

203.570-4

(2) Deny the request if the contracting officer decides the waiver is not required in the interests of national security; or

(3) Forward the request to the head of the agency or designee for approval if the contracting officer decides the waiver may be in the interest of national security.

(b) The head of the agency or designee shall report all waivers granted, and the reasons for granting the waiver, to the Under Secretary of Defense (Acquisition, Technology, and Logistics), who will forward the report to Congress as required by 10 U.S.C. 2408(a)(3).

[56 FR 36288, July 31, 1991, as amended at 65 FR 39074, June 27, 2000]

203.570-4 Reporting.

When a defense contractor or first-tier subcontractor is found in violation of the prohibition in 203.570-2, report the matter in accordance with 209.406-3 or 209.407-3, and DoDD 7050.5, Coordination of Remedies for Fraud and Corruption Related to Procurement Activities.

[64 FR 62984, Nov. 18, 1999]

203.570-5 Contract clause.

Use the clause at 252.203-7001, Prohibition on Persons Convicted of Fraud or Other Defense-Contract-Related Felonies, in all solicitations and contracts exceeding the simplified acquisition threshold, except solicitations and contracts for commercial items.

[64 FR 14398, Mar. 25, 1999]

Subpart 203.7—Voiding and Rescinding Contracts

203.703 Authority.

The authority to act for the agency head under this subpart is limited to a level no lower than an official who is appointed by and with the advice of the Senate, without power of redelegation. For the defense agencies, for purposes of this subpart, the agency head designee is the Under Secretary of Defense

48 CFR Ch. 2 (10-1-02 Edition)

(Acquisition, Technology, and Logistics).

[56 FR 36288, July 31, 1991, as amended at 60 FR 61592, Nov. 30, 1995; 65 FR 39704, June 27, 2000]

Subpart 203.70—Contractor Standards of Conduct

203.7000 Policy.

Government contractors must conduct themselves with the highest degree of integrity and honesty. Contractors should have standards of conduct and internal control systems that—

(1) Are suitable to the size of the company and the extent of their involvement in Government contracting,

(2) Promote such standards,

(3) Facilitate timely discovery and disclosure of improper conduct in connection with Government contracts, and

(4) Ensure corrective measures are promptly instituted and carried out.

203.7001 Procedures.

(a) A contractor's system of management controls should provide for—

(1) A written code of business ethics and conduct and an ethics training program for all employees;

(2) Periodic reviews of company business practices, procedures, policies, and internal controls for compliance with standards of conduct and the special requirements of Government contracting;

(3) A mechanism, such as a hotline, by which employees may report suspected instances of improper conduct, and instructions that encourage employees to make such reports;

(4) Internal and/or external audits, as appropriate;

(5) Disciplinary action for improper conduct;

(6) Timely reporting to appropriate Government officials of any suspected or possible violation of law in connection with Government contracts or any other irregularities in connection with such contracts; and

(7) Full cooperation with any Government agencies responsible for either investigation or corrective actions.

Department of Defense

Pt. 204

(b) Contractors who are awarded a DoD contract of \$5 million or more must display DoD Hotline Posters prepared by the DoD Office of the Inspector General unless—

(1) The contract will be performed in a foreign country; or

(2) The contractor has established an internal reporting mechanism and program, as described in paragraph (a) of this section.

203.7002 Contract clause.

Use the clause at 252.203-7002, Display of DoD Hotline Poster, in solicitations and contracts expected to exceed \$5 million, except when performance will take place in a foreign country.

PART 204—ADMINISTRATIVE MATTERS

Subpart 204.1—Contract Execution

Sec.

204.101 Contracting officer's signature.

Subpart 204.2—Contract Distribution

204.201 Procedures.

204.202 Agency distribution requirements.

204.203 Taxpayer identification information.

Subpart 204.4—Safeguarding Classified Information Within Industry

204.402 General.

204.404 Contract clause.

204.404-70 Additional contract clauses.

Subpart 204.6—Contract Reporting

204.600 Scope of subpart.

204.601 Record requirements.

204.602 Federal Procurement Data System.

204.603 Solicitation provisions.

204.670 Defense Contract Action Data System (DCADS).

204.670-1 Definitions.

204.670-2 Reportable contracting actions.

204.670-3 Contracting office responsibilities.

204.670-4 Contract administration office responsibilities.

204.670-5 Departmental data collection point responsibilities.

204.670-6 Types of DD Form 350 reports.

204.670-7 Security classification.

Subpart 204.8—Contract Files

204.802 Contract files.

204.804 Closeout of contract files.

204.804-1 Closeout by the office administering the contract.

204.804-2 Closeout of the contracting office files if another office administers the contract.

204.805 Disposal of contract files.

Subpart 204.9—Taxpayer Identification Number Information

204.902 General.

204.904 Reporting payment information to the IRS.

204.905 Solicitation provision.

Subpart 204.70—Uniform Procurement Instrument Identification Numbers

204.7000 Scope.

204.7001 Policy.

204.7002 Procedures.

204.7003 Basic PII number.

204.7004 Supplementary PII numbers.

Subpart 204.71—Uniform Contract Line Item Numbering System

204.7100 Scope.

204.7101 Definitions.

204.7102 Policy.

204.7103 Contract line items.

204.7103-1 Criteria for establishing.

204.7103-2 Numbering procedures.

204.7104 Contract subline items.

204.7104-1 Criteria for establishing.

204.7104-2 Numbering procedures.

204.7105 Contract exhibits and attachments.

204.7106 Contract modifications.

204.7107 Contract accounting classification reference number (ACRN).

Subpart 204.72—Contractor Identification

204.7200 Scope of subpart.

204.7201 Definitions.

204.7202 General.

204.7202-1 CAGE codes.

204.7202-2 DUNS numbers.

204.7202-3 TINs.

204.7203 Responsibilities of contracting officers.

204.7204 Maintenance of the CAGE file.

204.7205 Novation agreements, mergers and sales of assets.

204.7206 Using CAGE codes to identify agents and brokers.

204.7207 Solicitation provision.

Subpart 204.73—Central Contractor Registration

204.7300 Scope.

204.7301 Definitions.

204.7302 Policy.

204.7303 Procedures.

204.7304 Contract clause.

AUTHORITY: 41 U.S.C. 421 and 48 CFR chapter 1.