Part 708 establishes criteria and procedures for the investigation, hearing, and review of allegations from DOE contractor employees of employer re- praisal resulting from employee disclosure of information to DOE, to Members of Congress, or to the contractor; employee participation in proceedings before Congress or pursuant to this subpart; or employee refusal to engage in illegal or dangerous activities, when such disclosure, participation, or refusal pertains to employer practices which the employee believes to be un- safe; to violate laws, rules, or regulations; or to involve fraud, mismanage- ment, waste, or abuse.


903.901 Definition.

Contractor, as used in this subpart, has the meaning contained in 10 CFR 708.2.


903.902 Applicability.

10 CFR part 708 is applicable to complaints of retaliation filed by employ- ees of contractors, and subcontracts, performing work on behalf of DOE di- rectly related to DOE-owned or leased facilities, if the complaint stems from a disclosure, participation, or refusal described in 10 CFR 708.5.


903.970 Remedies.

(a) Contractors found to have retali- ated against an employee in reprisal for such disclosure, participation or ref- usal are required to provide relief in accordance with decisions issued under 10 CFR part 708.

(b) 10 CFR part 708 provides that for the purposes of the Contract Disputes Act (41 U.S.C. 605 and 606), a final decision issued pursuant to 10 CFR part 708 shall not be considered to be a claim by the Government against a contractor or a decision by the contracting officer subject to appeal. However, a contracting officer’s decision and refusal to com- ply with a final decision could result in the disallowance of cost or to terminate the contract for default. In such case, the contractor could file a claim under the Disputes clause of the contract regarding the disallowance of cost or the termination of the contract.

903.971 Contract clause.

The contracting officer shall insert the clause at 952.203–70, Whistleblower Protection for Contractor Employees, in contracts that involve work to be done on behalf of DOE directly related to activities at DOE-owned or leased sites.

Subpart 903.10—Contractor Code of Business Ethics and Conduct

903.1004 Contract clauses.

(b)(2)(ii) Insert the DOE Web site address http://ig.energy.gov/hotline.htm in paragraph (b)(3) of the 48 CFR 52.203–14 clause, Display of Hotline Poster(s).

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PART 904—ADMINISTRATIVE MATTERS

Subpart 904.4—Safeguarding Classified Information Within Industry

Sec.

904.401 Definitions.
904.402 General.
904.404 Solicitation provision and contract clause.

Subpart 904.6 [Reserved]

Subpart 904.7—Contractor Records Retention

904.702 Applicability.

Subpart 904.8—Government Contract Files

904.803 Contents of contract files.
904.804 Closeout of contract files.
904.804–1 Closeout by the office administer- ing the contract.
904.805 Storage, handling, and disposal of contract files.

Subpart 904.70—Facility Clearance

904.700 Scope of subpart.
904.701 Applicability.
904.702 Definitions.
904.703 Disclosure of foreign ownership, control, or influence.
904.704 Findings, determination, and contract award or termination.