

**Disclosing Information—Primary Tier Participants**

- 1265.335 What information must I provide before entering into a covered transaction with NASA?
- 1265.340 If I disclose unfavorable information required under § 1265.335, will I be prevented from participating in the transaction?
- 1265.345 What happens if I fail to disclose the information required under § 1265.335?
- 1265.350 What must I do if I learn of the information required under § 1265.335 after entering into a covered transaction with NASA?

**Disclosing Information—Lower Tier Participants**

- 1265.355 What information must I provide to a higher tier participant before entering into a covered transaction with that participant?
- 1265.360 What happens if I fail to disclose the information required under § 1265.355?
- 1265.365 What must I do if I learn of information required under § 1265.355 after entering into a covered transaction with a higher tier participant?

**Subpart D—Responsibilities of NASA Officials Regarding Transactions**

- 1265.400 May I enter into a transaction with an excluded or disqualified person?
- 1265.405 May I enter into a covered transaction with a participant if a principal of the transaction is excluded?
- 1265.410 May I approve a participant's use of the services of an excluded person?
- 1265.415 What must I do if a Federal agency excludes the participant or a principal after I enter into a covered transaction?
- 1265.420 May I approve a transaction with an excluded or disqualified person at a lower tier?
- 1265.425 When do I check to see if a person is excluded or disqualified?
- 1265.430 How do I check to see if a person is excluded or disqualified?
- 1265.435 What must I require of a primary tier participant?
- 1265.440 What method do I use to communicate those requirements to participants?
- 1265.445 What action may I take if a primary tier participant knowingly does business with an excluded or disqualified person?
- 1265.450 What action may I take if a primary tier participant fails to disclose the information required under § 1265.335?
- 1265.455 What may I do if a lower tier participant fails to disclose the information required under § 1265.355 to the next higher tier?

**Subpart E—Excluded Parties List System**

- 1265.500 What is the purpose of the Excluded Parties List System (EPLS)?
- 1265.505 Who uses the EPLS?
- 1265.510 Who maintains the EPLS?
- 1265.515 What specific information is in the EPLS?

- 1265.520 Who places the information into the EPLS?
- 1265.525 Whom do I ask if I have questions about a person in the EPLS?
- 1265.530 Where can I find the EPLS?

**Subpart F—General Principles Relating to Suspension and Debarment Actions**

- 1265.600 How do suspension and debarment actions start?
- 1265.605 How does suspension differ from debarment?
- 1265.610 What procedures does NASA use in suspension and debarment actions?
- 1265.615 How does NASA notify a person of a suspension and debarment action?
- 1265.620 Do Federal agencies coordinate suspension and debarment actions?
- 1265.625 What is the scope of a suspension or debarment action?
- 1265.630 May NASA impute the conduct of one person to another?
- 1265.635 May NASA settle a debarment or suspension action?
- 1265.640 May a settlement include a voluntary exclusion?
- 1265.645 Do other Federal agencies know if NASA agrees to a voluntary exclusion?

**Subpart G—Suspension**

- 1265.700 When may the suspending official issue a suspension?
- 1265.705 What does the suspending official consider in issuing a suspension?
- 1265.710 When does a suspension take effect?
- 1265.715 What notice does the suspending official give me if I am suspended?
- 1265.720 How may I contest a suspension?
- 1265.725 How much time do I have to contest a suspension?
- 1265.730 What information must I provide to the suspending official if I contest a suspension?
- 1265.735 Under what conditions do I get an additional opportunity to challenge the facts on which the suspension is based?
- 1265.740 Are suspension proceedings formal?
- 1265.745 How is fact-finding conducted?
- 1265.750 What does the suspending official consider in deciding whether to continue or terminate my suspension?
- 1265.755 When will I know whether the suspension is continued or terminated?
- 1265.760 How long may my suspension last?

**Subpart H—Debarment**

- 1265.800 What are the causes for debarment?
- 1265.805 What notice does the debarring official give me if I am proposed for debarment?
- 1265.810 When does a debarment take effect?
- 1265.815 How may I contest a proposed debarment?
- 1265.820 How much time do I have to contest a proposed debarment?
- 1265.825 What information must I provide to the debarring official if I contest a proposed debarment?
- 1265.830 Under what conditions do I get an additional opportunity to challenge the facts on which the proposed debarment is based?

- 1265.835 Are debarment proceedings formal?
- 1265.840 How is fact-finding conducted?
- 1265.845 What does the debarring official consider in deciding whether to debar me?
- 1265.850 What is the standard of proof in a debarment action?
- 1265.855 Who has the burden of proof in a debarment action?
- 1265.860 What factors may influence the debarring official's decision?
- 1265.865 How long may my debarment last?
- 1265.870 When do I know if the debarring official debars me?
- 1265.875 May I ask the debarring official to reconsider a decision to debar me?
- 1265.880 What factors may influence the debarring official during reconsideration?
- 1265.885 May the debarring official extend a debarment?

**Subpart I—Definitions**

- 1265.900 Adequate evidence.
- 1265.905 Affiliate.
- 1265.910 Agency.
- 1265.915 Agent or representative.
- 1265.920 Civil judgment.
- 1265.925 Conviction.
- 1265.930 Debarment.
- 1265.935 Debarring official.
- 1265.940 Disqualified.
- 1265.945 Excluded or exclusion.
- 1265.950 Excluded Parties List System.
- 1265.955 Indictment.
- 1265.960 Ineligible or ineligibility.
- 1265.965 Legal proceedings.
- 1265.970 Nonprocurement transaction.
- 1265.975 Notice.
- 1265.980 Participant.
- 1265.985 Person.
- 1265.990 Preponderance of the evidence.
- 1265.995 Principal.
- 1265.1000 Respondent.
- 1265.1005 State.
- 1265.1010 Suspending official.
- 1265.1015 Suspension.
- 1265.1020 Voluntary exclusion or voluntarily excluded.

**Subpart J—[Reserved]****Appendix to Part 1265—Covered Transactions**

**Authority:** Sec. 2455, Pub. L. 103-355, 108 Stat. 3327 (31 U.S.C. 6101 note); E.O. 11738, 3 CFR, 1973 Comp., p. 799; E.O. 12549, 3 CFR, 1986 Comp., p. 189; E.O. 12689, 3 CFR, 1989 Comp., p. 235; 42 U.S.C. 2473(c)(1).

■ 2. Part 1265 is further amended as set forth below.

■ a. "The [Agency noun]" is removed and "NASA" is added in its place wherever it occurs.

■ b. "[Agency adjective]" is removed and "NASA" is added in its place wherever it occurs.

■ c. "[Agency head or designee]" is removed and "Assistant Administrator for Procurement" is added in its place wherever it occurs.

■ 3. Section 1265.440 is added to read as follows: