

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

To communicate the requirement to participants, 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.

■ 7. Section 42.935 is further amended by adding paragraph (b) to read as follows:

**§ 42.935 Debarring official.**

\* \* \* \* \*

(b) The debarring official for the Department of the Interior is the Director, Office of Acquisition and Property Management.

■ 8. Section 42.970 is further amended by adding paragraphs (a)(12) through (a)(15) to read as follows:

**§ 42.970 Nonprocurement transaction.**

\* \* \* \* \*

(a) \* \* \*

(12) Federal acquisition of a leasehold interest or any other interest in real property.

(13) Concession contracts.

(14) Disposition of Federal real and personal property and natural resources.

(15) Any other nonprocurement transactions between the Department and a person.

\* \* \* \* \*

■ 9. Section 42.1010 is further amended by adding paragraph (b) to read as follows:

**§ 42.1010 Suspending official.**

\* \* \* \* \*

(b) The suspending official for the Department of the Interior is the Director, Office of Acquisition and Property Management.

■ 10. Part 43 is added to read as set forth in instruction 2 at the end of the common preamble.

## **PART 43—GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (FINANCIAL ASSISTANCE)**

**Subpart A—Purpose and Coverage**

Sec.

43.100 What does this part do?

43.105 Does this part apply to me?

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

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

**Subpart B—Requirements for Recipients Other Than Individuals**

43.200 What must I do to comply with this part?

43.205 What must I include in my drug-free workplace statement?

43.210 To whom must I distribute my drug-free workplace statement?

43.215 What must I include in my drug-free awareness program?

43.220 By when must I publish my drug-free workplace statement and establish my drug-free awareness program?

43.225 What actions must I take concerning employees who are convicted of drug violations in the workplace?

43.230 How and when must I identify workplaces?

**Subpart C—Requirements for Recipients Who Are Individuals**

43.300 What must I do to comply with this part if I am an individual recipient?

43.301 Is there a central point to which I may report information required by § 43.300?

**Subpart D—Responsibilities of Department of the Interior Awarding Officials**

43.400 What are my responsibilities as a Department of the Interior awarding official?

**Subpart E—Violations of This Part and Consequences**

43.500 How are violations of this part determined for recipients other than individuals?

43.505 How are violations of this part determined for recipients who are individuals?

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

43.515 Are there any exceptions to those actions?

**Subpart F—Definitions**

43.605 Award.

43.610 Controlled substance.

43.615 Conviction.

43.620 Cooperative agreement.

43.625 Criminal drug statute.

43.630 Debarment.

43.635 Drug-free workplace.

43.640 Employee.

43.645 Federal agency or agency.

43.650 Grant.

43.655 Individual.

43.660 Recipient.

43.665 State.

43.670 Suspension.

**Authority:** 5 U.S.C. 301; 31 U.S.C. 6101 note, 7501; 41 U.S.C. Sections 252a and 701 *et seq.*

■ 11. Part 43 is further amended as set forth below.

■ a. “[Agency noun]” is removed and “Department of the Interior” is added in its place where it occurs.

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

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

■ d. “[Agency head]” is removed and “Secretary of the Interior” is added in its place wherever it occurs.

■ 12. Section 43.301 is added to read as follows:

**§ 43.301 Is there a central point to which I may report information required by § 43.300?**

No. The Department of the Interior is not designating a central location for the receipt of these reports. Therefore you shall provide this report to every grant officer, or other designee within a Bureau/Office of the Department on whose grant activity the convicted employee was working.

■ 13. Section 43.510(c) is further amended by removing “[CFR citation for the Federal Agency’s regulations implementing Executive Order 12549 and Executive Order 12689]” and adding “43 CFR Part 42” in its place.

■ 14. Section 43.605(a)(2) is further amended by removing “[Agency-specific CFR citation]” and adding “43 CFR Part 12” in its place.

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**45 CFR Parts 76 and 82****RIN 0991–AB12****FOR FURTHER INFORMATION CONTACT:**

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**List of Subjects****45 CFR Part 76**

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

**45 CFR Part 82**

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

Dated: July 30, 2003.

**Tommy G. Thompson,**

*Secretary, Department of Health and Human Services.*

■ For the reasons stated in the common preamble, the Department of Health and Human Services amends 45 CFR Subtitle A, as follows:

■ 1. Part 76 is revised to read as set forth in instruction 1 at the end of the common preamble.

## **PART 76—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)**

Sec.