

- 29.825 What information must I provide to the debarring official if I contest a proposed debarment?
- 29.830 Under what conditions do I get an additional opportunity to challenge the facts on which the proposed debarment is based?
- 29.835 Are debarment proceedings formal?
- 29.840 How is fact-finding conducted?
- 29.845 What does the debarring official consider in deciding whether to debar me?
- 29.850 What is the standard of proof in a debarment action?
- 29.855 Who has the burden of proof in a debarment action?
- 29.860 What factors may influence the debarring official's decision?
- 29.865 How long may my debarment last?
- 29.870 When do I know if the debarring official debars me?
- 29.875 May I ask the debarring official to reconsider a decision to debar me?
- 29.880 What factors may influence the debarring official during reconsideration?
- 29.885 May the debarring official extend a debarment?

Subpart I—Definitions

- 29.900 Adequate evidence.
- 29.905 Affiliate.
- 29.910 Agency.
- 29.915 Agent or representative.
- 29.920 Civil judgment.
- 29.925 Conviction.
- 29.930 Debarment.
- 29.935 Debarring official.
- 29.940 Disqualified.
- 29.945 Excluded or exclusion.
- 29.950 Excluded Parties List System.
- 29.955 Indictment.
- 29.960 Ineligible or ineligibility.
- 29.965 Legal proceedings.
- 29.970 Nonprocurement transaction.
- 29.975 Notice.
- 29.980 Participant.
- 29.985 Person.
- 29.990 Preponderance of the evidence.
- 29.995 Principal.
- 29.1000 Respondent.
- 29.1005 State.
- 29.1010 Suspending official.
- 29.1015 Suspension.
- 29.1020 Voluntary exclusion or voluntarily excluded.

Subpart J—[Reserved]

Appendix to Part 29—Covered Transactions

Authority: Sec. 2455, Pub. L. 103–355, 108 Stat. 3327 (31 U.S.C. 6101 note); E.O. 11738 (3 CFR, 1973 Comp., p. 799); E.O. 12549 (3 CFR, 1986 Comp., p. 189); E.O. 12689 (3 CFR, 1989 Comp., p. 235).

- 2. Part 29 is further amended as set forth below.
- a. “[Agency noun]” is removed and “Department of Transportation” is added in its place wherever it occurs.
- b. [Agency adjective]” is removed and “DOT” is added in its place wherever it occurs.
- c. “[Agency head or designee]” is removed and “debarring or suspending

official” is added in its place wherever it occurs.

■ 3. Section 29.120 is further amended by adding a paragraph (c) to read as follows:

§ 29.120 May we grant an exception to an excluded person to participate in a covered transaction?

* * * * *

(c) A debarring or suspending official may grant exceptions and make written determinations under this section.

■ 4. Section 29.440 is added to read as follows:

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

To communicate the requirement 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.

■ 5. Section 29.520 is further amended by removing the period at the end of paragraph (c)(4) and adding a semicolon, and adding a paragraph (d) to read as follows:

§ 29.520 Who places the information into the EPLS?

* * * * *

(d) The DOT official's Operating Administration code, as follows: United States Coast Guard [DOT-USCG]; Federal Aviation Administration [DOT-FAA]; Federal Highway Administration [DOT-FHWA]; Federal Motor Carrier Safety Administration [DOT-FMCSA]; Federal Railway Administration [DOT-FRA]; Federal Transit Administration [DOT-FTA]; National Highway Traffic Safety Administration [DOT-NHTSA]; Research and Special Programs [DOT-RSPA]; Maritime Administration [DOT-MARAD]; and DOT (general) [DOT-OST].

■ 6. Section 29.935 is further amended adding a paragraph (b) to read as follows:

§ 29.935 Debarring official.

* * * * *

(b) For DOT “debarring official” means the designated head of a DOT operating administration, who may delegate any of his or her functions under this part and authorize successive delegations.

■ 7. Section 29.1010 is further amended adding a paragraph (b) to read as follows:

§ 29.1010 Suspending official.

* * * * *

(b) For DOT “suspending official” means the designated head of a DOT operating administration, who may

delegate any of his or her functions under this part and authorize successive delegations.

■ 8. Part 32 is added to read as set forth in instruction 2 at the end of the common preamble.

PART 32—GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (FINANCIAL ASSISTANCE)

Subpart A—Purpose and Coverage

Sec.

- 32.100 What does this part do?
- 32.105 Does this part apply to me?
- 32.110 Are any of my Federal assistance awards exempt from this part?
- 32.115 Does this part affect the Federal contracts that I receive?

Subpart B—Requirements for Recipients Other Than Individuals

- 32.200 What must I do to comply with this part?
- 32.205 What must I include in my drug-free workplace statement?
- 32.210 To whom must I distribute my drug-free workplace statement?
- 32.215 What must I include in my drug-free awareness program?
- 32.220 By when must I publish my drug-free workplace statement and establish my drug-free awareness program?
- 32.225 What actions must I take concerning employees who are convicted of drug violations in the workplace?
- 32.230 How and when must I identify workplaces?

Subpart C—Requirements for Recipients Who Are Individuals

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

Subpart D—Responsibilities of DOT Awarding Officials

- 32.400 What are my responsibilities as a DOT awarding official?

Subpart E—Violations of This Part and Consequences

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

Subpart F—Definitions

- 32.605 Award.
- 32.610 Controlled substance.
- 32.615 Conviction.
- 32.620 Cooperative agreement.
- 32.625 Criminal drug statute.
- 32.630 Debarment.
- 32.635 Drug-free workplace.
- 32.640 Employee.
- 32.645 Federal agency or agency.