

**232.906 Making payments.**

(a)(i) Generally, the contracting officer shall insert the standard due date of 14 days for interim payments on cost-reimbursement contracts for services in the clause at FAR 52.232-25, Prompt Payment, when using the clause with its Alternate I.

(ii) The restrictions of FAR 32.906 prohibiting early payment do not apply to invoice payments made to small disadvantaged business concerns. However, contractors shall not be entitled to interest penalties if the Government fails to make early payment.

[70 FR 75413, Dec. 20, 2005]

**Subpart 232.10—Performance-Based Payments**

SOURCE: 63 FR 11537, Mar. 9, 1998, unless otherwise noted.

**232.1001 Policy.**

(d) The contracting officer shall use the following standard prompt payment terms for performance-based payments: The contractor entitlement date, if any, specified in the contract, or 14 days after receipt by the designated billing office of a proper request for payment, whichever is later.

**232.1004 Procedure.**

(c) *Instructions for multiple appropriations.* If the contract contains foreign military sales requirements, the contracting officer shall provide instructions for distribution of the contract financing payments to each country's account.

**Subpart 232.11—Electronic Funds Transfer**

SOURCE: 65 FR 46626, July 31, 2000, unless otherwise noted.

**232.1110 Solicitation provision and contract clauses.**

Use the clause at 252.232-7009, Mandatory Payment by Governmentwide Commercial Purchase Card, in solicitations, contracts, and agreements when—

(1) Placement of orders or calls valued at or below the micropurchase threshold is anticipated; and

(2) Payment by Governmentwide commercial purchase card is required for orders or calls valued at or below the micropurchase threshold under the contract or agreement.

**Subpart 232.70—Electronic Submission and Processing of Payment Requests**

SOURCE: 68 FR 8455, Feb. 21, 2003, unless otherwise noted.

**232.7000 Scope of subpart.**

This subpart prescribes policies and procedures for submitting and processing payment requests in electronic form to comply with 10 U.S.C. 2227.

**232.7001 Definitions.**

*Electronic form* and *payment request*, as used in this subpart, are defined in the clause at 252.232-7003, Electronic Submission of Payment Requests.

**232.7002 Policy.**

(a) Contractors shall submit payment requests in electronic form, except for—

(1) Purchases paid for with a Governmentwide commercial purchase card;

(2) Awards made to foreign vendors for work performed outside the United States;

(3) Classified contracts or purchases (see FAR 4.401) when electronic submission and processing of payment requests could compromise the safeguarding of classified information or national security;

(4) Contracts awarded by deployed contracting officers in the course of military operations, including, but not limited to, contingency operations as defined in 10 U.S.C. 101(a)(13) or humanitarian or peacekeeping operations as defined in 10 U.S.C. 2302(7), or contracts awarded by contracting officers in the conduct of emergency operations, such as responses to natural disasters or national or civil emergencies;

(5) Purchases to support unusual or compelling needs of the type described in FAR 6.302-2; and

(6) Cases where—

## 232.7003

(i) The contractor is unable to submit, or DOD is unable to receive, a payment request in electronic form; and

(ii) The contracting officer, the payment office, the contract administration office, and the contractor mutually agree to an alternative method.

(b) DoD officials receiving payment requests in electronic form shall process the payment requests in electronic form. Any supporting documentation necessary for payment, such as receiving reports, contracts, contract modifications, and required certifications, also shall be processed in electronic form. Scanned documents are acceptable forms for processing supporting documentation.

[68 FR 8455, Feb. 21, 2003, as amended at 68 FR 69630, Dec. 15, 2003]

### 232.7003 Procedures.

(a) The accepted electronic forms for transmission are—

(1) Wide Area WorkFlow-Receipt and Acceptance (see Web site—<https://wawf.eb.mil>);

(2) Web Invoicing System (see Web site—<https://ecweb.dfas.mil>); and

(3) American National Standards Institute (ANSI) X.12 electronic data interchange (EDI) formats (see Web site—<http://www.X12.org> for information on EDI formats; see Web site—<http://www.dod.mil/dfas/> for EDI implementation guides).

(b) If the payment office and the contract administration office concur, the contracting officer may authorize a contractor to submit a payment request using an electronic form other than those listed in paragraph (a) of this section.

[62 FR 1059, Jan. 8, 1997, as amended at 69 FR 1926, Jan. 13, 2004; 71 FR 27644, May 12, 2006]

### 232.7004 Contract clause.

Except as provided in 232.7002(a), use the clause at 252.232-7003, Electronic Submission of Payment Requests, in solicitations and contracts.

## Subpart 232.71—Levies on Contract Payments

SOURCE: 70 FR 52032, Sept. 1, 2005, unless otherwise noted.

## 48 CFR Ch. 2 (10-1-06 Edition)

### 232.7100 Scope of subpart.

This subpart prescribes policies and procedures concerning the effect of levies pursuant to 26 U.S.C. 6331(h) on contract payments. The Internal Revenue Service (IRS) is authorized to levy up to 100 percent of all payments made under a DoD contract, up to the amount of the tax debt.

### 232.7101 Policy and procedures.

(a) The contracting officer shall require the contractor to—

(1) Promptly notify the contracting officer when a levy that will jeopardize contract performance is imposed on a DoD contract; and

(2) Advise the contracting officer whether the inability to perform may adversely affect national security.

(b) The contracting officer shall promptly notify the Director, Defense Procurement and Acquisition Policy (DPAP), when the contractor's inability to perform will adversely affect national security or will result in significant additional costs to the Government. Follow the procedures at PGI 232.7101(b) for reviewing the contractor's rationale and submitting the required notification.

(c) The Director, DPAP, will promptly review the contractor's rationale and will notify the IRS, the contracting officer, and/or the payment office in accordance with the procedures at PGI 232.7101(c). The contracting officer shall then notify the contractor in accordance with paragraph (c) of the clause at 252.232-7010.

### 232.7102 Contract clause.

Use the clause at 252.232-7010, Levies on Contract Payments, in all solicitations and contracts.

## PART 233—PROTESTS, DISPUTES, AND APPEALS

### Subpart 233.2—Disputes and Appeals

Sec.

233.204 Policy.

233.204-70 Limitations on payment.

233.210 Contracting officer's authority.

233.215 Contract clause.

233.215-70 Additional contract clause.

AUTHORITY: 41 U.S.C. 421 and 48 CFR chapter 1.