

■ 4. Part 1155 is added to read as set forth in instruction 2 at the end of the common preamble.

PART 1155—GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (FINANCIAL ASSISTANCE)

Subpart A—Purpose and Coverage

Sec.

- 1155.100 What does this part do?
- 1155.105 Does this part apply to me?
- 1155.110 Are any of my Federal assistance awards exempt from this part?
- 1155.115 Does this part affect the Federal contracts that I receive?

Subpart B—Requirements for Recipients Other Than Individuals

- 1155.200 What must I do to comply with this part?
- 1155.205 What must I include in my drug-free workplace statement?
- 1155.210 To whom must I distribute my drug-free workplace statement?
- 1155.215 What must I include in my drug-free awareness program?
- 1155.220 By when must I publish my drug-free workplace statement and establish my drug-free awareness program?
- 1155.225 What actions must I take concerning employees who are convicted of drug violations in the workplace?
- 1155.230 How and when must I identify workplaces?

Subpart C—Requirements for Recipients Who Are Individuals

- 1155.300 What must I do to comply with this part if I am an individual recipient?
- 1155.301 [Reserved]

Subpart D—Responsibilities of NEA Awarding Officials

- 1155.400 What are my responsibilities as an NEA awarding official?

Subpart E—Violations of This Part and Consequences

- 1155.500 How are violations of this part determined for recipients other than individuals?
- 1155.505 How are violations of this part determined for recipients who are individuals?
- 1155.510 What actions will the Federal Government take against a recipient determined to have violated this part?
- 1155.515 Are there any exceptions to those actions?

Subpart F—Definitions

- 1155.605 Award.
- 1155.610 Controlled substance.
- 1155.615 Conviction.
- 1155.620 Cooperative agreement.
- 1155.625 Criminal drug statute.
- 1155.630 Debarment.
- 1155.635 Drug-free workplace.
- 1155.640 Employee.
- 1155.645 Federal agency or agency.
- 1155.650 Grant.
- 1155.655 Individual.
- 1155.660 Recipient.
- 1155.665 State.

1155.670 Suspension.

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

■ 5. Part 1155 is further amended as set forth below.

- a. “[Agency noun]” is removed and “National Endowment for the Arts” is added in its place wherever it occurs.
- b. “[Agency adjective]” is removed and “NEA” is added in its place wherever it occurs.
- c. “[Agency head or designee]” is removed and “NEA Chairman” is added in its place wherever it occurs.
- d. “[Agency head]” is removed and “NEA Chairman” is added in its place wherever it occurs.

■ 6. Section 1155.510(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 1154” in its place.

■ 7. Section 1155.605(a)(2) is further amended by removing “[Agency-specific CFR citation]” and adding “45 CFR Part 1157” in its place.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

National Endowment for the Humanities

45 CFR Part 1169 and 1173

RIN 3136-AA25

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List of Subjects

45 CFR Part 1169

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

45 CFR Part 1173

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

Dated: January 30, 2003.

Michael McDonald,
Deputy General Counsel,
National Endowment for the Humanities.

Accordingly, as set forth in the common preamble, 45 CFR chapter XI is amended as follow:

■ 1. Part 1169 is revised to read as set forth in instruction 1 at the end of the common preamble.

PART 1169—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)

Sec.

- 1169.25 How is this part organized?
- 1169.50 How is this part written?
- 1169.75 Do terms in this part have special meanings?

Subpart A—General

- 1169.100 What does this part do?
- 1169.105 Does this part apply to me?
- 1169.110 What is the purpose of the nonprocurement debarment and suspension system?
- 1169.115 How does an exclusion restrict a person’s involvement in covered transactions?
- 1169.120 May we grant an exception to let an excluded person participate in a covered transaction?
- 1169.125 Does an exclusion under the nonprocurement system affect a person’s eligibility for Federal procurement contracts?
- 1169.130 Does exclusion under the Federal procurement system affect a person’s eligibility to participate in nonprocurement transactions?
- 1169.135 May the NEH exclude a person who is not currently participating in a nonprocurement transaction?
- 1169.140 How do I know if a person is excluded?
- 1169.145 Does this part address persons who are disqualified, as well as those who are excluded from nonprocurement transactions?

Subpart B—Covered Transactions

- 1169.200 What is a covered transaction?
- 1169.205 Why is it important to know if a particular transaction is a covered transaction?
- 1169.210 Which nonprocurement transactions are covered transactions?
- 1169.215 Which nonprocurement transactions are not covered transactions?
- 1169.220 Are any procurement contracts included as covered transactions?
- 1169.225 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

- 1169.300 What must I do before I enter into a covered transaction with another person at the next lower tier?
- 1169.305 May I enter into a covered transaction with an excluded or disqualified person?
- 1169.310 What must I do if a Federal agency excludes a person with whom I am already doing business in a covered transaction?
- 1169.315 May I use the services of an excluded person as a principal under a covered transaction?
- 1169.320 Must I verify that principals of my covered transactions are eligible to participate?