

FAR Disclosure Requirements

Requirement to Report Certain Violations of Criminal and Civil Law to the Office of Inspector General

Federal Acquisition Rule [52.203-13](#) requires a government contractor to timely disclose, in writing, to the agency Office of Inspector General whenever the contractor has credible evidence that a principal, employee, agent, or subcontractor of the contractor has committed a violation of the Civil False Claims Act or a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity in connection with the award, performance, or closeout of a government contract or any related subcontract. The individual making the report must be an officer or manager empowered to speak for the company. A copy of the disclosure report must also be sent to the government contracting officer for the contract.

The disclosure requirement continues until at least 3 years after final payment on the contract. Knowing failure on the part of a contractor to make such a required disclosure could be a cause for suspension and/or debarment until 3 years after final payment on the contract. [FAR 9.406-2\(b\)\(1\)\(vi\)](#) and [9.407-2\(a\)\(8\)](#).

Instructions for filing a report required by FAR 52.203-13 with the Department of Commerce Office of Inspector General are set forth below. If you wish to provide information to this office that does not fit within the confines of this mandatory disclosure requirement, you may submit that information via our hotline. Contact information for the Commerce OIG hotline is available [here](#).

Instructions for Submitting Required Reports to the Department of Commerce Office of Inspector General

The contents of a report submitted to this office pursuant to FAR 52.203-13 should include, at a minimum, the following:

1. The full name, title, and contact information of the individual making the report.
2. A statement that the individual making the report is a principal officer or manager empowered to make such a disclosure for the company.
3. The primary point of contact (name, title, and contact information) for the report, if that person is different from the person making the initial report.
4. The company's name, address, and telephone number.
5. A statement as to whether the company is the prime contractor or a subcontractor on the pertinent contract.

6. The Department of Commerce contract number and, if applicable, the number of the underlying task order, blanket purchase agreement, purchase order, or other related procurement document issued by the Department of Commerce.
7. The name and contact information for the Department of Commerce contracting officer for the contract or subcontract.
8. The name(s) of any other government entity(ies) to whom this reportable event is being disclosed.
9. If the contract was not awarded by the Department of Commerce, the name of the agency that awarded it and the name and contact information of the cognizant contracting officer.
10. The products and/or services the company provided under the pertinent contract(s).
11. A statement as to whether the company, or its agents, conducted an investigation into the reportable event.
12. A detailed description of the facts and circumstances surrounding the reportable event. This description should include: the evidence forming the basis of the report; the names of the individuals involved; the dates on and locations at which the disclosed events occurred; how the matter was discovered; the estimated monetary loss; the names of and contact information for potential witnesses, as well as a description of their involvement; and any corrective action taken by the company. This description should also explain whether the reported conduct involves criminal activity and/or civil fraud.

Reports should be written on company letterhead and should be signed by the principal officer or manager who is empowered to make the disclosure on behalf of the company. Reports should be sent to:

The Honorable Todd J. Zinser
Inspector General, U.S. Department of Commerce
1401 Constitution Ave., N.W., Room 7898C
Washington, D.C. 20230