

Subpart D—Responsibilities of GSA Awarding Officials

105–74.400 What are my responsibilities as a GSA awarding official?

Subpart E—Violations of This Part and Consequences

105–74.500 How are violations of this part determined for recipients other than individuals?

105–74.505 How are violations of this part determined for recipients who are individuals?

105–74.510 What actions will the Federal Government take against a recipient determined to have violated this part?

105–74.515 Are there any exceptions to those actions?

Subpart F—Definitions

105–74.605 Award.

105–74.610 Controlled substance.

105–74.615 Conviction.

105–74.620 Cooperative agreement.

105–74.625 Criminal drug statute.

105–74.630 Debarment.

105–74.635 Drug-free workplace.

105–74.640 Employee.

105–74.645 Federal agency or agency.

105–74.650 Grant.

105–74.655 Individual.

105–74.660 Recipient.

105–74.665 State.

105–74.670 Suspension.

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

■ 5. Part 105–74 is further amended as set forth below.

■ a. “[Agency noun]” is removed and “General Services Administration” is added in its place wherever it occurs.

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

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

■ d. “[Agency head]” is removed and “Administrator of General Services” is added in its place wherever it occurs.

■ 6. Section 105–74.510(c) is further amended by removing “[CFR citation for the Federal agency’s regulations implementing Executive Order 12549 and Executive Order 12689]” and adding “41 FR part 105–68” in its place.

■ 7. Section 105–74.605(a)(2) is further amended by removing “[Agency-specific CFR citation]” and adding “41 CFR part 105–71” in its place.

DEPARTMENT OF THE INTERIOR**43 CFR Parts 12, 42 and 43**

RIN 1090-AA79

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List of Subjects**43 CFR Part 12**

Administrative practice and procedure, Contract programs, Cooperative agreements, Debarment and suspension, Grant programs, Grant administration.

43 CFR Part 42

Administrative practice and procedure, Contract programs, Cooperative agreements, Debarment and suspension, Grant programs, Grants administration, Reporting and recordkeeping requirements.

43 CFR Part 43

Administrative practice and procedure, Contract programs, Cooperative agreements, Drug abuse, Grant programs, Grants administration, Reporting and recordkeeping requirements.

Dated: July 25, 2003.

P. Lynn Scarlett,

Assistant Secretary—Policy, Management and Budget.

■ Accordingly, for the reasons stated in the common preamble, the Department of Interior amends 43 CFR subtitle A, as follows:

PART 12—ADMINISTRATIVE AND AUDIT REQUIREMENTS AND COST PRINCIPLES FOR ASSISTANCE PROGRAMS

■ 1. The authority citation for part 12 is revised to read as follows:

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); 5 U.S.C. 301; U.S.C. 6101 note.

■ 2. Part 12, Subpart D is removed and reserved.

■ 3. Part 42 is added to read as set forth in instruction 1 at the end of the common preamble.

PART 42—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)

Sec.

42.25 How is this part organized?

42.50 How is this part written?

42.75 Do terms in this part have special meanings?

Subpart A—General

42.100 What does this part do?

42.105 Does this part apply to me?

42.110 What is the purpose of the nonprocurement debarment and suspension system?

42.115 How does an exclusion restrict a person’s involvement in covered transactions?

42.120 May we grant an exception to let an excluded person participate in a covered transaction?

42.125 Does an exclusion under the nonprocurement system affect a person’s eligibility for Federal procurement contracts?

42.130 Does exclusion under the Federal procurement system affect a person’s eligibility to participate in nonprocurement transactions?

42.135 May the Department of the Interior exclude a person who is not currently participating in a nonprocurement transaction?

42.140 How do I know if a person is excluded?

42.145 Does this part address persons who are disqualified, as well as those who are excluded from nonprocurement transactions?

Subpart B—Covered Transactions

42.200 What is a covered transaction?

42.205 Why is it important to know if a particular transaction is a covered transaction?

42.210 Which nonprocurement transactions are covered transactions?

42.215 Which nonprocurement transactions are not covered transactions?

42.220 Are any procurement contracts included as covered transactions?

42.225 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**

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

42.305 May I enter into a covered transaction with an excluded or disqualified person?

42.310 What must I do if a Federal agency excludes a person with whom I am already doing business in a covered transaction?

42.315 May I use the services of an excluded person as a principal under a covered transaction?

42.320 Must I verify that principals of my covered transactions are eligible to participate?

42.325 What happens if I do business with an excluded person in a covered transaction?

42.330 What requirements must I pass down to persons at lower tiers with whom I intend to do business?

Disclosing Information—Primary Tier Participants

42.335 What information must I provide before entering into a covered transaction with the Department of the Interior?

42.340 If I disclose unfavorable information required under § 42.335, will I be prevented from participating in the transaction?

42.345 What happens if I fail to disclose the information required under § 42.335?

42.350 What must I do if I learn of the information required under § 42.335 after