

§ 956.26

issues raised by the application. Thereafter an order granting or denying such application will be issued by the Judicial Officer.

§ 956.26 Computation of time.

A designated period of time under the rules of this part excludes the day the period begins and includes the last day of the period unless the last day is a Saturday or Sunday or legal holiday, in which event the period runs until the close of business on the next business day.

§ 956.27 Official record.

The transcript of testimony together with all pleadings, orders, exhibits, briefs, and other documents filed in the proceeding shall constitute the official record of the proceeding.

§ 956.28 Ex parte communications.

The provisions of 5 U.S.C. 551(14), 556(d) and 557(d) prohibiting ex parte communications are made applicable to proceedings under these rules of practice.

PART 957—RULES OF PRACTICE IN PROCEEDINGS RELATIVE TO DEBARMENT AND SUSPENSION FROM CONTRACTING

- Sec.
- 957.1 Authority for rules.
 - 957.2 Scope of rules.
 - 957.3 Definitions.
 - 957.4 Initiation of debarment proceedings.
 - 957.5 The request for a hearing.
 - 957.6 Order relative to hearing.
 - 957.7 Reply.
 - 957.8 Service and filing documents for the record.
 - 957.9 Respondent's failure to appear at the hearing.
 - 957.10 Respondent already debarred by another Government agency.
 - 957.11 Amendment of pleadings.
 - 957.12 Continuances and extensions.
 - 957.13 Hearings.
 - 957.14 Appearances.
 - 957.15 Conduct of the hearing.
 - 957.16 Evidence.
 - 957.17 Witness fees.
 - 957.18 Depositions.
 - 957.19 Transcript.
 - 957.20 Proposed findings and conclusions.
 - 957.21 Decision.
 - 957.22 Motion for reconsideration.
 - 957.23 Modification or revocation of orders.

39 CFR Ch. I (7-1-06 Edition)

- 957.24 Computation of time.
- 957.25 Official record.
- 957.26 Public information.
- 957.27 Suspension.
- 957.28 Ex parte communications.

AUTHORITY: 39 U.S.C. 204, 401.

SOURCE: 36 FR 11574, June 16, 1971, unless otherwise noted.

§ 957.1 Authority for rules.

The rules in this part are issued by the Judicial Officer of the Postal Service pursuant to authority delegated by the Postmaster General (39 U.S.C. secs. 204, 401; chapter 3, section 7 of the Postal Service Purchasing Manual).

[36 FR 11574, June 16, 1971, as amended at 41 FR 19309, May 12, 1976; 63 FR 66051, Dec. 1, 1998]

§ 957.2 Scope of rules.

The rules in this part shall be applicable in all formal proceedings before the Postal Service pertaining to hearings initiated under chapter 3, section 7 of the Postal Service Purchasing Manual.

[36 FR 11574, June 16, 1971, as amended at 41 FR 19309, May 12, 1976; 63 FR 66051, Dec. 1, 1998; 67 FR 62179, Oct. 4, 2002]

§ 957.3 Definitions.

(a) The term Vice President means a Vice President with purchasing authority in the Postal Service or the Vice President's representative for the purpose of carrying out the provisions of chapter 3, section 7 of the Postal Service Purchasing Manual.

(b) The term *General Counsel* includes the General Counsel's authorized representative.

(c) The term *Judicial Officer* includes the Acting Judicial Officer.

(d) *Debarment* means, in general, an exclusion from Government contracting and subcontracting for a reasonable, specified period of time commensurate with the seriousness of the offense or failure, or the inadequacy of performance.

(e) *Suspension* means a disqualification from Government contracting and subcontracting for a temporary period of time because a concern or individual is suspected upon adequate evidence of engaging in criminal, fraudulent, or seriously improper conduct.