

(iii) A notice of the right to appeal.

(2) Agency employees are required to cooperate in the investigation and attempted resolution of complaints. Employees who are required to participate in any investigation under this section shall do so as part of their official duties and during the course of regular duty hours.

(3) If a complaint is resolved informally, the terms of the agreement shall be reduced to writing and made part of the complaint file, with a copy of the agreement provided to the complainant. The written agreement shall describe the subject matter of the complaint and any corrective action to which the parties have agreed.

(h) Appeals of the findings of fact and conclusions of law or remedies must be filed by the complainant within 60 days of receipt from the agency of the letter required by §17.170(g). The agency may extend this time for good cause.

(i) Timely appeals shall be accepted and processed by the Director, Human Resources Directorate, or his or her designee, who will issue the final agency decision which may include appropriate corrective action to be taken by the agency.

(j) The agency shall notify the complainant of the results of the appeal within 30 days of the receipt of the appeal. If the agency determines that it needs additional information from the complainant, it shall have 30 days from the date it received the additional information to make its determination on the appeal.

(k) The time limits cited in paragraphs (g) and (j) of this section may be extended for an individual case when the Assistant Secretary for Departmental Finance and Management determines that there is good cause, based on the particular circumstances of that case, for the extension.

(l) The agency may delegate its authority for conducting complaint investigations to other Federal agencies or may contract with a nongovernment investigator to perform the investigation, but the authority for making the final determination may not be delegated to another agency.

§§ 17.171—17.999 [Reserved]

**PART 18—OFFICIALS DESIGNATED TO PERFORM THE FUNCTIONS AND DUTIES OF CERTAIN OFFICES IN CASE OF ABSENCE, DISABILITY, OR VACANCY**

Sec.

18.1 Designation of First Assistants.

18.2 Exceptions.

AUTHORITY: 5 U.S.C. 301; 31 U.S.C. 321.

SOURCE: 64 FR 62112, Nov. 16, 1999, unless otherwise noted.

**§ 18.1 Designation of First Assistants.**

Except as provided in §18.2, every office within the Department of the Treasury (including its bureaus) to which appointment is required to be made by the President with the advice and consent of the Senate (“PAS Office”) may have a First Assistant within the meaning of 5 U.S.C. 3345–3349d.

(a) Where there is a position of principal deputy to the PAS Office, the principal deputy shall be the First Assistant.

(b) Where there is only one deputy position to the PAS Office, the official in that position shall be the First Assistant.

(c) Where neither paragraph (a) nor (b) of this section is applicable to the PAS Office, the Secretary of the Treasury may designate in writing the First Assistant.

**§ 18.2 Exceptions.**

(a) Section 18.1 shall not apply:

(1) When a statute which meets the requirements of 5 U.S.C. 3347(a) prescribes another means for authorizing an officer or employee to perform the functions and duties of a PAS Office in the Department temporarily in an acting capacity; and

(2) To the office of a member of the Internal Revenue Service Oversight Board.

(b) The Inspector General of the Department of the Treasury shall determine any arrangements for the temporary performance of the functions and duties of the Inspector General of the Department of the Treasury when that office is vacant.

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(c) The Treasury Inspector General for Tax Administration shall determine any arrangements for the temporary performance of the functions and duties of the Treasury Inspector General for Tax Administration when that office is vacant.

**PART 19—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) AND GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (GRANTS)**

**Subpart A—General**

- Sec.
- 19.100 Purpose.
- 19.105 Definitions.
- 19.110 Coverage.
- 19.115 Policy.

**Subpart B—Effect of Action**

- 19.200 Debarment or suspension.
- 19.205 Ineligible persons.
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- 19.215 Exception provision.
- 19.220 Continuation of covered transactions.
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**Subpart C—Debarment**

- 19.300 General.
- 19.305 Causes for debarment.
- 19.310 Procedures.
- 19.311 Investigation and referral.
- 19.312 Notice of proposed debarment.
- 19.313 Opportunity to contest proposed debarment.
- 19.314 Debarring official's decision.
- 19.315 Settlement and voluntary exclusion.
- 19.320 Period of debarment.
- 19.325 Scope of debarment.

**Subpart D—Suspension**

- 19.400 General.
- 19.405 Causes for suspension.
- 19.410 Procedures.
- 19.411 Notice of suspension.
- 19.412 Opportunity to contest suspension.
- 19.413 Suspending official's decision.
- 19.415 Period of suspension.
- 19.420 Scope of suspension.

**Subpart E—Responsibilities of GSA, Agency and Participants**

- 19.500 GSA responsibilities.
- 19.505 Department of the Treasury responsibilities.
- 19.510 Participant's responsibilities.

**31 CFR Subtitle A (7-1-01 Edition)**

**Subpart F—Drug-Free Workplace Requirements (Grants)**

- 19.600 Purpose.
  - 19.605 Definitions.
  - 19.610 Coverage.
  - 19.615 Grounds for suspension of payments, suspension or termination of grants, or suspension or debarment.
  - 19.620 Effect of violation.
  - 19.625 Exception provision.
  - 19.630 Certification requirements and procedures.
  - 19.635 Reporting of and employee sanctions for convictions of criminal drug offenses.
- APPENDIX A TO PART 19—CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS—PRIMARY COVERED TRANSACTIONS
- APPENDIX B TO PART 19—CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION—LOWER TIER COVERED TRANSACTIONS
- APPENDIX C TO PART 19—CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

AUTHORITY: E.O. 12549; sec. 5151-5160 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701 *et seq.*); 31 U.S.C. 321.

SOURCE: 53 FR 19187, and 19204, May 26, 1988, unless otherwise noted. Redesignated at 54 FR 4958, Jan. 31, 1989.

CROSS REFERENCE: See also Office of Management and Budget notice published at 55 FR 21679, May 25, 1990, and 60 FR 33036, June 26, 1995.

**Subpart A—General**

**§ 19.100 Purpose.**

(a) Executive Order (E.O.) 12549 provides that, to the extent permitted by law, Executive departments and agencies shall participate in a governmentwide system for nonprocurement debarment and suspension. A person who is debarred or suspended shall be excluded from Federal financial and nonfinancial assistance and benefits under Federal programs and activities. Debarment or suspension of a participant in a program by one agency shall have governmentwide effect.

(b) These regulations implement section 3 of E.O. 12549 and the guidelines promulgated by the Office of Management and Budget under section 6 of the E.O. by:

(1) Prescribing the programs and activities that are covered by the governmentwide system;