

3.104-8 Criminal and civil penalties, and further administrative remedies.

Criminal and civil penalties, and administrative remedies, may apply to conduct that violates [41 U.S.C. Chapter 21](#) (see [3.104-3](#)). See [33.102](#) (f) for special rules regarding bid protests. See [3.104-7](#) for administrative remedies relating to contracts.

(a) An official who knowingly fails to comply with the requirements of [3.104-3](#) is subject to the penalties and administrative action set forth in [41 U.S.C. 2105](#).

(b) An offeror who engages in employment discussion with an official subject to the restrictions of [3.104-3](#), knowing that the official has not complied with [3.104-3\(c\)\(1\)](#), is subject to the criminal, civil, or administrative penalties set forth in subsection 27(e) of the Act.

(c) An official who refuses to terminate employment discussions (see [3.104-5](#)) may be subject to agency administrative actions under 5 CFR 2635.604(d) if the official's disqualification from participation in a particular procurement interferes substantially with the individual's ability to perform assigned duties.

Parent topic: [3.104 Procurement integrity](#).