

Department of Justice

§ 67.1020

- (1) Is in a position to handle Federal funds;
- (2) Is in a position to influence or control the use of those funds; or,
- (3) Occupies a technical or professional position capable of substantially influencing the development or outcome of an activity required to perform the covered transaction.

§ 67.1000 Respondent.

Respondent means a person against whom an agency has initiated a debarment or suspension action.

§ 67.1005 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.

§ 67.1010 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]

§ 67.1015 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.

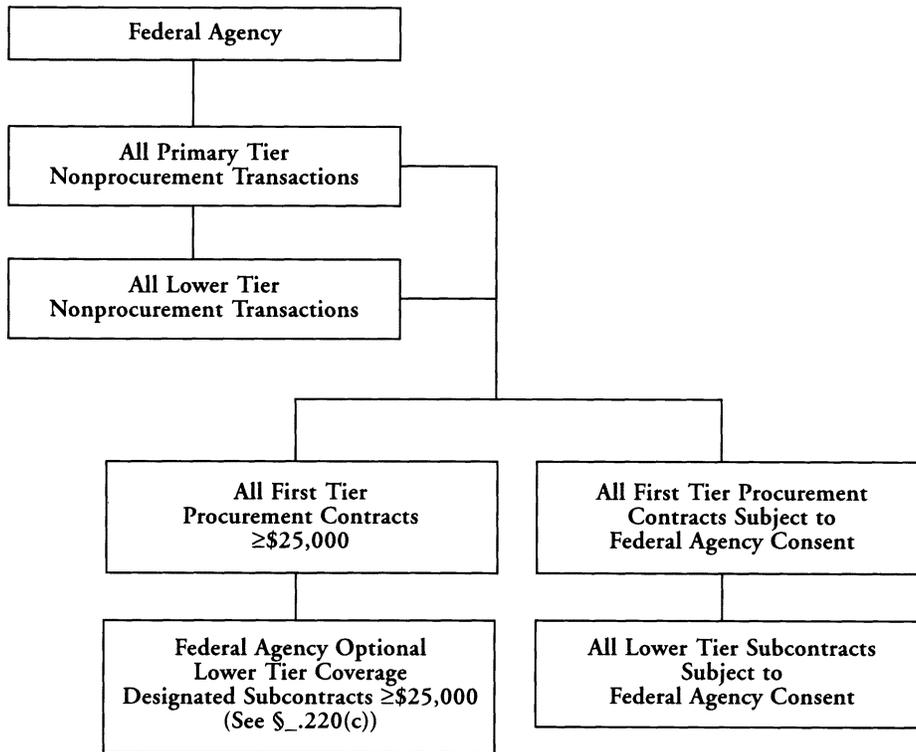
§ 67.1020 Voluntary exclusion or voluntarily excluded.

- (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]

APPENDIX TO PART 67—COVERED TRANSACTIONS

COVERED TRANSACTIONS



PART 68—RULES OF PRACTICE AND PROCEDURE FOR ADMINISTRATIVE HEARINGS BEFORE ADMINISTRATIVE LAW JUDGES IN CASES INVOLVING ALLEGATIONS OF UNLAWFUL EMPLOYMENT OF ALIENS, UNFAIR IMMIGRATION-RELATED EMPLOYMENT PRACTICES, AND DOCUMENT FRAUD

Sec.

- 68.1 Scope of rules.
- 68.2 Definitions.
- 68.3 Service of complaint, notice of hearing, written orders, and decisions.
- 68.4 Complaints regarding unfair immigration-related employment practices.
- 68.5 Notice of date, time, and place of hearing.
- 68.6 Service and filing of documents.

- 68.7 Form of pleadings.
- 68.8 Time computations.
- 68.9 Responsive pleadings—answer.
- 68.10 Motion to dismiss for failure to state a claim upon which relief can be granted.
- 68.11 Motions and requests.
- 68.12 Prehearing statements.
- 68.13 Conferences.
- 68.14 Consent findings or dismissal.
- 68.15 Intervenor in unfair immigration-related employment cases.
- 68.16 Consolidation of hearings.
- 68.17 Amicus curiae.
- 68.18 Discovery—general provisions.
- 68.19 Written interrogatories to parties.
- 68.20 Production of documents, things, and inspection of land.
- 68.21 Admissions.
- 68.22 Depositions.
- 68.23 Motion to compel response to discovery; sanctions.
- 68.24 Use of depositions at hearings.
- 68.25 Subpoenas.