

## Small Business Administration

Pt. 126

concern is ineligible for an SDVO SBC contract award.

[70 FR 14528, Mar. 23, 2005]

### Subpart E—Penalties and Retention of Records

SOURCE: 69 FR 25270, May 5, 2004, unless otherwise noted.

#### § 125.29 What penalties may be imposed under this part?

(a) *Suspension or debarment.* The Agency debarring official may suspend or debar a person or concern pursuant to the procedures set forth in part 145 of this chapter. The contracting agency debarring official may debar or suspend a person or concern under the Federal Acquisition Regulation, 48 CFR Part 9, subpart 9.4.

(b) *Civil penalties.* Persons or concerns are subject to severe civil penalties under the False Claims Act, 31 U.S.C. 3729–3733, and under the Program Fraud Civil Remedies Act, 331 U.S.C. 3801–3812, and any other applicable laws.

(c) *Criminal penalties.* Persons or concerns are subject to severe criminal penalties for knowingly misrepresenting the SDVO status of a SBC in connection with procurement programs pursuant to section 16 of the Small Business Act, 15 U.S.C. 645, as amended; 18 U.S.C. 1001; and 31 U.S.C. 3729–3733. Persons or concerns also are subject to criminal penalties for knowingly making false statements or misrepresentations to SBA for the purpose of influencing any actions of SBA pursuant to section 16(a) of the Small Business Act, 15 U.S.C. 645(a), as amended, including failure to correct “continuing representations” that are no longer true.

## PART 126—HUBZONE PROGRAM

### Subpart A—Provisions of General Applicability

Sec.

- 126.100 What is the purpose of the HUBZone program?
- 126.101 Which government departments or agencies are affected directly by the HUBZone program?
- 126.102 What is the effect of the HUBZone program on the section 8(d) subcontracting program?

- 126.103 What definitions are important in the HUBZone program?

### Subpart B—Requirements to be a Qualified HUBZone SBC

- 126.200 What requirements must a concern meet to receive SBA certification as a qualified HUBZone SBC?
- 126.201 Who does SBA consider to own a HUBZone SBC?
- 126.202 Who does SBA consider to control a HUBZone SBC?
- 126.203 What size standards apply to HUBZone SBCs?
- 126.204 May a qualified HUBZone SBC have affiliates?
- 126.205 May participants in other SBA programs be certified as qualified HUBZone SBCs?
- 126.206 May non-manufacturers be certified as qualified HUBZone SBCs?
- 126.207 May a qualified HUBZone SBC have offices or facilities in another HUBZone or outside a HUBZone?

### Subpart C—Certification

- 126.300 How may a concern be certified as a qualified HUBZone SBC and what information will SBA consider?
- 126.301 Is there any other way for a concern to obtain certification?
- 126.302 When may a concern apply for certification?
- 126.303 Where must a concern submit its application and certification?
- 126.304 What must a concern submit to SBA?
- 126.305 What format must the certification to SBA take?
- 126.306 How will SBA process this certification?
- 126.307 Where will SBA maintain the List of qualified HUBZone SBCs?
- 126.308 What happens if SBA inadvertently omits a qualified HUBZone SBC from the List?
- 126.309 May a declined or de-certified concern seek certification at a later date?

### Subpart D—Program Examinations

- 126.400 Who will conduct program examinations?
- 126.401 What is a program examination and what will SBA examine?
- 126.402 When may SBA conduct program examinations?
- 126.403 May SBA require additional information from a HUBZone SBC?

### Subpart E—Maintaining HUBZone Status

- 126.500 How does a qualified HUBZone SBC maintain HUBZone certification?
- 126.501 What are a qualified HUBZone SBC's ongoing obligations to SBA?