

- 44.640 May a settlement include a voluntary exclusion?
- 44.645 Do other Federal agencies know if the Department of Veterans Affairs agrees to a voluntary exclusion?

**Subpart G—Suspension 44.700 When may the suspending official issue a suspension?**

- 44.705 What does the suspending official consider in issuing a suspension?
- 44.710 When does a suspension take effect?
- 44.715 What notice does the suspending official give me if I am suspended?
- 44.720 How may I contest a suspension?
- 44.725 How much time do I have to contest a suspension?
- 44.730 What information must I provide to the suspending official if I contest a suspension?
- 44.735 Under what conditions do I get an additional opportunity to challenge the facts on which the suspension is based?
- 44.740 Are suspension proceedings formal?
- 44.745 How is fact-finding conducted?
- 44.750 What does the suspending official consider in deciding whether to continue or terminate my suspension?
- 44.755 When will I know whether the suspension is continued or terminated?
- 44.760 How long may my suspension last?

**Subpart H—Debarment 44.800 What are the causes for debarment?**

- 44.805 What notice does the debarring official give me if I am proposed for debarment?
- 44.810 When does a debarment take effect?
- 44.815 How may I contest a proposed debarment?
- 44.820 How much time do I have to contest a proposed debarment?
- 44.825 What information must I provide to the debarring official if I contest a proposed debarment?
- 44.830 Under what conditions do I get an additional opportunity to challenge the facts on which the proposed debarment is based?
- 44.835 Are debarment proceedings formal?
- 44.840 How is fact-finding conducted?
- 44.845 What does the debarring official consider in deciding whether to debar me?
- 44.850 What is the standard of proof in a debarment action?
- 44.855 Who has the burden of proof in a debarment action?
- 44.860 What factors may influence the debarring official's decision?
- 44.865 How long may my debarment last?
- 44.870 When do I know if the debarring official debars me?
- 44.875 May I ask the debarring official to reconsider a decision to debar me?
- 44.880 What factors may influence the debarring official during reconsideration?
- 44.885 May the debarring official extend a debarment?

**Subpart I—Definitions**

- 44.900 Adequate evidence.
- 44.905 Affiliate.
- 44.910 Agency.
- 44.915 Agent or representative.
- 44.920 Civil judgment.

- 44.925 Conviction.
- 44.930 Debarment.
- 44.935 Debarring official.
- 44.940 Disqualified.
- 44.945 Excluded or exclusion.
- 44.950 Excluded Parties List System.
- 44.955 Indictment.
- 44.960 Ineligible or ineligibility.
- 44.965 Legal proceedings.
- 44.970 Nonprocurement transaction.
- 44.975 Notice.
- 44.980 Participant.
- 44.985 Person.
- 44.990 Preponderance of the evidence.
- 44.995 Principal.
- 44.1000 Respondent.
- 44.1005 State.
- 44.1010 Suspending official.
- 44.1015 Suspension.
- 44.1020 Voluntary exclusion or voluntarily excluded.

**Subpart J—[Reserved]**

**Appendix to Part 44—Covered Transactions**

**Authority:** 38 U.S.C. 501 and 38 U.S.C. 3703(c); 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 44 is further amended as set forth below.

■ a. “[Agency noun]” is removed and “Department of Veterans Affairs” is added in its place wherever it occurs.

■ b. “[Agency adjective]” is removed and “Department of Veterans Affairs” is added in its place wherever it occurs.

■ c. “[Agency head or designee]” is removed and “Secretary” is added in its place wherever it occurs.

■ 3. Section 44.440 is added to read as follows:

**§ 44.440 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 44.935 is further amended by adding paragraph (b) to read as follows:

**§ 44.935 Debarring official.**

\* \* \* \* \*

(b) For the Department of Veterans Affairs the debarring official is:

(1) For the Veterans Health Administration, the Under Secretary for Health;

(2) For the Veterans Benefits Administration, the Under Secretary for Benefits; and

(3) For the National Cemetery Administration, the Deputy Under Secretary for Operations.

■ 5. Section 44.995 is further amended by adding a paragraph (c) to read as follows:

**§ 44.995 Principal.**

\* \* \* \* \*

(c) In the Department of Veterans Affairs loan guaranty program, principals include, but are not limited to the following:

- (1) Loan officers.
- (2) Loan solicitors,
- (3) Loan processors.
- (4) Loan servicers.
- (5) Loan supervisors.
- (6) Mortgage brokers.
- (7) Office managers.
- (8) Staff appraisers and inspectors.
- (9) Fee appraisers and inspectors.
- (10) Underwriters.
- (11) Bonding companies.
- (12) Real estate agents and brokers.
- (13) Management and marketing agents.

(14) Accountants, consultants, investments bankers, architects, engineers, attorneys, and others in a business relationship with participants in connection with a covered transaction under the Department of Veterans Affairs loan guaranty program.

(15) Contractors involved in the construction, improvement or repair of properties financed with Department of Veterans Affairs guaranteed loans.

(16) Closing Agents.

■ 6. Section 44.1010 is further amended by adding paragraph (b) to read as follows:

**§ 44.1010 Suspending official.**

\* \* \* \* \*

(b) For the Department of Veterans Affairs the suspending official is:

(1) For the Veterans Health Administration, the Under Secretary for Health;

(2) For the Veterans Benefits Administration, the Under Secretary for Benefits; and

(3) For the National Cemetery Administration, the Deputy Under Secretary for Operations.

■ 7. Part 48 is added to read as set forth in instruction 2 at the end of the common preamble.

**PART 48—GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (FINANCIAL ASSISTANCE)**

**Subpart A—Purpose and Coverage**

Sec.

48.100 What does this part do?

48.105 Does this part apply to me?

48.110 Are any of my Federal assistance awards exempt from this part?

48.115 Does this part affect the Federal contracts that I receive?