

# **Subpart 303.1 - Safeguards**

**Parent topic:** PART 303 - IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

## **303.101 Standards of conduct.**

### **303.101-3 Agency regulations.**

(a)(3) The HHS Standards of Conduct are prescribed in 45 CFR part 73.

### **303.104-7 Violations or possible violations of the Procurement Integrity Act.**

(a)

(1) The contracting officer shall submit to the head of the contracting activity (HCA) for review and concurrence the determination (along with supporting documentation) that a reported violation or possible violation of the statutory prohibitions has no impact on the pending award or selection of a contractor for award.

(2) The contracting officer shall refer the determination that a reported violation or possible violation of the statutory prohibitions has an impact on the pending award or selection of a contractor, along with all related information available, to the HCA. The HCA shall -

(i) Refer the matter immediately to the Associate Deputy Assistant Secretary - Acquisition (ADAS-A) for review, who may consult with the appropriate legal office representative and the Office of Inspector General (OIG) as appropriate; and

(ii) Determine the necessary action in accordance with FAR 3.104-7(c) and (d). The HCA shall obtain the approval or concurrence of the ADAS-A before proceeding with an action.

(b) The HCA (non-delegable) shall act with respect to actions taken under the Federal Acquisition Regulation (FAR) clause at 52.203-10, Price or Fee Adjustment for Illegal or Improper Authority.