covered transactions, whether the person has been suspended; debarred; pro-
posed for debarment under 48 CFR part 9, subpart 9.4; voluntarily excluded; or
(b) The act of excluding a person.

§ 1006.950 Excluded Parties List System

Excluded Parties List System (EPLS) means the list maintained and dissemi-
nated by the General Services Adminis-
tration (GSA) containing the names
and other information about persons
who are ineligible. The EPLS system
includes the printed version entitled,
“List of Parties Excluded or Disquali-
fied from Federal Procurement and
Nonprocurement Programs,” so long as
published.

§ 1006.955 Indictment.

Indictment means an indictment for a
criminal offense. A presentment, infor-
mation, or other filing by a competent
authority charging a criminal offense
shall be given the same effect as an in-
dictment.

§ 1006.960 Ineligible or ineligibility.

Ineligible or ineligibility means that a
person or commodity is prohibited
from covered transactions because of
an exclusion or disqualification.

§ 1006.965 Legal proceedings.

Legal proceedings means any criminal
proceeding or any civil judicial pro-
ceeding, including a proceeding under
the Program Fraud Civil Remedies Act
(31 U.S.C. 3801–3812), to which the Fed-
eral Government or a State or local
government or quasi-governmental au-
thority is a party. The term also in-
cludes appeals from those proceedings.

§ 1006.970 Nonprocurement trans-
action.

(a) Nonprocurement transaction means
any transaction, regardless of type (ex-
cept procurement contracts), includ-
ing, but not limited to the following:
(1) Grants.
(2) Cooperative agreements.
(3) Scholarships.
(4) Fellowships.
(5) Contracts of assistance.
(6) Loans.
(7) Loan guarantees.
(8) Subsidies.
(9) Insurances.
(10) Payments for specified uses.
(11) Donation agreements.
(b) A nonprocurement transaction at
any tier does not require the transfer
of Federal funds.

§ 1006.975 Notice.

Notice means a written communica-
tion served in person, sent by certified
mail or its equivalent, or sent elec-
tronically by e-mail or facsimile. (See
§1006.615.)

§ 1006.980 Participant.

Participant means any person who
submits a proposal for or who enters
into a covered transaction, including
an agent or representative of a partici-
pant.

§ 1006.985 Person.

Person means any individual, cor-
poration, partnership, association, unit
of government, or legal entity, however
organized.

§ 1006.990 Preponderance of the evi-
dence.

Preponderance of the evidence means
proof by information that, compared
with information opposing it, leads to
the conclusion that the fact at issue is
more probably true than not.

§ 1006.995 Principal.

Principal means—
(a) An officer, director, owner, part-
ner, principal investigator, or other
person within a participant with man-
agement or supervisory responsibilities
related to a covered transaction; or
(b) A consultant or other person,
whether or not employed by the partic-
ipant or paid with Federal funds, who—
(1) Is in a position to handle Federal
funds;
(2) Is in a position to influence or
control the use of those funds; or,
(3) Occupies a technical or profes-
sional position capable of substantially
influencing the development or out-
come of an activity required to perform
the covered transaction.

§ 1006.1000 Respondent.

Respondent means a person against
whom an agency has initiated a debar-
ment or suspension action.