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.
      - 227.671 General.
      - 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.
      - 227.7010 Assignments.
      - 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
  - 227.7100 Scope of subpart.
  - 227.7101 Definitions.
  - 227.7102 Commercial products, commercial, components, commercial services, or commercial processes.
    - 227.7102-1 Policy.
    - 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.
    - 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.
    - 227.7103-4 License rights.
    - 227.7103-5 Government rights.
    - 227.7103-6 Contract clauses.
    - 227.7103-7 Use and nondisclosure agreement.
    - 227.7103-8 Deferred delivery and deferred ordering of technical data.
    - 227.7103-9 Copyright.
    - 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.
    - 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 Program and Small Business Technology Transfer Program.
    - 227.7104-1 Policy.
    - 227.7104-2 Rights in SBIR or STTR data.
    - 227.7104-3 STTR program requirements.
    - 227.7104-4 Solicitation provisions and contract clauses.
  - 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.
    - 227.7107-1 Architectural designs and data clauses for architect-engineer 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.
    - 227.7202-2 Reserved.
    - 227.7202-3 Rights in commercial computer software or commercial computer software documentation.
    - 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.
    - 227.7203-4 License rights.
    - 227.7203-5 Government rights.
    - 227.7203-6 Solicitation provisions and 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.
- 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.
      - 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.
    - 228.370-2 General.
    - 228.370-3 Aircraft not owned by or to be delivered to the Government.
  - 228.371 Additional clauses.

- 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.
      - 229.170-2 Policy.
      - 229.170-3 Reports.
      - 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
    - 230.201 Contract 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.
  - 232.006-5 Reporting.
- 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
  - 232.501 General.
    - 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.
        - 232.1003-70 Criteria for use.
    - 232.1004 Procedures.
    - 232.1005 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.
- 233.104 Protests to GAO.
- 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.