2455, Pub. L. 103–355, 108 Stat. 3327 (31 U.S.C. 6101 note); E.O. 11738 (3 CFR, 1973 Comp., p. 799); E.O. 12549 (3 CFR, 1986 Comp., p. 189); E.O. 12689 (3 CFR, 1989 Comp., p. 235).

■ 2. Part 413 is further amended as set forth below.

■ a. “[Agency noun]” is removed and “Ex-Im Bank” is added in its place wherever it occurs.

■ b. “[Agency adjective]” is removed and “Ex-Im Bank” is added in its place wherever it occurs.

■ c. “[Agency head or designee]” is removed and “Ex-Im Bank agency head or designee” is added in its place wherever it occurs.

■ 3. Section 413.440 is added to read as follows:

§ 413.440 What method do I use to communicate those requirements to participants?

To communicate the requirements, you must include a term or condition in the transaction requiring the participants' compliance with subpart C of this part and requiring them to include a similar term or condition in lower-tier covered transactions.

SMALL BUSINESS ADMINISTRATION

13 CFR Parts 145 and 147

RIN 3245–AE61

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List of Subjects

13 CFR Part 145

Administrative practice and procedure, Government contracts, Grant programs, Loan programs, Reporting and recordkeeping requirements, Small businesses.

13 CFR Part 147

Administrative practice and procedure, Drug abuse, Grant programs, Reporting and recordkeeping requirements.

Dated: September 12, 2003.

Hector V. Barreto,

Administrator, U.S. Small Business Administration.

■ For the reasons stated in the common preamble, the U.S. Small Business Administration proposes to amend 13 CFR Chapter I as follows:

■ 1. Part 145 is revised to read as set forth in instruction 1 at the end of the common preamble.

PART 145—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)

Sec.

145.25 How is this part organized?

145.50 How is this part written?

145.75 Do terms in this part have special meanings?

Subpart A—General

145.100 What does this part do?

145.105 Does this part apply to me?

145.110 What is the purpose of the nonprocurement debarment and suspension system?

145.115 How does an exclusion restrict a person's involvement in covered transactions?

145.120 May we grant an exception to let an excluded person participate in a covered transaction?

145.125 Does an exclusion under the nonprocurement system affect a person's eligibility for Federal procurement contracts?

145.130 Does exclusion under the Federal procurement system affect a person's eligibility to participate in nonprocurement transactions?

145.135 May the SBA exclude a person who is not currently participating in a nonprocurement transaction?

145.140 How do I know if a person is excluded?

145.145 Does this part address persons who are disqualified, as well as those who are excluded from nonprocurement transactions?

Subpart B—Covered Transactions

145.200 What is a covered transaction?