Subpart A—General

§ 1404.100 What does this part do?

This part adopts a governmentwide system of debarment and suspension for Office of National Drug Control Policy nonprocurement activities. It also provides for reciprocal exclusion of persons who have been excluded under the Federal Acquisition Regulation, and provides for the consolidated listing of all persons who are excluded, or disqualified by statute, executive order, or other legal authority. This part satisfies the requirements in section 3 of Executive Order 12549, “Debarment and Suspension” (3 CFR 1986 Comp., p. 189), Executive Order 12689, “Debarment and Suspension” (3 CFR 1989 Comp., p. 235) and 31 U.S.C. 6101 note (Section 2455, Public Law 103-355, 108 Stat. 3327).

§ 1404.105 Does this part apply to me?

Portions of this part (see table at §1404.25(b)) apply to you if you are a(n)—

(a) Person who has been, is, or may reasonably be expected to be, a participant or principal in a covered transaction;

(b) Respondent (a person against whom the Office of National Drug Control Policy has initiated a debarment or suspension action);

(c) Office of National Drug Control Policy debarring or suspending official; or

(d) Office of National Drug Control Policy official who is authorized to enter into covered transactions with non-Federal parties.

Disqualifications frequently are not subject to the discretion of an agency official, may have a different scope than exclusions, or have special conditions that apply to the disqualification; and

(c) Ineligibility or ineligible, which generally refers to a person who is either excluded or disqualified.