

NUMBER: RSCH 1.01
SECTION: Office of Research
SUBJECT: Debarment and Suspension in Federally Sponsored Projects
DATE: February 1, 1995
REVISED: November 8, 2013
Policy for: All Campuses
Procedure for: All Campuses
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Issued by: Office of Research

I. Policy

- A. Effective October 1, 1988, all Federal agencies adopted the government-wide regulation mandated by Executive Order 12549, "Debarment and Suspension." These regulations apply to grants, cooperative agreements, scholarships, fellowships, contracts of assistance, loans, donation agreements and any other non-procurement transaction between a federal agency and a person or entity.
- B. Debarment is defined as an action taken by a government official in accordance with regulations to exclude a person or entity from participating in federal transactions.
- C. Any individual or agency that has been debarred or suspended is prohibited from receiving or participating in competition for federal funds. In order to comply with this regulation the University must assure that anyone applying for federal funds meets all eligibility requirements with regard to debarment status.
- D. The regulation requires that the University make the following certification on all applications for federal funds on behalf of itself and its principals. The University certifies to the best of its knowledge and belief that it and its principals
1. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal department or agency;
 2. have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft,

forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;

3. are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (2.) of this certification; and
 4. have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state or local) terminated for cause or default.
- E. "Principal" is defined as persons having critical influence on or substantive control over a covered transaction such as a principal investigator or project director. A covered transaction is any federally funded project.

II. Procedure

The University signatory will sign all applications, proposals and award documents assuring that the University and its principals are in compliance with this regulation. It will be the principal investigator/project director's responsibility to notify the Office of Sponsored Awards Management (SAM) of any noncompliance and to provide a written explanation to be forwarded to the federal funding agency. Also, it is the PI/PD's responsibility to inform SAM of any changes in his/her status during the application process and ensuing project period. In the absence of any statement and explanation of noncompliance, the University signatory will report that all principals involved in an application for federal funds are in compliance with the debarment regulations.

Annually, the Office of Research Compliance will obtain certifications from the officers and principals of the University that they are in compliance with the referenced federal requirements.

III. Reason for Revision

Policy organization, content, and accuracy reviewed in October 2013; no substantive revision required.