

ANTI-KICKBACK AFFIDAVIT

I, _____, solemnly affirm and declare under penalties of perjury and upon personal knowledge that I have read, understand, and subscribe to the Anti-Kickback Act, 41 U.S.C § 51-58 et.seq. of November 7, 1986--an Act to strengthen prohibition of kickbacks relating to subcontracts under Federal Government contracts.¹

Specifically, the Anti-Kickback Act of 1986 under 41 U.S.C. § 53. "Prohibited Conduct" states:

It is prohibited for any person

- (1) to provide, attempt to provide or offer to provide any kickback.²
- (2) to solicit, accept, or attempt to accept any kickback; or
- (3) to include, directly or indirectly, the amount of any kickback prohibited by clause (1) or (2) in the contract price charged by a subcontractor to a prime contractor or a higher tier subcontractor or in the contract price charged by a prime contractor to the United States.

"Criminal Penalties," 41 U.S.C. § 54 states:

Any person who knowingly and willfully engages in conduct prohibited by Section 53 shall be imprisoned for not more than 10 years or shall be subject to a fine in accordance with Title 18, United States code, or both.

I further solemnly affirm and declare under penalties of perjury and upon personal knowledge that I have not accepted any form of kickback associated with my responsibilities at the University of Maryland.

Signature _____

Date: _____

¹The full text of 41 U.S.C. §51 through 58 is available for reading at www.purchase.umd.edu. Click on "FORMS".

²Defined in the Anti-Kickback Act of 1986, the term "kickback" is defined as "any money, fee, commission, credit, gift, gratuity, thing of value, or compensation of any kind which is provided, directly or indirectly, from any prime contractor, prime contractor employee, subcontractor, or subcontractor employee for the purpose of improperly obtaining or rewarding favorable treatment in connection with a prime contract or in connection with a subcontract relating to a prime contract.