

(i) 15 days before the scheduled deposition of a witness or production by a witness or custodian of documents, electronically stored information, and tangible things;

(ii) 30 days before a scheduled hearing; or

(ii) Notwithstanding paragraphs (c)(1)(i) and (ii) of this section, the Board may honor requests for subpoenas not made within these time limits.

(2) The scope of the request for a subpoena must be reasonable, and the request must describe the general relevance of the request.

(d) *Requests to quash or modify.* A request to quash or modify a subpoena must be filed within 10 days after receipt of the subpoena.

(1) The Board may grant a request to quash or modify a subpoena if the subpoena is unreasonable or oppressive. The Board may also quash or modify a subpoena for other good cause shown.

(2) The Board may require the person on whose behalf the subpoena was issued to advance the reasonable cost of complying with the subpoena.

(3) Notwithstanding paragraphs (d)(1) and (2) of this section, the Board may consider a request to quash or modify a subpoena at any time after a copy has been served on the opposing party.

(e) *Form and issuance.* (1) Every subpoena for the appearance of a witness must:

(i) Include the caption of the appeal;

(ii) Identify the person to whom it is directed;

(iii) List the time and place of the deposition or hearing; and

(iv) Where appropriate, command the person to produce specified documents, electronically stored information, and tangible things.

(2) The judge issuing the subpoena may enter the name of the witness and otherwise leave the subpoena blank. The requesting party must then fill in the remaining information before serving the subpoena.

(3) If the witness is located in a foreign country, a letters rogatory, letter of request, or subpoena may be issued and served as provided in 28 U.S.C. 1781–84.

(f) *Service.* (1) The requesting party must arrange for service.

(2) A subpoena may be served by a United States marshal or deputy marshal, or by any other person who is not a party and not less than 18 years of age. Service of a subpoena on an individual must be made by personally delivering a copy to that person and tendering the fees for one day's attendance and the mileage provided by 28 U.S.C. 1821 or other applicable law.

(3) The requesting party is responsible for the payment of fees and mileage of the witness and the serving officer. The failure to make payment of such charges on demand may be a sufficient reason for the Board to strike the testimony of the witness and any evidence the witness has produced.

(g) *Refusal to obey a subpoena.* If a person who refuses to obey a subpoena either resides in, is found, or transacts business within the jurisdiction of a United States District Court, the Board may apply to the Court through the Attorney General of the United States for an order requiring the person to comply with the Board's subpoena. The Court may punish a person's failure to obey the Court's order with a contempt citation.

§ 955.30 (Rule 30) Applicability.

This part governs proceedings in all appeals docketed by the Board on or after October 1, 2025, and to appeals filed before that date, unless doing so is inequitable or unfair.

PART 956 [RESERVED]

PART 957—DEBARMENT AND SUSPENSION FROM CONTRACTING

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