

**§ 84.665**

that receives an award directly from a Federal agency.

(Authority: E.O.s 12549 and 12689; 20 U.S.C. 1082, 1094, 1221e-3 and 3474; and Sec. 2455, Pub. L. 103-355, 108 Stat. 3243 at 3327.)

**§ 84.665 State.**

*State* means any of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

(Authority: E.O.s 12549 and 12689; 20 U.S.C. 1082, 1094, 1221e-3 and 3474; and Sec. 2455, Pub. L. 103-355, 108 Stat. 3243 at 3327.)

**§ 84.670 Suspension.**

*Suspension* means an action taken by a Federal agency that immediately prohibits a recipient from participating in Federal Government procurement contracts and covered nonprocurement transactions for a temporary period, pending completion of an investigation and any judicial or administrative proceedings that may ensue. A recipient so prohibited is suspended, in accordance with the Federal Acquisition Regulation for procurement contracts (48 CFR part 9, subpart 9.4) and the common rule, Governmentwide Debarment and Suspension (Nonprocurement), that implements Executive Order 12549 and Executive Order 12689. Suspension of a recipient is a distinct and separate action from suspension of an award or suspension of payments under an award.

(Authority: E.O.s 12549 and 12689; 20 U.S.C. 1082, 1094, 1221e-3 and 3474; and Sec. 2455, Pub. L. 103-355, 108 Stat. 3243 at 3327.)

**PART 85—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)**

Sec.

- 85.25 How is this part organized?
- 85.50 How is this part written?
- 85.75 Do terms in this part have special meanings?

**Subpart A—General**

- 85.100 What does this part do?
- 85.105 Does this part apply to me?
- 85.110 What is the purpose of the nonprocurement debarment and suspension system?

**34 CFR Subtitle A (7-1-06 Edition)**

- 85.115 How does an exclusion restrict a person's involvement in covered transactions?
- 85.120 May we grant an exception to let an excluded person participate in a covered transaction?
- 85.125 Does an exclusion under the nonprocurement system affect a person's eligibility for Federal procurement contracts?
- 85.130 Does exclusion under the Federal procurement system affect a person's eligibility to participate in nonprocurement transactions?
- 85.135 May the Department of Education exclude a person who is not currently participating in a nonprocurement transaction?
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- 85.145 Does this part address persons who are disqualified, as well as those who are excluded from nonprocurement transactions?

**Subpart B—Covered Transactions**

- 85.200 What is a covered transaction?
- 85.205 Why is it important to know if a particular transaction is a covered transaction?
- 85.210 Which nonprocurement transactions are covered transactions?
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- 85.220 Are any procurement contracts included as covered transactions?
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**Subpart C—Responsibilities of Participants Regarding Transactions**

**DOING BUSINESS WITH OTHER PERSONS**

- 85.300 What must I do before I enter into a covered transaction with another person at the next lower tier?
- 85.305 May I enter into a covered transaction with an excluded or disqualified person?
- 85.310 What must I do if a Federal agency excludes a person with whom I am already doing business in a covered transaction?
- 85.315 May I use the services of an excluded person as a principal under a covered transaction?
- 85.320 Must I verify that principals of my covered transactions are eligible to participate?
- 85.325 What happens if I do business with an excluded person in a covered transaction?
- 85.330 What requirements must I pass down to persons at lower tiers with whom I intend to do business?