

# **PART 1539—ACQUISITION OF INFORMATION TECHNOLOGY**

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

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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.*)