
2 C.F.R. § 5800.890

How may I appeal my debarment?

(a) If the Commission debarment official issues a decision under 2 CFR 180.870 to debar you after you present information in opposition to a proposed debarment under § 180.815, you may ask for review of the debarment official's decision in two ways:

(1) You may ask the debarment official under § 875 to reconsider the decision for material errors of fact or law that you believe will change the outcome of the matter; or

(2) You may request a review by the EAC's debarment appeals body (DAP), which is composed of the Executive Director, Chief Financial Officer, and Chief Operating Officer. The DAP will review your appeal and make a determination on whether to sustain or reverse the decision of the debarment official. The DAP will then make a recommendation to the EAC Commissioners who will vote by circulation on whether to accept or reject the recommendation of the DAP. A request to review the debarment official's decision to debar you must be made within 30 days of your receipt of the debarment official's decision under § 180.870 or paragraph (a)(1) of this section. However, the DAP may recommend to the EAC Commissioners that the debarment official's decision be reversed, based on a majority vote of the DAP, only where the DAP finds that the decision is based on a clear error of material fact or law, or where DAP finds that the debarment official's decision was arbitrary, capricious, or an abuse of discretion. You may appeal the debarment official's decision without requesting reconsideration, or you may appeal the decision of the debarment official on reconsideration.

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