

**1301.104-3**

(c) *References and citations.* (2) This regulation may be referred to as the Commerce Acquisition Regulation (CAR).

(3) References to FAR materials will include FAR and the identifying number, for example, FAR 1.402. Reference to CAR materials will consist of the identifying number, for example 1301.402.

**1301.104-3 Copies.**

(a) Copies of the CAR in FEDERAL REGISTER or CFR form may be purchased from the Superintendent of Documents, Government Printing Office (GPO), Washington, DC 20402. Requests should reference the CAR as chapter 13 of title 48 of the Code of Federal Regulations.

(b) Loose-leaf copies of the CAR are distributed within the Department by the Procurement Executive.

[49 FR 12956, Mar. 30, 1984, as amended at 51 FR 15329, Apr. 23, 1986]

**Subparts 1301.2-1301.5 [Reserved]**

**Subpart 1301.6—Contracting Authority and Responsibilities**

**1301.603-70 Ratification of unauthorized contract awards.**

(a) The Department is not bound by any formal or informal type of agreement or contractual commitment which is made by persons who are not delegated contracting authority. When these unauthorized acts are discovered they shall be immediately reported to the Head of the Contracting Activity concerned. The Head of the Contracting Activity shall:

(1) Immediately inform any person who is performing work as a result of an unauthorized commitment that the work is being performed at that person's risk;

(2) Decide whether ratification of the unauthorized act is proper, and take appropriate action.

[49 FR 12956, Mar. 30, 1984, as amended at 60 FR 47309, Sept. 12, 1995]

**PART 1302 [RESERVED]**

**48 CFR Ch. 13 (10-1-02 Edition)**

**PART 1303—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST**

**Subpart 1303.1—Safeguards**

Sec.

1303.101-3 Agency regulations.

**Subpart 1303.2—Contractor Gratuities to Government Personnel**

1303.203 Reporting procedures.

**Subpart 1303.3—Reports of Identical Bids and Suspected Antitrust Violations**

1303.302-70 Reporting requirements.

**Subpart 1303.4—Contingent Fees**

1303.409 Misrepresentations or violations of the Covenant Against Contingent Fees.

**Subpart 1303.5—Other Improper Business Practices**

1303.502 Subcontractor kickbacks.

AUTHORITY: Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 486(c)), as delegated by the Secretary of Commerce in Department Organization Order 10-5 and Department Administrative Order 208-2.

SOURCE: 49 FR 12959, Mar. 30, 1984, unless otherwise noted.

**Subpart 1303.1—Safeguards**

**1303.101-3 Agency regulations.**

The agency rules implementing Executive Order 11222 are contained in the Department Administrative Order on *Employee Responsibilities and Conduct* (DAO 202-735).

**Subpart 1303.2—Contractor Gratuities to Government Personnel**

**1303.203 Reporting procedures.**

Suspected violations of the Gratuities clause shall be reported to the head of the contracting office in writing detailing the circumstances. The head of the contracting office will evaluate the report and if the allegations appear to support a violation the matter will be referred to the Office of Inspector General in accordance with the Department Administrative Order

**Department of Commerce**

**1303.502**

on *Inspector General Investigations* (DAO 207-10).

**Subpart 1303.3—Reports of Identical Bids and Suspected Anti-trust Violations**

**1303.302-70 Reporting requirements.**

(a) Executive Order 12430 revoked the requirement of Executive Order 10936 to submit a report to the Attorney General on identical bids.

(b) Suspected anti-competitive practices and antitrust law violations as described in FAR 3.301 and FAR 3.303 shall be reported to the general counsel through the Head of the Contracting Activity. A copy of the report shall be sent to the Procurement Executive concurrently with the submission to the general counsel.

**Subpart 1303.4—Contingent Fees**

**1303.409 Misrepresentations or violations of the Covenant Against Contingent Fees.**

Suspected violations of the Covenant Against Contingent Fees shall be reported to the Office of Inspector General in accordance with the Department Administrative Order on *Inspector General Investigations* (DAO 207-10).

**Subpart 1303.5—Other Improper Business Practices**

**1303.502 Subcontractor kickbacks.**

Suspected violations of the Anti-Kickback Act shall be reported to the Office of Inspector General in accordance with the Department Administrative Order on *Inspector General Investigations* (DAO 207-10).

**PART 1304 [RESERVED]**