§ 1471.335 What information must I provide before entering into a covered transaction with the Federal Mediation and Conciliation Service?

Before you enter into a covered transaction at the primary tier, you as the participant must notify the FMCS office that is entering into the transaction with you, if you know that you or any of the principals for that covered transaction:

(a) Are presently excluded or disqualified;
(b) Have been convicted within the preceding three years of any of the offenses listed in § 1471.800(a) or had a civil judgment rendered against you for one of those offenses within that time period;
(c) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses listed in § 1471.800(a); or
(d) Have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default.

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§ 1471.350 What must I do if I learn of information required under § 1471.335 after entering into a covered transaction with the Federal Mediation and Conciliation Service?

At any time after you enter into a covered transaction, you must give immediate written notice to the FMCS office with which you entered into the transaction if you learn either that—

(a) You failed to disclose information earlier, as required by § 1471.335; or
(b) Due to changed circumstances, you or any of the principals for the transaction now meet any of the criteria in § 1471.335.

DISCLOSING INFORMATION—LOWER TIER PARTICIPANTS

§ 1471.355 What information must I provide to a higher tier participant before entering into a covered transaction with that participant?

Before you enter into a covered transaction with a person at the next higher tier, you as a lower tier participant must notify that person if you know that you or any of the principals are presently excluded or disqualified.

§ 1471.360 What happens if I fail to disclose the information required under § 1471.355?

If we later determine that you failed to tell the person at the higher tier that you were excluded or disqualified at the time you entered into the covered transaction with that person, we may pursue any available remedies, including suspension and debarment.

§ 1471.356 What must I do if I learn of information required under § 1471.355 after entering into a covered transaction with a higher tier participant?

At any time after you enter into a lower tier covered transaction with a person at a higher tier, you must provide immediate written notice to that person if you learn either that—

(a) You failed to disclose information earlier, as required by § 1471.355; or