

OGRD Memorandum 6

Anti-Kickback

WASHINGTON STATE UNIVERSITY

The Office of Vice President for Research and Graduate Studies
Office of Grant and Research Development

February 2008

Purpose:

To state Washington State University (WSU) policy with regard to the establishment of procedures designed to prevent and detect possible violations of 41 U.S. Code Sections 51-58 (the Anti-Kickback Act of 1986).

Preamble:

The Anti-Kickback Act of 1986 was passed to deter subcontractors from making payments, and contractors from accepting payments, for the purpose of improperly obtaining or rewarding favorable treatment in connection with a contract or contractual action entered into by the United States for the purpose of obtaining supplies, materials, equipment, or service of any kind.

Policy Statement:

1. When WSU has reasonable grounds to believe that a violation of the Anti-Kickback Act of 1986 may have occurred, WSU shall promptly report in writing the possible violation. Such reports shall be made to the inspector general of the contracting department or agency of the United States, the head of the contracting department or agency of the United States if the department or agency does not have an inspector general, or the Department of Justice.
2. WSU shall cooperate fully with any Federal agency investigating a possible violation of the Anti-Kickback Act of 1986.
3. WSU shall incorporate the following language in all federally funded subcontracts entered into by WSU to obtain supplies, materials, equipment,

or service of any kind in connection with a WSU contract with a department or agency of the United States that exceed \$100,000.

- The Anti-Kickback Act of 1986 was passed to deter subcontractors from making payments for the purpose of improperly obtaining or rewarding favorable treatment in connection with a prime contract or a subcontract relating to a prime contract. By acceptance of this subcontract, the contractor agrees to comply with the following regulations. FAR 3.502, FAR 52.203-7, and 41 USC 51-58.

Implementation:

The Office of Vice President for Research and Graduate Studies shall have primary responsibility for the publication and distribution of this University policy.