32.009-1 General.

(a)

- (1) Pursuant to <u>31 U.S.C. 3903(a)</u>, agencies other than the Department of Defense (DoD) *shall* provide accelerated payments, to the fullest extent permitted by law, with a goal of 15 days after receipt of a *proper invoice* and all other required documentation, if a specific payment date is not established by contract, to—
- (i) Small business contractors; and
- (ii) Prime contractors that subcontract with a small business concern, if the prime contractor agrees to make payments to the *small business subcontractor* within 15 days of receiving the accelerated payment from the Government, after receipt of a *proper invoice* and all other required documentation from the *small business subcontractor*, to the maximum extent practicable, without any further consideration from or fees charged to the subcontractor.
- (2) Pursuant to 10 U.S.C. 3801(b), DoD *shall* provide accelerated payments, to the fullest extent permitted by law, with a goal of 15 days after receipt of a *proper invoice* and all other required documentation, to—
- (i) Small business contractors; and
- (ii) Prime contractors that subcontract with a small business concern, if the prime contractor agrees to make payments to the *small business subcontractor* within 15 days of receiving the accelerated payment from the Government, after receipt of a *proper invoice* and all other required documentation from the *small business subcontractor*, to the maximum extent practicable, without any further consideration from or fees charged to the subcontractor.
- (b) This acceleration does not provide any new rights under the Prompt Payment Act and does not affect the application of the Prompt Payment Act late payment interest provisions.
- (c) Agencies *may* use the Governmentwide commercial purchase card as a method of payment (see <u>32.1108</u>) to facilitate accelerated payment, to earn refunds, and to reduce *invoice* processing costs.

Parent topic: 32.009 Providing accelerated payments to small business contractors and to prime contractors that subcontract with a small business concern.