

Subpart D—Responsibilities of USAID Officials Regarding Transactions

- 208.400 May I enter into a transaction with an excluded or disqualified person?
- 208.405 May I enter into a covered transaction with a participant if a principal of the transaction is excluded?
- 208.410 May I approve a participant's use of the services of an excluded person?
- 208.415 What must I do if a Federal agency excludes the participant or a principal after I enter into a covered transaction?
- 208.420 May I approve a transaction with an excluded or disqualified person at a lower tier?
- 208.425 When do I check to see if a person is excluded or disqualified?
- 208.430 How do I check to see if a person is excluded or disqualified?
- 208.435 What must I require of a primary tier participant?
- 208.440 What method do I use to communicate those requirements to participants?
- 208.445 What action may I take if a primary tier participant knowingly does business with an excluded or disqualified person?
- 208.450 What action may I take if a primary tier participant fails to disclose the information required under § 208.335?
- 208.455 What may I do if a lower tier participant fails to disclose the information required under § 208.355 to the next higher tier?

Subpart E—Excluded Parties List System

- 208.500 What is the purpose of the Excluded Parties List System (EPLS)?
- 208.505 Who uses the EPLS?
- 208.510 Who maintains the EPLS?
- 208.515 What specific information is in the EPLS?
- 208.520 Who places the information into the EPLS?
- 208.525 Whom do I ask if I have questions about a person in the EPLS?
- 208.530 Where can I find the EPLS?

Subpart F—General Principles Relating to Suspension and Debarment Actions

- 208.600 How do suspension and debarment actions start?
- 208.605 How does suspension differ from debarment?
- 208.610 What procedures does the U.S. Agency for International Development use in suspension and debarment actions?
- 208.615 How does the U.S. Agency for International Development notify a person of a suspension and debarment action?
- 208.620 Do Federal agencies coordinate suspension and debarment actions?
- 208.625 What is the scope of a suspension or debarment action?
- 208.630 May the U.S. Agency for International Development impute the conduct of one person to another?
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- 208.640 May a settlement include a voluntary exclusion?
- 208.645 Do other Federal agencies know if the U.S. Agency for International

Development agrees to a voluntary exclusion?

Subpart G—Suspension

- 208.700 When may the suspending official issue a suspension?
- 208.705 What does the suspending official consider in issuing a suspension?
- 208.710 When does a suspension take effect?
- 208.715 What notice does the suspending official give me if I am suspended?
- 208.720 How may I contest a suspension?
- 208.725 How much time do I have to contest a suspension?
- 208.730 What information must I provide to the suspending official if I contest a suspension?
- 208.735 Under what conditions do I get an additional opportunity to challenge the facts on which the suspension is based?
- 208.740 Are suspension proceedings formal?
- 208.745 How is fact-finding conducted?
- 208.750 What does the suspending official consider in deciding whether to continue or terminate my suspension?
- 208.755 When will I know whether the suspension is continued or terminated?
- 208.760 How long may my suspension last?

Subpart H—Debarment

- 208.800 What are the causes for debarment?
- 208.805 What notice does the debarring official give me if I am proposed for debarment?
- 208.810 When does a debarment take effect?
- 208.815 How may I contest a proposed debarment?
- 208.820 How much time do I have to contest a proposed debarment?
- 208.825 What information must I provide to the debarring official if I contest a proposed debarment?
- 208.830 Under what conditions do I get an additional opportunity to challenge the facts on which the proposed debarment is based?
- 208.835 Are debarment proceedings formal?
- 208.840 How is fact-finding conducted?
- 208.845 What does the debarring official consider in deciding whether to debar me?
- 208.850 What is the standard of proof in a debarment action?
- 208.855 Who has the burden of proof in a debarment action?
- 208.860 What factors may influence the debarring official's decision?
- 208.865 How long may my debarment last?
- 208.870 When do I know if the debarring official debars me?
- 208.875 May I ask the debarring official to reconsider a decision to debar me?
- 208.880 What factors may influence the debarring official during reconsideration?
- 208.885 May the debarring official extend a debarment?

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- 208.900 Adequate evidence.
- 208.905 Affiliate.
- 208.910 Agency.
- 208.915 Agent or representative.
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- 208.925 Conviction.
- 208.930 Debarment.
- 208.935 Debarring official.
- 208.940 Disqualified.
- 208.945 Excluded or exclusion.
- 208.950 Excluded Parties List System.
- 208.955 Indictment.
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- 208.965 Legal proceedings.
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- 208.975 Notice.
- 208.980 Participant.
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- 208.990 Preponderance of the evidence.
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- 208.1020 Voluntary exclusion or voluntarily excluded.

Subpart J—[Reserved]**Appendix to Part 208—Covered Transactions**

Authority: E.O. 12163, 3 CFR 1979 Comp., p. 435; E.O. 12549 3 CFR 1986 Comp., p. 189; E.O. 12698, 3 CFR 1989 Comp., p. 235; sec. 2455, Pub. L. 103–355, 108 Stat. 3327 (31 U.S.C. 6101 note); sec. 621, Pub. L. 87–195, 75 Stat. 445 (22 U.S.C. 2381), as amended.

■ 2. Part 208 is further amended as set forth below.

■ a. “[Agency Noun]” is removed and “U.S. Agency for International Development” is added in its place wherever it occurs.

■ b. “[Agency adjective]” is removed and “USAID” is added in its place wherever it occurs.

■ c. “[Agency head or designee]” is removed and “Director, Office of Procurement” is added in its place wherever it occurs.

■ 3. Section 208.440 is added to read as follows:

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

To communicate the requirements in § 208.35, 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.

■ 4. Section 208.935 is further amended by adding paragraph (b) to read as follows:

§ 208.935 Debarring official.

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(b) The U.S. Agency for International Development's debarring official is the Director of the Office of Procurement.

■ 5. Section 208.1010 is further amended by adding paragraph (b) to read as follows: