1852.216-90 Allowability of legal costs incurred in connection with a whistleblower proceeding.

As prescribed in 1816.307-70(g), use the following clause:

Allowability of Legal Costs Incurred In Connection with a Whistleblower Proceeding (JUL 2023)

Pursuant to section 827 of the National Defense Authorization Act for Fiscal year 2013 (Pub. L. 112-239), notwithstanding FAR clause 52.216-7, Allowable Cost and Payment—

(1) The restrictions of FAR 31.205-47(b) on allowability of costs related to legal and other proceedings also apply to any proceeding brought by a contractor employee submitting a complaint under 10 U.S.C. 4701, entitled “Contractor employees: protection from reprisal for disclosure of certain information;” and

(2) Costs incurred in connection with a proceeding that is brought by a contractor employee submitting a complaint under 10 U.S.C. 4701 are also unallowable if the result is an order to take corrective action under 10 U.S.C. 4701.

(End of clause)

Parent topic: Subpart 1852.2—Texts of Provisions and Clauses