

**PART 606—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)**

Sec.

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- 606.50 How is this part written?
- 606.75 Do terms in this part have special meanings?

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- 606.425 When do I check to see if a person is excluded or disqualified?

- 606.430 How do I check to see if a person is excluded or disqualified?
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- 606.645 Do other Federal agencies know if the Department of Energy agrees to a voluntary exclusion?

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- 606.705 What does the suspending official consider in issuing a suspension?
- 606.710 When does a suspension take effect?

- 606.715 What notice does the suspending official give me if I am suspended?
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- 606.740 Are suspension proceedings formal?
- 606.745 How is fact-finding conducted?
- 606.746 Who conducts fact-finding conferences for DOE?
- 606.750 What does the suspending official consider in deciding whether to continue or terminate my suspension?
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- 606.760 How long may my suspension last?

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- 606.805 What notice does the debarring official give me if I am proposed for debarment?
- 606.810 When does a debarment take effect?
- 606.815 How may I contest a proposed debarment?
- 606.820 How much time do I have to contest a proposed debarment?
- 606.825 What information must I provide to the debarring official if I contest a proposed debarment?
- 606.830 Under what conditions do I get an additional opportunity to challenge the facts on which the proposed debarment is based?
- 606.835 Are debarment proceedings formal?
- 606.836 Who conducts fact-finding conferences for DOE?
- 606.840 How is fact-finding conducted?
- 606.845 What does the debarring official consider in deciding whether to debar me?
- 606.850 What is the standard of proof in a debarment action?
- 606.855 Who has the burden of proof in a debarment action?
- 606.860 What factors may influence the debarring official's decision?
- 606.865 How long may my debarment last?
- 606.870 When do I know if the debarring official debars me?
- 606.875 May I ask the debarring official to reconsider a decision to debar me?
- 606.880 What factors may influence the debarring official during reconsideration?
- 606.885 May the debarring official extend a debarment?

#### Subpart I—Definitions

- 606.900 Adequate evidence.
- 606.905 Affiliate.
- 606.910 Agency.

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- 606.915 Agent or representative.
- 606.920 Civil judgment.
- 606.925 Conviction.
- 606.930 Debarment.
- 606.935 Debarring official.
- 606.940 Disqualified.
- 606.945 Excluded or exclusion.
- 606.950 Excluded Parties List System.
- 606.955 Indictment.
- 606.960 Ineligible or ineligibility.
- 606.965 Legal proceedings.
- 606.970 Nonprocurement transaction.
- 606.975 Notice.
- 606.980 Participant.
- 606.985 Person.
- 606.990 Preponderance of the evidence.
- 606.995 Principal.
- 606.1000 Respondent.

- 606.1005 State.
- 606.1010 Suspending official.
- 606.1015 Suspension.
- 606.1020 Voluntary exclusion or voluntarily excluded.

**Subpart J [Reserved]**

APPENDIX TO PART 606—COVERED TRANSACTIONS

AUTHORITY: E.O. 12549 (3 CFR, 1986 Comp., p.189); E.O. 12689 (3 CFR, 1989 Comp., p.235); sec. 2455, Pub. L. 103-355, 108 Stat. 3327 (31 U.S.C. 6101 note); 42 U.S.C. 7101 *et seq.*; 50 U.S.C. 2401 *et seq.*

SOURCE: 68 FR 66544, 66566, 66567, Nov. 26, 2003, unless otherwise noted.

**§ 606.25 How is this part organized?**

(a) This part is subdivided into ten subparts. Each subpart contains information related to a broad topic or specific audience with special responsibilities, as shown in the following table:

In subpart . . .	You will find provisions related to . . .
A .....	general information about this rule.
B .....	the types of DOE transactions that are covered by the Governmentwide nonprocurement suspension and debarment system.
C .....	the responsibilities of persons who participate in covered transactions.
D .....	the responsibilities of DOE officials who are authorized to enter into covered transactions.
E .....	the responsibilities of Federal agencies for the <i>Excluded Parties List System</i> (Disseminated by the General Services Administration).
F .....	the general principles governing suspension, debarment, voluntary exclusion and settlement.
G .....	suspension actions.
H .....	debarment actions.
I .....	definitions of terms used in this part.
J .....	[Reserved]

(b) The following table shows which subparts may be of special interest to you, depending on who you are:

If you are . . .	See subpart(s) . . .
(1) a participant or principal in a non-procurement transaction.	A, B, C, and I.
(2) a respondent in a suspension action	A, B, F, G and I.
(3) a respondent in a debarment action	A, B, F, H and I.
(4) a suspending official .....	A, B, D, E, F, G and I.
(5) a debarring official .....	A, B, D, E, F, H and I.
(6) a (n) DOE official authorized to enter into a covered transaction.	A, B, D, E and I.
(7) Reserved .....	J.

subpart to subpart depending on the audience being addressed. The pronoun “we” always is the Department of Energy.

(c) The “Covered Transactions” diagram in the appendix to this part shows the levels or “tiers” at which the Department of Energy enforces an exclusion under this part.

**§ 606.75 Do terms in this part have special meanings?**

This part uses terms throughout the text that have special meaning. Those terms are defined in Subpart I of this part. For example, three important terms are—

(a) *Exclusion or excluded*, which refers only to discretionary actions taken by a suspending or debarring official

**§ 606.50 How is this part written?**

(a) This part uses a “plain language” format to make it easier for the general public and business community to use. The section headings and text, often in the form of questions and answers, must be read together.

(b) Pronouns used within this part, such as “I” and “you,” change from