

## OMB Guidance, Grants and Agreements

## § 180.25

- 180.845 What does the debarring official consider in deciding whether to debar me?  
180.850 What is the standard of proof in a debarment action?  
180.855 Who has the burden of proof in a debarment action?  
180.860 What factors may influence the debarring official's decision?  
180.865 How long may my debarment last?  
180.870 When do I know if the debarring official debars me?  
180.875 May I ask the debarring official to reconsider a decision to debar me?  
180.880 What factors may influence the debarring official during reconsideration?  
180.885 May the debarring official extend a debarment?

### Subpart I—Definitions

- 180.900 Adequate evidence.  
180.905 Affiliate.  
180.910 Agent or representative.  
180.915 Civil judgment.  
180.920 Conviction.  
180.925 Debarment.  
180.930 Debarring official.  
180.935 Disqualified.  
180.940 Excluded or exclusion.  
180.945 System for Award Management Exclusions (SAM Exclusions).  
180.950 Federal agency.  
180.955 Indictment.  
180.960 Ineligible or ineligibility.  
180.965 Legal proceedings.  
180.970 Nonprocurement transaction.  
180.975 Notice.  
180.980 Participant.  
180.985 Person.  
180.990 Preponderance of the evidence.  
180.995 Principal.  
180.1000 Respondent.  
180.1005 State.  
180.1010 Suspending official.  
180.1015 Suspension.  
180.1020 Voluntary exclusion or voluntarily excluded.

### APPENDIX TO PART 180—COVERED TRANSACTIONS

AUTHORITY: Pub. L. 109-282; 31 U.S.C. 6102, Sec. 2455, Pub. L. 103-355, 108 Stat. 3327; E.O. 12549, 3 CFR, 1986 Comp., p. 189; E.O. 12689, 3 CFR, 1989 Comp., p. 235.

SOURCE: 70 FR 51865, Aug. 31, 2005, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 180 appear at 79 FR 75879, Dec. 19, 2014.

### § 180.5 What does this part do?

This part provides Office of Management and Budget (OMB) guidance for Federal agencies on the governmentwide debarment and suspension system for nonprocurement programs and activities.

### § 180.10 How is this part organized?

This part is organized in two segments.

(a) Sections 180.5 through 180.45 contain general policy direction for Federal agencies' use of the standards in subparts A through I of this part.

(b) Subparts A through I of this part contain uniform governmentwide standards that Federal agencies are to use to specify—

(1) The types of transactions that are covered by the nonprocurement debarment and suspension system;

(2) The effects of an exclusion under that nonprocurement system, including reciprocal effects with the governmentwide debarment and suspension system for procurement;

(3) The criteria and minimum due process to be used in nonprocurement debarment and suspension actions; and

(4) Related policies and procedures to ensure the effectiveness of those actions.

### § 180.15 To whom does the guidance apply?

The guidance provides OMB guidance only to Federal agencies. Publication of the guidance in the CFR does not change its nature—it is guidance and not regulation. Federal agencies' implementation of the guidance governs the rights and responsibilities of other persons affected by the nonprocurement debarment and suspension system.

### § 180.20 What must a Federal agency do to implement these guidelines?

As required by Section 3 of E.O. 12549, each Federal agency with nonprocurement programs and activities covered by subparts A through I of the guidance must issue regulations consistent with those subparts.

### § 180.25 What must a Federal agency address in its implementation of the guidance?

Each Federal agency implementing regulation:

(a) Must establish policies and procedures for that agency's nonprocurement debarment and suspension programs and activities that are consistent with the guidance. When adopted by a Federal agency, the provisions