



THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

DEC 29 2008

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: Department of Defense Implementation of the Disclosure Requirement Under FAR Clause 52.203-13

Federal Acquisition Regulation (FAR), Case 2007-006, "Contractor Business Ethics Compliance Program and Disclosure Requirements," was published as a final rule in the Federal Register on November 12, 2008, with an effective date of December 12, 2008. The final rule amends the FAR, adding a new contract clause, FAR clause 52.203-13, which reads as follows, "[t]he Contractor shall timely disclose, in writing, to the agency Office of the Inspector General (OIG), with a copy to the contracting officer, certain violations of criminal law, violations of the civil False Claims Act, or a significant overpayment."

The purpose of this memorandum is to provide contracting officers with guidance regarding implementation of this clause. Within the Department of Defense (DoD), the designated "agency Office of the Inspector General" is the DoD OIG at the following address:

Office of the Inspector General
United States Department of Defense
Investigative Policy and Oversight
Contractor Disclosure Program
400 Army Navy Drive, Suite 1037
Arlington, VA 22202-4704
Toll Free Telephone: 866-429-8011

This guidance will be incorporated in the DoD FAR Supplement.

My points of contact are Ms. Lynn McCormick, DoD OIG, at Frances.Mccormick@dodig.mil and 604-8711, and Ms. Sandra Ross, Defense Procurement (DPAP), at Sandra.Ross@osd.mil and 703-695-9774.

John J. Young, Jr.



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