

## Department of Energy

949.111

(b) A request to the Director of the Personal Property Policy Division, within the Headquarters procurement organization for the waiver of screening requirements must be submitted by the Procurement Directors with a justification setting forth the compelling circumstances warranting the exception.

### **945.671 Contractor inventory in foreign countries.**

Contractor inventory located in foreign countries will be utilized and disposed of in accordance with 41 CFR 109-43.5 and 45.41, or its successor and 48 CFR 45.302.

## **PART 947—TRANSPORTATION**

### **Subpart 947.70—Foreign Travel**

Sec.

947.7000 [Reserved]

947.7001 Policy.

947.7002 Contract clause.

AUTHORITY: 42 U.S.C. 7101 *et seq.* and 50 U.S.C. 2401 *et seq.*

SOURCE: 49 FR 12038, Mar. 28, 1984, unless otherwise noted.

### **Subpart 947.70—Foreign Travel**

SOURCE: 65 FR 81007, Dec. 22, 2000, unless otherwise noted.

#### **947.7000 [Reserved]**

#### **947.7001 Policy.**

Contractor foreign travel shall be conducted pursuant to the requirements contained in DOE Order 551.1C, or its successor, Official Foreign Travel, or any subsequent version of the order in effect at the time of award.

[65 FR 81007, Dec. 22, 2000, as amended at 74 FR 36368, July 22, 2009]

#### **947.7002 Contract clause.**

When foreign travel may be required under the contract, the contracting officer shall insert the clause at 952.247-70, Foreign Travel.

[65 FR 81007, Dec. 22, 2000, as amended at 74 FR 36368, July 22, 2009]

## **PART 949—TERMINATION OF CONTRACTS**

### **Subpart 949.1—General Principles**

Sec.

949.101 Authorities and responsibilities.

949.106 Fraud or other criminal conduct.

949.111 Review of proposed settlements.

### **Subpart 949.5 [Reserved]**

AUTHORITY: 42 U.S.C. 7101 *et seq.* and 50 U.S.C. 2401 *et seq.*

SOURCE: 49 FR 12038, Mar. 28, 1984, unless otherwise noted.

### **Subpart 949.1—General Principles**

#### **949.101 Authorities and responsibilities.**

The Senior Procurement Executive shall be notified prior to taking any action to terminate (a) contracts for the operation of Government-owned facilities, (b) any prime contract or subcontract in excess of \$10 million, and (c) any contract the termination of which is likely to provoke unusual interest.

[49 FR 12038, Mar. 28, 1984, as amended at 75 FR 29458, May 26, 2010]

#### **949.106 Fraud or other criminal conduct.**

Any evidence of fraud or other criminal conduct in connection with the settlement of a contract termination shall be reported in accordance with 909.406.

#### **949.111 Review of proposed settlements.**

(a) The Heads of Contracting Activities shall establish settlement review boards for the review of each termination settlement or determination of amount due under the termination clause of a contract or approval or ratification of a subcontract settlement when the action involves \$50,000 or more.

(b) Settlement review boards may be established for actions below \$50,000 when considered desirable by the Head of the Contracting Activity or when specifically requested by the contracting officer.

(c) Proposed settlement agreements or determinations in excess of contractual authority of the Heads of Contracting Activities will be transmitted to the Senior Procurement Executive for review and approval.

(d) Contracting officers shall not conclude proposed settlement or determinations until the approvals required by this subsection have been obtained.

[49 FR 12038, Mar. 28, 1984, as amended at 59 FR 9108, Feb. 25, 1994; 74 FR 36378, July 22, 2009]

### Subpart 949.5 [Reserved]

## PART 950—EXTRAORDINARY CONTRACTUAL ACTIONS AND THE SAFETY ACT

### Subpart 950.70—Nuclear Indemnification of DOE Contractors

Sec.

- 950.7000 Scope of subpart.
- 950.7001 General policy.
- 950.7002 Definitions.
- 950.7003 Nuclear hazards indemnity.
- 950.7004-950.7005 [Reserved]
- 950.7006 Statutory nuclear hazards indemnity agreement.
- 950.7007-950.7008 [Reserved]
- 950.7009 Fees.
- 950.7010 Financial protection requirements.

### Subpart 950.71—General Contract Authority Indemnity

950.7101 Applicability.

AUTHORITY: 42 U.S.C. 2201; 2282a; 2282b; 2282c; 42 U.S.C. 7101 *et seq.*; 50 U.S.C. 2401 *et seq.*

SOURCE: 49 FR 12039, Mar. 28, 1984, unless otherwise noted.

### Subpart 950.70—Nuclear Indemnification of DOE Contractors

#### 950.7000 Scope of subpart.

This subpart describes the established policies concerning indemnification of Department of Energy (DOE) contractors against public liability for a nuclear incident arising out of or in connection with the contract activity.

[49 FR 12039, Mar. 28, 1984, as amended at 56 FR 57827, Nov. 14, 1991; 74 FR 36368, July 22, 2009]

#### 950.7001 Applicability

The policies and procedures of this subpart shall govern DOE's entering into agreements of indemnification with recipients of a contract whose work under the contract involves the risk of public liability for a nuclear incident or precautionary evacuation.

[49 FR 12039, Mar. 28, 1984, as amended at 56 FR 57827, Nov. 14, 1991]

#### 950.7002 Definitions.

*DOE contractor* means any DOE prime contractor, including any agency of the Federal Government with which DOE has entered into an interagency agreement.

*Nuclear incident* means any occurrence, including an extraordinary nuclear occurrence, within the United States causing, within or outside the United States, bodily injury, sickness, disease, or death, or loss of or damage to property, or loss of use of property, arising out of or resulting from the radioactive, toxic, explosive, or other hazardous properties of source, special nuclear, or byproduct material. The term includes any such occurrence outside the United States if such occurrence involves source, special nuclear, or byproduct material owned by, and used by or under contract with, the United States.

*Person indemnified* means—

(1) With respect to a nuclear incident occurring within the United States or outside the United States as the term is defined above and with respect to any nuclear incident in connection with the design, development, construction, operation, repair, maintenance, or use of the nuclear ship Savannah, the person with whom an indemnity agreement is executed or who is required to maintain financial protection, and any other person who may be liable for public liability; or

(2) With respect to any other nuclear incident occurring outside the United States, the person with whom an indemnity agreement is executed and any other person who may be liable for public liability by reason of his activities under any contract with the Secretary of Energy or any project to