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- 98.800 What are the causes for debarment?
 98.805 What notice does the debarring official give me if I am proposed for debarment?
 98.810 When does a debarment take effect?
 98.815 How may I contest a proposed debarment?
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 98.825 What information must I provide to the debarring official if I contest a proposed debarment?
 98.830 Under what conditions do I get an additional opportunity to challenge the facts on which the proposed debarment is based?
 98.835 Are debarment proceedings formal?
 98.840 How is fact-finding conducted?
 98.845 What does the debarring official consider in deciding whether to debar me?
 98.850 What is the standard of proof in a debarment action?
 98.855 Who has the burden of proof in a debarment action?
 98.860 What factors may influence the debarring official's decision?
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 98.870 When do I know if the debarring official debars me?
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 98.880 What factors may influence the debarring official during reconsideration?
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- 98.900 Adequate evidence.
 98.905 Affiliate.
 98.910 Agency.
 98.915 Agent or representative.
 98.920 Civil judgment.
 98.925 Conviction.
 98.930 Debarment.
 98.935 Debarring official.
 98.940 Disqualified.
 98.945 Excluded or exclusion.
 98.950 Excluded Parties List System.
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 98.965 Legal proceedings.
 98.970 Nonprocurement transaction.
 98.975 Notice.
 98.980 Participant.
 98.985 Person.
 98.990 Preponderance of the evidence.
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 98.1020 Voluntary exclusion or voluntarily excluded.

Subpart J—[Reserved]

Appendix to Part 98—Covered Transactions

Authority: 5 U.S.C. 301, 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.

■ 6. Part 98 is further amended as follows:

- a. “[Agency noun]” is removed and “Department of Labor” is added in its place wherever it occurs.
 ■ b. “[Agency adjective]” is removed and “Department of Labor” is added in its place wherever it occurs.
 ■ c. “[Agency head or designee]” is removed and “Secretary of Labor or designee” is added in its place wherever it occurs.

FEDERAL MEDIATION AND CONCILIATION SERVICE

29 CFR Parts 1471 and 1472

RIN 3076-AA08

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List of Subjects

29 CFR Part 1471

Administrative practice and procedure, Debarment and suspension, Grant programs, Loan programs, Reporting and recordkeeping requirements.

29 CFR Part 1472

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

Dated: September 5, 2003.

John J. Toner,
Chief of Staff.

■ For the reason stated in the common preamble, the Federal Mediation and Conciliation Service amends 29 CFR chapter XII, as follows:

- 1. Part 1471 is revised to read as set forth in instruction 1 at the end of the common preamble.

PART 1471—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)

Sec.

- 1471.25 How is this part organized?
 1471.50 How is this part written?
 1471.75 Do terms in this part have special meanings?

Subpart A—General

- 1471.100 What does this part do?
 1471.105 Does this part apply to me?
 1471.110 What is the purpose of the nonprocurement debarment and suspension system?
 1471.115 How does an exclusion restrict a person's involvement in covered transactions?

- 1471.120 May we grant an exception to let an excluded person participate in a covered transaction?
 1471.125 Does an exclusion under the nonprocurement system affect a person's eligibility for Federal procurement contracts?
 1471.130 Does exclusion under the Federal procurement system affect a person's eligibility to participate in nonprocurement transactions?
 1471.135 May FMCS exclude a person who is not currently participating in a nonprocurement transaction?
 1471.140 How do I know if a person is excluded?
 1471.145 Does this part address persons who are disqualified, as well as those who are excluded from nonprocurement transactions?

Subpart B—Covered Transactions

- 1471.200 What is a covered transaction?
 1471.205 Why is it important to know if a particular transaction is a covered transaction?
 1471.210 Which nonprocurement transactions are covered transactions?
 1471.215 Which nonprocurement transactions are not covered transactions?
 1471.220 Are any procurement contracts included as covered transactions?
 1471.225 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

- 1471.300 What must I do before I enter into a covered transaction with another person at the next lower tier?
 1471.305 May I enter into a covered transaction with an excluded or disqualified person?
 1471.310 What must I do if a Federal agency excludes a person with whom I am already doing business in a covered transaction?
 1471.315 May I use the services of an excluded person as a principal under a covered transaction?
 1471.320 Must I verify that principals of my covered transactions are eligible to participate?
 1471.325 What happens if I do business with an excluded person in a covered transaction?
 1471.330 What requirements must I pass down to persons at lower tiers with whom I intend to do business?

Disclosing Information—Primary Tier Participants

- 1471.335 What information must I provide before entering into a covered transaction with FMCS?
 1471.340 If I disclose unfavorable information required under § 1471.335, will I be prevented from participating in the transaction?
 1471.345 What happens if I fail to disclose the information required under § 1471.335?
 1471.350 What must I do if I learn of the information required under § 1471.335?