

(3) DHS Form 0700-01, Cumulative Claim and Reconciliation Statement (e.g., see (FAR) 48 CFR 4.804-5(a)(13); and

(4) DD Form 882, Report of Inventions and Subcontracts (e.g., see (FAR) 48 CFR 52.227-14).

(b) The forms listed in this section (see (HSAR) 48 CFR part 3053) are used primarily for the closeout of cost-reimbursement, time-and-materials, and labor-hour contracts. The forms may also be used for closeout of other contract types to protect the Government's interest.

## **PART 3005—PUBLICIZING CONTRACT ACTIONS**

### **Subpart 3005.4—Release of Information**

Sec.  
3005.402 General public.

### **Subpart 3005.90—Publicizing Contract Actions for Personal Services Contracting**

3005.9000 Applicability (USCG).

### **Subpart 3005.4—Release of Information**

**3005.402 General public.**

Requests for other specific records information shall be processed according to the DHS Freedom of Information Act rules and regulations (HSAR) 48 CFR 3024.203.

### **Subpart 3005.90—Publicizing Contract Actions for Personal Services Contracting.**

**3005.9000 Applicability (USCG).**

Contracts awarded by the U.S. Coast Guard using the procedures in (HSAR) 48 CFR 3037.104-91 are expressly authorized under section 1091 of Title 10 U.S.C. as amended by Public Law 107-296, for the Coast Guard and are exempt from the requirements of (FAR) 48 CFR part 5.

## **PART 3006—COMPETITION REQUIREMENTS**

### **Subpart 3006.2—Full and Open Competition After Exclusion of Sources**

Sec.  
3006.202 Establishing or maintaining alternative sources.

### **Subpart 3006.3—Other Than Full and Open Competition**

3006.302 Circumstances permitting other than full and open competition.  
3006.302-7 Public interest.

### **Subpart 3006.5—Competition Advocates**

3006.501 Requirement.  
3006.502 Duties and responsibilities.

### **Subpart 3006.90—Competition Requirements for Personal Services Contracting**

3006.9000 Applicability (USCG).

### **Subpart 3006.2—Full and Open Competition After Exclusion of Sources**

**3006.202 Establishing or maintaining alternative sources.**

(b)(1) The HCA is delegated authority to approve a D&F in support of a contract action award under the authority of (FAR) 48 CFR 6.202(a). Submit D&F in the format per (HSAR) 48 CFR 3001.704.

### **Subpart 3006.3—Other Than Full and Open Competition**

**3006.302 Circumstances permitting other than full and open competition.**

**3006.302-7 Public interest.**

(c)(1)(ii) Requests shall be prepared in writing by the contracting officer, using the format found in (HSAR) 48 CFR 3001.704, and submitted through the HCA to the CPO for review and transmittal to the Secretary for approval.

### **Subpart 3006.5—Competition Advocates**

**3006.501 Requirement.**

The DHS Senior Competition Advocate (SCA) is located in the Office of the Chief Procurement Officer (OCPO).

**3006.502 Duties and responsibilities.**

(a) OE competition advocates will submit an annual report to the Departmental Advocate for Competition.

### **Subpart 3006.90—Competition Requirements For Personal Services Contracting**

**3006.9000 Applicability (USCG).**

Contracts awarded by the U.S. Coast Guard using the procedures in (HSAR) 48 CFR 3037.104-91 are expressly authorized under Section 1091 of Title 10 U.S.C. as amended, for the Coast Guard and are exempt from the competition requirements of (FAR) 48 CFR part 6.

## **PART 3007—ACQUISITION PLANNING [RESERVED]**

## **PART 3008—REQUIRED SOURCES OF SUPPLIES AND SERVICES [RESERVED]**

## **PART 3009—CONTRACTOR QUALIFICATIONS**

### **Subpart 3009.1—Responsible Prospective Contractors**

Sec.  
3009.104-70 Prohibition on contracts with corporate expatriates.  
3009.104-71 General.  
3009.104-72 Definitions.  
3009.104-73 Special rules.  
3009.104-74 Waiver.  
3009.104-75 Clause.

### **Subpart 3009.4—Debarment, Suspension, and Ineligibility**

3009.470 Reserve Officer Training Corps and military recruiting on campus.  
3009.470-1 Definition.  
3009.470-2 Policy.  
3009.470-3 Procedures.  
3009.470-4 Contract clause.

### **Subpart 3009.5—Organizational and Consultant Conflicts of Interest**

3009.507 Solicitation provisions.

### **Subpart 3009.1—Responsible Prospective Contractors**

**3009.104-70 Prohibition on contracts with corporate expatriates.**

**3009.104-71 General.**

DHS may not enter into any contract with a foreign incorporated entity, which is treated as an inverted domestic corporation under subsection (b) of section 835 of the Homeland Security Act, Pub. L. 107-296.

**3009.104-72 Definitions.**

As used in this subpart—  
*Expanded Affiliated Group* means an affiliated group as defined in section 1504(a) of the Internal Revenue Code of 1986 (without regard to section 1504(b) of such Code), except that section 1504 of such Code shall be applied by substituting 'more than 50 percent' for 'at least 80 percent' each place it appears.

*Foreign Incorporated Entity* means any entity which is, or but for subsection (b) of section 835 of the Homeland Security Act, Pub. L. 107-296, would be, treated as a foreign corporation for purposes of the Internal Revenue Code of 1986.

*Inverted Domestic Corporation.* A foreign incorporated entity shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—