## **Subchapter E - GENERAL CONTRACTING REQUIREMENTS**

- Defense Federal Acquisition Regulation
- Defense Federal Acquisition Regulation
  - Part 227 PATENTS, DATA, AND COPYRIGHTS
    - Subpart 227.3 PATENT RIGHTS UNDER GOVERNMENT CONTRACTS
      - 227.303 Contract clauses.
      - 227.304 Procedures.
        - 227.304-1 General.
    - Subpart 227.4 RIGHTS IN DATA AND COPYRIGHTS
      - 227.400 Scope of subpart.
    - Subpart 227.6 FOREIGN LICENSE AND TECHNICAL ASSISTANCE AGREEMENTS
      - 227.670 Scope.
      - <u>227.671 General.</u>
      - 227.672 Policy.
      - 227.673 Foreign license and technical assistance agreements between the Government and domestic concerns.
      - 227.674 Supply contracts between the Government and a foreign government or concern.
      - 227.675 Foreign license and technical assistance agreements between a domestic concern and a foreign government or concern.
        - 227.675-1 International Traffic in Arms Regulations.
        - 227.675-2 Review of agreements.
      - 227.676 Foreign patent interchange agreements.
    - Subpart 227.70 INFRINGEMENT CLAIMS, LICENSES, AND ASSIGNMENTS
      - 227.7000 Scope.
      - 227.7001 Policy.
      - 227.7002 Statutes pertaining to administrative claims of infringement.
      - 227.7003 Claims for copyright infringement.
      - 227.7004 Requirements for filing an administrative claim for patent infringement.
      - 227.7005 Indirect notice of patent infringement claims.
      - 227.7006 Investigation and administrative disposition of claims.
      - 227.7007 Notification and disclosure to claimants.
      - 227.7008 Settlement of indemnified claims.
      - 227.7009 Patent releases, license agreements, and assignments.
        - 227.7009-1 Required clauses.
        - 227.7009-2 Clauses to be used when applicable.
        - 227.7009-3 Additional clauses—contracts except running royalty contracts.
        - 227.7009-4 Additional clauses—contracts providing for payment of a running royalty.
      - <u>227.7010 Assignments.</u>
      - 227.7011 Procurement of rights in inventions, patents, and copyrights.
      - 227.7012 Contract format.

- 227.7013 Recordation.
- Subpart 227.71 TECHNICAL DATA AND ASSOCIATED RIGHTS
  - <u>227.7100 Scope of subpart.</u>
  - 227.7101 Definitions.
  - 227.7102 Commercial products, commercial, components, commercial services, or commercial processes.
    - o 227.7102-1 Policy.
    - o 227.7102-2 Rights in technical data.
    - 227.7102-3 Government right to review, verify, challenge, and validate asserted restrictions.
    - 227.7102-4 Contract clauses.
  - 227.7103 Other than commercial products, commercial services, or commercial processes.
    - 227.7103-1 Policy.
    - o 227.7103-2 Acquisition of technical data.
    - 227.7103-3 Early identification of technical data to be furnished to the Government with restrictions on use, reproduction, or disclosure.
    - <u>227.7103-4 License rights.</u>
    - 227.7103-5 Government rights.
    - o 227.7103-6 Contract clauses.
    - 227.7103-7 Use and non-disclosure agreement.
    - 227.7103-8 Deferred delivery and deferred ordering of technical data.
    - <u>227.7103-9 Copyright.</u>
    - 227.7103-10 Contractor identification and marking of technical data to be furnished with restrictive markings.
    - 227.7103-11 Contractor procedures and records.
    - 227.7103-12 Government right to establish conformity of markings.
    - 227.7103-13 Government right to review, verify, challenge, and validate asserted restrictions.
    - 227.7103-14 Conformity, acceptance, and warranty of technical data.
    - o 227.7103-15 Subcontractor rights in technical data.
    - 227.7103-16 Providing technical data to foreign governments, foreign contractors, or international organizations.
    - 227.7103-17 Overseas contracts with foreign sources.
  - 227.7104 Contracts under the Small Business Innovation Research (SBIR) Program.
  - 227.7105 Contracts for the acquisition of existing works.
    - 227.7105-1 General.
    - 227.7105-2 Acquisition of existing works without modification.
    - 227.7105-3 Acquisition of modified existing works.
  - 227.7106 Contracts for special works.
  - 227.7107 Contracts for architect-engineer services.
    - <u>227.7107-1</u> Architectural designs and data clauses for architectengineer or construction contracts.
    - 227.7107-2 Contracts for construction supplies and research and development work.
    - 227.7107-3 Approval of restricted designs.
  - 227.7108 Contractor data repositories.
- Subpart 227.72 COMPUTER SOFTWARE, COMPUTER SOFTWARE DOCUMENTATION, AND ASSOCIATED RIGHTS
  - 227.7200 Scope of subpart.

- 227.7201 Definitions.
- 227.7202 Commercial computer software and commercial computer software documentation.
  - 227.7202-1 Policy.
  - o 227.7202-2 Reserved.
  - 227.7202-3 Rights in commercial computer software or commercial computer software documentation.
  - o 227.7202-4 Contract clause.
- 227.7203 Other than commercial computer software and other than commercial computer software documentation.
  - 227.7203-1 Policy.
  - 227.7203-2 Acquisition of other than commercial computer software and computer software documentation and associated rights.
  - 227.7203-3 Early identification of computer software or computer software documentation to be furnished to the Government with restrictions on use, reproduction, or disclosure.
  - <u>227.7203-4 License rights.</u>
  - 227.7203-5 Government rights.
  - 227.7203-6 Contract clauses.
  - 227.7203-8 Deferred delivery and deferred ordering of computer software and computer software documentation.
  - 227.7203-9 Copyright.
  - 227.7203-10 Contractor identification and marking of computer software or computer software documentation to be furnished with restrictive markings.
  - 227.7203-11 Contractor procedures and records.
  - 227.7203-12 Government right to establish conformity of markings.
  - 227.7203-13 Government right to review, verify, challenge, and validate asserted restrictions.
  - 227.7203-14 Conformity, acceptance, and warranty of computer software and computer software documentation.
  - 227.7203-15 Subcontractor rights in computer software or computer software documentation.
  - 227.7203-16 Providing computer software or computer software documentation to foreign governments, foreign contractors, or international organizations.
  - 227.7203-17 Overseas contracts with foreign sources.
- 227.7204 Contracts under the Small Business Innovation Research Program.
- 227.7205 Contracts for special works.
- 227.7206 Contracts for architect-engineer services.
- 227.7207 Contractor data repositories.
- o Part 228 BONDS AND INSURANCE
  - Subpart 228.1 BONDS AND OTHERFINANCIAL PROTECTIONS
    - 228.102 Performance and payment bonds and alternative payment protections for construction contracts.
      - o 228.102-1 General.
      - 228.102-70 Defense Environmental Restoration Program construction contracts.
    - 228.105 Other types of bonds.
    - 228.106 Administration.
      - 228.106-7 Withholding contract payments.

- Subpart 228.3 INSURANCE
  - 228.304 Risk-pooling arrangements.
  - 228.305 Overseas workers' compensation and war-hazard insurance.
  - 228.307 Insurance under cost-reimbursement contracts.
    - 228.307-1 Group insurance plans.
  - 228.311 Solicitation provision and contract clause on liability insurance under cost-reimbursement contracts.
    - 228.311-1 Contract clause.
  - 228.370 Ground and flight risk.
    - 228.370-1 Definitions.
    - o 228.370-2 General.
    - o 228.370-3 Aircraft not owned by or to be delivered to the Government.
  - 228.371 Additional clauses.
- o Part 229 TAXES
  - Subpart 229.1 GENERAL
    - 229.101 Resolving tax problems.
    - 229.170 Reporting of foreign taxation on U.S. assistance programs.
      - 229.170-1 Definition.
      - o 229.170-2 Policy.
      - o 229.170-3 Reports.
      - o 229.170-4 Contract clause.
  - Subpart 229.2 FEDERAL EXCISE TAXES
    - 229.204 Federal excise tax on specific foreign contract payments.
  - Subpart 229.4 CONTRACT CLAUSES
    - 229.402 Foreign contracts.
      - 229.402-70 Additional provisions and clauses.
  - Subpart 229.70 SPECIAL PROCEDURES FOR OVERSEAS CONTRACTS
- Part 230 COST ACCOUNTING STANDARDS
  - Subpart 230.2 CAS PROGRAM REQUIREMENTS
    - 230.201Contract requirements.
      - 230.201-5 Waiver.
  - Subpart 230.70 Reserved
  - Subpart 230.71 Reserved
- Part 231 CONTRACT COST PRINCIPLES AND PROCEDURES
  - Subpart 231.1 APPLICABILITY
    - 231.100 Scope of subpart.
      - 231.100-70 Contract clause.
  - Subpart 231.2 CONTRACTS WITH COMMERCIAL ORGANIZATIONS
    - 231.205 Selected costs.
      - 231.205-1 Public relations and advertising costs.
      - 231.205-6 Compensation for personal services.
      - 231.205-18 Independent research and development and bid and proposal costs.
      - 231.205-19 Insurance and indemnification.
      - 231.205-22 Lobbying and political activity costs.
      - 231.205-70 External restructuring costs.
      - 231.205-71 Costs related to counterfeit electronic parts and suspect counterfeit electronic parts.
  - Subpart 231.3 CONTRACTS WITH EDUCATIONAL INSTITUTIONS
    - 231.303 Requirements.
  - Subpart 231.6 CONTRACTS WITH STATE, LOCAL, AND FEDERALLY

- 231.603 Requirements.
- Subpart 231.7 CONTRACTS WITH NONPROFIT ORGANIZATIONS
  - 231.703 Requirements.
- Part 232 CONTRACT FINANCING
  - **232.001** Definitions.
  - 232.006 Reduction or suspension of contract payments upon finding of fraud.
    - <u>232.006-5 Reporting.</u>
  - 232.007 Contract financing payments.
  - 232.009 Providing accelerated payments to small business contractors and to prime contractors that subcontractors with a small business concern.
    - 232.009-1 General.
  - 232.070 Responsibilities.
  - **232.071** Reserved.
  - 232.072 Financial responsibility of contractors.
    - 232.072-1 Required financial reviews.
    - 232.072-2 Appropriate information.
    - 232.072-3 Cash flow forecasts.
  - Subpart 232.1 FINANCING FOR OTHER THAN A COMMERCIAL PURCHASE
    - 232.102 Description of contract financing methods.
      - 232.102-70 Provisional delivery payments.
    - 232.104 Providing contract financing.
  - Subpart 232.2 COMMERCIAL PRODUCT AND COMMERCIAL SERVICE PURCHASE FINANCING
    - 232.202 RESERVED
      - 232.202-4 Security for Government financing.
    - 232.206 Solicitation provisions and contract clauses.
  - Subpart 232.3 LOAN GUARANTEES FOR DEFENSE PRODUCTION
    - 232.302 Authority.
  - Subpart 232.4 ADVANCE PAYMENTS FOR OTHER THAN COMMERCIAL ACQUISITIONS
    - 232.404 Exclusions.
    - 232.409 Contracting officer action.
      - 232.409-1 Recommendation for approval.
    - 232.410 Findings, determination, and authorization.
    - 232.412 Contract clause.
      - 232.412-70 Additional clauses.
    - 232.470 Advance payment pool.
  - Subpart 232.5 PROGRESS PAYMENTS BASED ON COSTS
    - <u>232.501 General.</u>
      - 232.501-1 Customary progress payment rates.
      - 232.501-2 Unusual progress payments.
      - 232.501-3 Contract price.
    - 232.502 Preaward matters.
      - 232.502-4 Contract clauses.
        - **232.502-4-70** Additional clauses.
    - 232.503 Postaward matters.
      - 232.503-6 Suspension or reduction of payments.
      - 232.503-15 Application of Government title terms.
  - Subpart 232.6 CONTRACT DEBTS
    - 232.602 Responsibilities.
    - 232.603 Debt determination.

- 232.604 Demand for payment.
- 232.610 Compromising debts.
- 232.611 Contract clause.
- 232.670 Transfer of responsibility for debt collection.
- 232.671 Bankruptcy reporting.
- Subpart 232.7 CONTRACT FUNDING
  - 232.702 Policy.
  - 232.703 Contract funding requirements.
    - 232.703-1 General.
    - 232.703-3 Contracts crossing fiscal years.
    - 232.703-70 Military construction appropriations act restriction.
  - 232.704 Limitation of cost or funds.
    - 232.704-70 Incrementally funded fixed-price contracts.
  - 232.706 Contract clauses.
    - 232.706-70 Clause for limitation of Governments obligation.
- Subpart 232.8 ASSIGNMENT OF CLAIMS
  - 232.803 Policies.
  - 232.805 Procedure.
  - 232.806 Contract clauses.
- Subpart 232.9 PROMPT PAYMENT
  - 232.901 Applicability.
  - 232.903 Responsibilities.
  - 232.904 Determining payment due dates.
  - 232.905 Payment documentation and process.
  - 232.906 Making payments.
  - 232.908 Contract clauses.
- Subpart 232.10 PERFORMANCE-BASED PAYMENTS
  - 232.1001 Policy.
  - 232.1003 Reserved.
    - o 232.1003-70 Criteria for use.
  - 232.1004 Procedures.
  - <u>232.1005</u> Reserved.
    - 232.1005-70 Solicitation provisions and contract clauses.
- Subpart 232.11 ELECTRONIC FUNDS TRANSFER
  - 232.1108 Payment by Governmentwide commercial purchase card.
    - 232.1108-70 Prohibition of Governmentwide commercial purchase card as a method of payment when the tax on certain foreign procurements applies.
  - 232.1110 Solicitation provision and contract clauses.
- Subpart 232.70 ELECTRONIC SUBMISSION AND PROCESSING OF PAYMENT REQUESTS AND RECEIVING REPORTS
  - 232.7000 Scope of subpart.
  - 232.7001 Definitions.
  - 232.7002 Policy.
  - 232.7003 Procedures.
  - 232.7004 Contract clauses.
- Subpart 232.71 LEVIES ON CONTRACT PAYMENTS
  - 232.7100 Scope of subpart.
  - 232.7101 Policy and procedures.
  - 232.7102 Contract clause.
- Subpart 232.72 Reserved

## • Part 233 - PROTESTS, DISPUTES, AND APPEALS

- Subpart 233.1 PROTESTS
  - 233.102 General.
  - <u>233.104 Protests to GAO.</u>
  - 233.170 Briefing requirement for protested acquisitions valued at \$1 billion or more.
  - 233.171 Reporting requirement for protests of solicitations or awards.
- Subpart 233.2 DISPUTES AND APPEALS
  - 233.204 RESERVED
    - 233.204-70 Limitations on payment.
  - 233.210 Contracting officer's authority.
  - 233.215 Contract clauses.
    - 233.215-70 Additional contract clause.