

**§ 1265.440 What method do I use to communicate those requirements to participants?**

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

■ 4. Part 1267 is added to read as set forth in instruction 2 at the end of the common preamble.

**PART 1267—GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (FINANCIAL ASSISTANCE)****Subpart A—Purpose and Coverage**

Sec.

- 1267.100 What does this part do?
- 1267.105 Does this part apply to me?
- 1267.110 Are any of my Federal assistance awards exempt from this part?
- 1267.115 Does this part affect the Federal contracts that I receive?

**Subpart B—Requirements for Recipients Other Than Individuals**

- 1267.200 What must I do to comply with this part?
- 1267.205 What must I include in my drug-free workplace statement?
- 1267.210 To whom must I distribute my drug-free workplace statement?
- 1267.215 What must I include in my drug-free awareness program?
- 1267.220 By when must I publish my drug-free workplace statement and establish my drug-free awareness program?
- 1267.225 What actions must I take concerning employees who are convicted of drug violations in the workplace?
- 1267.230 How and when must I identify workplaces?

**Subpart C—Requirements for Recipients Who Are Individuals**

- 1267.300 What must I do to comply with this part if I am an individual recipient?
- 1267.301 [Reserved]

**Subpart D—Responsibilities of NASA Awarding Officials**

- 1267.400 What are my responsibilities as a NASA awarding official?

**Subpart E—Violations of This Part and Consequences**

- 1267.500 How are violations of this part determined for recipients other than individuals?
- 1267.505 How are violations of this part determined for recipients who are individuals?
- 1267.510 What actions will the Federal Government take against a recipient determined to have violated this part?
- 1267.515 Are there any exceptions to those actions?

**Subpart F—Definitions**

- 1267.605 Award.

- 1267.610 Controlled substance.
- 1267.615 Conviction.
- 1267.620 Cooperative agreement.
- 1267.625 Criminal drug statute.
- 1267.630 Debarment.
- 1267.635 Drug-free workplace.
- 1267.640 Employee.
- 1267.645 Federal agency or agency.
- 1267.650 Grant.
- 1267.655 Individual.
- 1267.660 Recipient.
- 1267.665 State.
- 1267.670 Suspension.

**Authority:** 41 U.S.C. 701 *et seq.*; 42 U.S.C. 2473c.

■ 5. Part 1267 is further amended as set forth below.

■ a. "The [Agency noun]" is removed and "NASA" is added in its place wherever it occurs.

■ b. "[Agency adjective]" is removed and "NASA" is added in its place wherever it occurs.

■ c. "[Agency head or designee]" is removed and "Assistant Administrator for Procurement" is added in its place wherever it occurs.

■ d. "[Agency head]" is removed and "Assistant Administrator for Procurement" is added in its place wherever it occurs.

■ 6. Section 1267.510(c) is further amended by removing "[CFR citation for the Federal Agency's regulations implementing Executive Order 12549 and Executive Order 12689]" and adding "14 CFR Part 1265" in its place.

■ 7. Section 1267.605(a)(2) is further amended by removing "[Agency-specific CFR citation]" and adding "14 CFR Part 1273" in its place.

**DEPARTMENT OF COMMERCE****15 CFR Parts 26 and 29**

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**List of Subjects****15 CFR Part 26**

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

**15 CFR Part 29**

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

Dated: July 23, 2003.

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■ For the reasons stated in the common preamble, the Department of Commerce amends 15 CFR subtitle A, as follows:

■ 1. Part 26 is revised to read as set forth in instruction 1 at the end of the common preamble.

**PART 26—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)**

Sec.

- 26.25 How is this part organized?
- 26.50 How is this part written?
- 26.75 Do terms in this part have special meanings?

**Subpart A—General**

- 26.100 What does this part do?
- 26.105 Does this part apply to me?
- 26.110 What is the purpose of the nonprocurement debarment and suspension system?
- 26.115 How does an exclusion restrict a person's involvement in covered transactions?
- 26.120 May we grant an exception to let an excluded person participate in a covered transaction?
- 26.125 Does an exclusion under the nonprocurement system affect a person's eligibility for Federal procurement contracts?
- 26.130 Does exclusion under the Federal procurement system affect a person's eligibility to participate in nonprocurement transactions?
- 26.135 May the Department of Commerce exclude a person who is not currently participating in a nonprocurement transaction?
- 26.140 How do I know if a person is excluded?
- 26.145 Does this part address persons who are disqualified, as well as those who are excluded from nonprocurement transactions?

**Subpart B—Covered Transactions**

- 26.200 What is a covered transaction?
- 26.205 Why is it important to know if a particular transaction is a covered transaction?
- 26.210 Which nonprocurement transactions are covered transactions?
- 26.215 Which nonprocurement transactions are not covered transactions?
- 26.220 Are any procurement contracts included as covered transactions?
- 26.225 How do I know if a transaction in which I may participate is a covered transaction?

**Subpart C—Responsibilities of Participants Regarding Transactions****Doing Business With Other Persons**

- 26.300 What must I do before I enter into a covered transaction with another person at the next lower tier?