

§ 1404.1005

21 CFR Ch. III (4–1–10 Edition)

§ 1404.1005 State.

- (a) *State* means—
- (1) Any of the states of the United States;
 - (2) The District of Columbia;
 - (3) The Commonwealth of Puerto Rico;
 - (4) Any territory or possession of the United States; or
 - (5) Any agency or instrumentality of a state.
- (b) For purposes of this part, *State* does not include institutions of higher education, hospitals, or units of local government.

§ 1404.1010 Suspending official.

- (a) *Suspending official* means an agency official who is authorized to impose suspension. The suspending official is either:
- (1) The agency head; or
 - (2) An official designated by the agency head.
- (b) [Reserved]

§ 1404.1015 Suspension.

Suspension is an action taken by a suspending official under subpart G of this part that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended.

§ 1404.1020 Voluntary exclusion or voluntarily excluded.

- (a) *Voluntary exclusion* means a person's agreement to be excluded under the terms of a settlement between the person and one or more agencies. Voluntary exclusion must have governmentwide effect.
- (b) *Voluntarily excluded* means the status of a person who has agreed to a voluntary exclusion.

Subpart J [Reserved]