

Subpart D—Responsibilities of HHS Awarding Officials

82.400 What are my responsibilities as an HHS awarding official?

Subpart E—Violations of This Part and Consequences

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

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

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

82.515 Are there any exceptions to those actions?

Subpart F—Definitions

82.605 Award.

82.610 Controlled substance.

82.615 Conviction.

82.620 Cooperative agreement.

82.625 Criminal drug statute.

82.630 Debarment.

82.635 Drug-free workplace.

82.640 Employee.

82.645 Federal agency or agency.

82.650 Grant.

82.655 Individual.

82.660 Recipient.

82.665 State.

82.670 Suspension.

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

■ 10. Part 82 is further amended as set forth below.

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

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

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

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

■ 11. Section 82.510(c) is further amended by removing “[CFR citation for the Federal Agency’s regulations implementing Executive Order 12549 and Executive Order 12689]” and adding “45 CFR Part 76” in its place.

■ 12. Section 82.605(a)(2) is further amended by removing “[Agency-specific CFR citation]” and adding “45 CFR Part 92” in its place.

NATIONAL SCIENCE FOUNDATION

45 CFR Parts 620 and 630

RIN 3145-AA41

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List of Subjects

45 CFR Part 620

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

45 CFR Part 630

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

Dated: June 10, 2003.

Lawrence Rudolph,

General Counsel, National Science Foundation.

■ Accordingly, as set forth in the common preamble, the National Science Foundation amends 45 CFR Chapter VI, as follows:

■ 1. Part 620 is revised to read as set forth in instruction 1 at the end of the common preamble.

PART 620—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)

Sec.

620.25 How is this part organized?

620.50 How is this part written?

620.75 Do terms in this part have special meanings?

Subpart A—General

620.100 What does this part do?

620.105 Does this part apply to me?

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

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

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

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

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

620.135 May the National Science Foundation exclude a person who is not currently participating in a nonprocurement transaction?

620.140 How do I know if a person is excluded?

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

Subpart B—Covered Transactions

620.200 What is a covered transaction?

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

620.210 Which nonprocurement transactions are covered transactions?

620.215 Which nonprocurement transactions are not covered transactions?

620.215 Are any procurement contracts included as covered transactions?

620.225 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**

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

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

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

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

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

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

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

Disclosing Information—Primary Tier Participants

620.335 What information must I provide before entering into a covered transaction with the National Science Foundation?

620.340 If I disclose unfavorable information required under § 620.335, will I be prevented from participating in the transaction?

620.345 What happens if I fail to disclose the information required under § 620.335?

620.350 What must I do if I learn of the information required under § 620.335 after entering into a covered transaction with the National Science Foundation?

Disclosing Information—Lower Tier Participants

620.355 What information must I provide to a higher tier participant before entering into a covered transaction with that participant?

620.360 What happens if I fail to disclose the information required under § 620.355?

620.365 What must I do if I learn of information required under § 620.355 after entering into a covered transaction with a higher tier participant?

Subpart D—Responsibilities of National Science Foundation Officials Regarding Transactions

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

620.405 May I enter into a covered transaction with a participant if a principal of the transaction is excluded?

620.410 May I approve a participant’s use of the services of an excluded person?