PART 1539—ACQUISITION OF INFORMATION TECHNOLOGY

Authority: 5 U.S.C. 301 and 41 U.S.C. 418b.

Source: 85 FR 46558, Aug. 3, 2020, unless otherwise noted.

Subpart 1539.1—Commercial Supplier Agreements

Subpart 1539.2—Open Source Software

§ 1539.2071 Contract clause.

Parent topic: SUBCHAPTER F—SPECIAL CATEGORIES OF CONTRACTING

Subpart 1539.1—Commercial Supplier Agreements

Subpart 1539.2—Open Source Software

§ 1539.2071 Contract clause.

(a) Contracting Officers shall use clause 1552.239-71, *Open Source Software,* for all procurements where open-source software development/custom development of software will be required; including, but not limited to, multi-agency contracts, Federal Supply Schedule orders, Governmentwide Acquisition Contracts, interagency agreements, cooperative agreements and student services contracts.

(b) In addition to clause 1552.239-71, Contracting Officers must also select the appropriate version * of Federal Acquisition Regulation (FAR) clause 52.227-14, *Rights in Data—General,* to include in the subject procurement in accordance with FAR 27.409. (* *Important note: Alternate IV of clause 52.227-14 is NOT suitable for open-source software procurement use because it gives the contractor blanket permission to assert copyright.*)