

- 2542.840 How is fact-finding conducted?
 2542.845 What does the debarring official consider in deciding whether to debar me?
 2542.850 What is the standard of proof in a debarment action?
 2542.855 Who has the burden of proof in a debarment action?
 2542.860 What factors may influence the debarring official's decision?
 2542.865 How long may my debarment last?
 2542.870 When do I know if the debarring official debars me?
 2542.875 May I ask the debarring official to reconsider a decision to debar me?
 2542.880 What factors may influence the debarring official during reconsideration?
 2542.885 May the debarring official extend a debarment?

Subpart I—Definitions

- 2542.900 Adequate evidence.
 2542.905 Affiliate.
 2542.910 Agency.
 2542.915 Agent or representative.
 2542.920 Civil judgment.
 2542.925 Conviction.
 2542.930 Debarment.
 2542.935 Debarring official.
 2542.940 Disqualified.
 2542.945 Excluded or exclusion.
 2542.950 Excluded Parties List System.
 2542.955 Indictment.
 2542.960 Ineligible or ineligibility.
 2542.965 Legal proceedings.
 2542.970 Nonprocurement transaction.
 2542.975 Notice.
 2542.980 Participant.
 2542.985 Person.
 2542.990 Preponderance of the evidence.
 2542.995 Principal.
 2542.1000 Respondent.
 2542.1005 State.
 2542.1010 Suspending official.
 2542.1015 Suspension.
 2542.1020 Voluntary exclusion or voluntarily excluded.

Subpart J—[Reserved]

Appendix to Part 2542—Covered Transactions

Authority: 42 U.S.C. 12651(c); sec. 2455, Pub. L. 103–355, 108 Stat. 3327 (31 U.S.C. 6101 note); E.O. 12549 (3 CFR, 1986 Comp., p. 189); E.O. 12689 (3 CFR, 1989 Comp., p. 235).

- 2. Part 2542 is further amended as set forth below.
 ■ a. “[Agency noun]” is removed and “Corporation” is added in its place wherever it occurs.
 ■ b. “[Agency adjective]” is removed and “Corporation” is added in its place wherever it occurs.
 ■ c. “[Agency head or designee]” is removed and “Corporation Chief Executive Officer or designee” is added in its place wherever it occurs.
 ■ 3. Section 2542.440 is added to read as follows:

§ 2542.440 What method do I use to communicate those requirements to participants?

To communicate the requirements, you must include a term or condition in the transaction requiring the participant's compliance with subpart C of this part and requiring them to include a similar term or condition in lower-tier covered transactions.

■ 4. Part 2545 is added to read as set forth in instruction 2 at the end of the common preamble.

PART 2545—GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (FINANCIAL ASSISTANCE)

Subpart A—Purpose and Coverage

Sec.

- 2545.100 What does this part do?
 2545.105 Does this part apply to me?
 2545.110 Are any of my Federal assistance awards exempt from this part?
 2545.115 Does this part affect the Federal contracts that I receive?

Subpart B—Requirements for Recipients Other Than Individuals

- 2545.200 What must I do to comply with this part?
 2545.205 What must I include in my drug-free workplace statement?
 2545.210 To whom must I distribute my drug-free workplace statement?
 2545.215 What must I include in my drug-free awareness program?
 2545.220 By when must I publish my drug-free workplace statement and establish my drug-free awareness program?
 2545.225 What actions must I take concerning employees who are convicted of drug violations in the workplace?
 2545.230 How and when must I identify workplaces?

Subpart C—Requirements for Recipients Who Are Individuals

- 2545.300 What must I do to comply with this part if I am an individual recipient?
 2545.301 [Reserved]

Subpart D—Responsibilities of Corporation Awarding Officials

- 2545.400 What are my responsibilities as a Corporation awarding official?

Subpart E—Violations of This Part and Consequences

- 2545.500 How are violations of this part determined for recipients other than individuals?
 2545.505 How are violations of this part determined for recipients who are individuals?
 2545.510 What actions will the Federal Government take against a recipient determined to have violated this part?
 2545.515 Are there any exceptions to those actions?

Subpart F—Definitions

- 2545.605 Award.
 2545.610 Controlled substance.

- 2545.615 Conviction.
 2545.620 Cooperative agreement.
 2545.625 Criminal drug statute.
 2545.630 Debarment.
 2545.635 Drug-free workplace.
 2545.640 Employee.
 2545.645 Federal agency or agency.
 2545.650 Grant.
 2545.655 Individual.
 2545.660 Recipient.
 2545.665 State.
 2545.670 Suspension.

Authority: 41 U.S.C. 701, *et seq.*; 42 U.S.C. 12644 and 12651(c).

■ 5. Part 2545 is further amended as set forth below.

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

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

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

■ d. “[Agency head]” is removed and “Corporation Chief Executive Officer” is added in its place wherever it occurs.

■ 6. Section 2545.510(c) is further amended by removing “[CFR citation for the Federal Agencies’ regulations implementing Executive Order 12549 and Executive Order 12689]” and adding “45 CFR Part 2542” in its place.

■ 7. Section 2545.605(a)(2) is further amended by removing “[Agency-specific CFR citation]” and adding “45 CFR Part 2541” in its place.

DEPARTMENT OF TRANSPORTATION

49 CFR Parts 29 and 32

RIN 2105–AD07

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List of Subjects

49 CFR Part 29

Administrative practice and procedure, Government contracts, Grant programs, Loan programs, Reporting and recordkeeping requirements.

49 CFR Part 32

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