

**252.203-7005**

award, except when the subcontract is for the acquisition of a commercial item.

(End of clause)

[80 FR 5001, Jan. 29, 2015, as amended at 80 FR 36905, June 26, 2015; 81 FR 73006, Oct. 21, 2016; 84 FR 25187, May 31, 2019; 84 FR 39203, Aug. 9, 2019]

**252.203-7005 Representation Relating to Compensation of Former DoD Officials.**

As prescribed in 203.171-4(b), insert the following provision:

**REPRESENTATION RELATING TO COMPENSATION OF FORMER DoD OFFICIALS (NOV 2011)**

(a) *Definition. Covered DoD official* is defined in the clause at 252.203-7000, Requirements Relating to Compensation of Former DoD Officials.

(b) By submission of this offer, the offeror represents, to the best of its knowledge and belief, that all covered DoD officials employed by or otherwise receiving compensation from the offeror, and who are expected to undertake activities on behalf of the offeror for any resulting contract, are presently in compliance with all post-employment restrictions covered by 18 U.S.C. 207, 41 U.S.C. 2101-2107, and 5 CFR parts 2637 and 2641, including Federal Acquisition Regulation 3.104-2.

[76 FR 71830, Nov. 18, 2011]

**252.204-7000 Disclosure of information.**

As prescribed in 204.404-70(a), use the following clause:

**DISCLOSURE OF INFORMATION (OCT 2016)**

(a) The Contractor shall not release to anyone outside the Contractor's organization any unclassified information, regardless of medium (e.g., film, tape, document), pertaining to any part of this contract or any program related to this contract, unless—

(1) The Contracting Officer has given prior written approval;

(2) The information is otherwise in the public domain before the date of release; or

(3) The information results from or arises during the performance of a project that involves no covered defense information (as defined in the clause at DFARS 252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting) and has been scoped and negotiated by the contracting activity with the contractor and research performer and determined in writing by the contracting officer to be fundamental research (which by definition cannot involve any covered defense information), in accordance

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with National Security Decision Directive 189, National Policy on the Transfer of Scientific, Technical and Engineering Information, in effect on the date of contract award and the Under Secretary of Defense (Acquisition, Technology, and Logistics) memoranda on Fundamental Research, dated May 24, 2010, and on Contracted Fundamental Research, dated June 26, 2008 (available at DFARS PGI 204.4).

(b) Requests for approval under paragraph (a)(1) shall identify the specific information to be released, the medium to be used, and the purpose for the release. The Contractor shall submit its request to the Contracting Officer at least 10 business days before the proposed date for release.

(c) The Contractor agrees to include a similar requirement, including this paragraph (c), in each subcontract under this contract. Subcontractors shall submit requests for authorization to release through the prime contractor to the Contracting Officer.

(End of clause)

[78 FR 48333, Aug. 8, 2013, as amended at 81 FR 72999, Oct. 21, 2016]

**252.204-7001 [Reserved]**

**252.204-7002 Payment for Contract Line or Subline Items Not Separately Priced.**

As prescribed in 204.7109(a), use the following clause:

**PAYMENT FOR CONTRACT LINE OR SUBLINE ITEMS NOT SEPARATELY PRICED (APR 2020)**

(a) If the schedule in this contract contains any contract line or subline items identified as not separately priced (NSP), it means that the unit price for the NSP line or subline item is included in the unit price of another, related line or subline item.

(b) The Contractor shall not invoice the Government for an item that includes in its price an NSP item until—

(1) The Contractor has also delivered the NSP item included in the price of the item being invoiced; and

(2) The Government has accepted the NSP item.

(c) This clause does not apply to technical data.

(End of clause)

[85 FR 19692, Apr. 8, 2020]

**252.204-7003 Control of government personnel work product.**

As prescribed in 204.404-70(b), use the following clause: