

25.960 Ineligible or ineligibility.
 25.965 Legal proceedings.
 25.970 Nonprocurement transaction.
 25.975 Notice.
 25.980 Participant.
 25.985 Person.
 25.990 Preponderance of the evidence.
 25.995 Principal.
 25.1000 Respondent.
 25.1005 State.
 25.1010 Suspending official.
 25.1015 Suspension.
 25.1020 Voluntary exclusion or voluntarily excluded.

Subpart J—[Reserved]

Appendix to Part 25—Covered Transactions

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

- 2. Part 25 is further amended as set forth below.
- a. “[Agency noun]” is removed and “DOD Component” is added in its place wherever it occurs.
- b. “[Agency adjective]” is removed and “DOD Component” is added in its place wherever it occurs.
- c. “[Agency head or designee]” is removed and “Head of the DOD Component or his or her designee” is added in its place wherever it occurs.
- 3. Section 25.440 is added to read as follows:

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

To communicate the requirement, 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 25.935 is further amended by adding paragraph (b) to read as follows:

§ 25.935 Debarring official.

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(b) DOD Components’ debarring officials for nonprocurement transactions are the same officials identified in 48 CFR part 209, subpart 209.4 as debarring officials for procurement contracts.

- 5. Section 25.942 is added to read as follows:

§ 25.942 DOD Component.

DOD Component means the Office of the Secretary of Defense, a Military Department, a Defense Agency, or the Office of Economic Adjustment.

- 6. Section 25.1010 is further amended by adding a paragraph (b) to read as follows:

§ 25.1010 Suspending official.

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(b) DOD Components’ suspending officials for nonprocurement transactions are the same officials identified in 48 CFR part, subpart 209.4 as suspending officials for procurement contracts.

- 7. Part 26 is added to read as set forth in instruction 2 at the end of the common preamble.

PART 26—GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (FINANCIAL ASSISTANCE)

Subpart A—Purpose and Coverage

Sec.

- 26.100 What does this part do?
- 26.105 Does this part apply to me?
- 26.110 Are any of my Federal assistance awards exempt from this part?
- 26.115 Does this part affect the Federal contracts that I receive?

Subpart B—Requirements for Recipients Other Than Individuals

- 26.200 What must I do to comply with this part?
- 26.205 What must I include in my drug-free workplace statement?
- 26.210 To whom must I distribute my drug-free workplace statement?
- 26.215 What must I include in my drug-free awareness program?
- 26.220 By when must I publish my drug-free workplace statement and establish my drug-free awareness program?
- 26.225 What actions must I take concerning employees who are convicted of drug violations in the workplace?
- 26.230 How and when must I identify workplaces?

Subpart C—Requirements for Recipients Who Are Individuals

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

Subpart D—Responsibilities of DOD Component Awarding Officials

- 26.400 What are my responsibilities as a DOD Component awarding official?

Subpart E—Violations of This Part and Consequences

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

Subpart F—Definitions

- 26.605 Award
- 26.610 Controlled substance.
- 26.615 Conviction.
- 26.620 Cooperative agreement.

- 26.625 Criminal drug statute.
- 26.630 Debarment.
- 26.632 DOD Component.
- 26.635 Drug-free workplace.
- 26.640 Employee.
- 26.645 Federal agency or agency.
- 26.650 Grant.
- 26.655 Individual.
- 26.660 Recipient.
- 26.665 State.
- 26.670 Suspension.

Authority: 41 U.S.C. 701, *et seq.*

- 8. Part 26 is further amended as set forth below.
- a. “[Agency noun]” is removed and “DOD Component” is added in its place wherever it occurs.
- b. “[Agency adjective]” is removed and “DOD Component” is added in its place wherever it occurs.
- c. “[Agency head or designee]” is removed and “Head of the DOD Component or his or her designee” is added in its place wherever it occurs.
- d. “[Agency head]” is removed and “Secretary of Defense or Secretary of a Military Department” is added in its place wherever it occurs.
- 9. Section 26.510(c) is further amended by removing “[CFR citation for the Federal agency’s regulations implementing Executive Order 12549 and Executive Order 12689]” and adding “32 CFR Part 25” in its place.
- 10. Section 26.605(a)(2) is further amended by removing “[Agency-specific CFR citation]” and adding “32 CFR part 33” in its place.
- 11. Section 26.632 is added to read as follows:

§ 26.632 DOD Component.

DOD Component means the Office of the Secretary of Defense, a Military Department, a Defense Agency, or the Office of Economic Adjustment.

DEPARTMENT OF EDUCATION

34 CFR Parts 84, 85, 668, and 682

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