

## Agency for International Development

717.700

(c) *Limitations.* In addition to the limitations specified in FAR 16.301-3, prior approval of the M/OAA Director (see 701.601(a)(1)) is required in order to use a cost-sharing contract with an educational institution.

[54 FR 46390, Nov. 3, 1989, as amended at 64 FR 42042, Aug. 3, 1999; 72 FR 19670, Apr. 19, 2007]

### 716.306 [Reserved]

### 716.406 Contract clauses.

The Contracting Officer shall include the clause at 752.216-70, Award Fee, in solicitations and contracts when an award-fee contract is contemplated.

[64 FR 5007, Feb. 2, 1999]

### Subpart 716.5 [Reserved]

## PART 717—SPECIAL CONTRACTING METHODS

AUTHORITY: Sec. 621, Pub. L. 87-195, 75 Stat. 445, (22 U.S.C. 2381) as amended; E.O. 12163,

Sept. 29, 1979, 44 FR 56673; 3 CFR, 1979 Comp., p. 435.

## Subpart 717.70—Pharmaceutical Products

### 717.700 General.

Section 606(c) of the Foreign Assistance Act bars procurement by the Government of drug and pharmaceutical products manufactured outside the United States if their manufacture involves the use of or is covered by an unexpired U.S. patent which has not been held invalid by an unappealed or unappealable court decision unless the manufacture is expressly authorized by the patent owner. Applicable policies and procedures are set forth in USAID Automated Directive System Chapter 312.

[49 FR 13243, Apr. 3, 1984, as amended at 61 FR 39092, July 26, 1996]