

has been purified to at least .999 percentage of fineness.

[56 FR 36306, July 31, 1991, as amended at 65 FR 14398, Mar. 16, 2000; 65 FR 52951, Aug. 31, 2000; 65 FR 58607 Sept. 29, 2000; 71 FR 39005, July 11, 2006]

**208.7302 Policy.**

DoD policy is for maximum participation in the Precious Metals Recovery Program. DoD components shall furnish recovered precious metals contained in the DSCP inventory to production contractors rather than use contractor-furnished precious metals whenever the contracting officer determines it to be in the Government's best interest.

[56 FR 36306, July 31, 1991, as amended at 65 FR 52951, Aug. 31, 2000; 71 FR 39005, July 11, 2006]

**208.7303 Procedures.**

Follow the procedures at PGI 208.7303 for use of the Precious Metals Recovery Program.

[71 FR 39005, July 11, 2006]

**208.7304 Refined precious metals.**

See PGI 208.7304 for a list of refined precious metals managed by DSCP.

[71 FR 39005, July 11, 2006]

**208.7305 Contract clause.**

(a) Use the clause at 252.208-7000, Intent to Furnish Precious Metals as Government-Furnished Material, in all solicitations and contracts except—

(1) When the contracting officer has determined that the required precious metals are not available from DSCP;

(2) When the contracting officer knows that the items being acquired do not require precious metals in their manufacture; or

(3) For acquisitions at or below the simplified acquisition threshold.

(b) To make the determination in paragraph (a)(1) of this section, the contracting officer shall consult with the end item inventory manager and comply with the procedures in Chapter 11, DoD 4160.21-M, Defense Materiel Disposition Manual.

[56 FR 36306, July 31, 1991, as amended at 64 FR 2596, Jan. 15, 1999; 65 FR 14398, Mar. 16, 2000; 65 FR 52952, Aug. 31, 2000]

**Subpart 208.74—Enterprise Software Agreements**

SOURCE: 67 FR 65511, Oct. 25, 2002, unless otherwise noted.

**208.7400 Scope of subpart.**

This subpart prescribes policy and procedures for acquisition of commercial software and software maintenance, including software and software maintenance that is acquired—

(a) As part of a system or system upgrade, where practicable;

(b) Under a service contract;

(c) Under a contract or agreement administered by another agency (*e.g.*, under an interagency agreement);

(d) Under a Federal Supply Schedule contract or blanket purchase agreement established in accordance with FAR 8.405; or

(e) By a contractor that is authorized to order From a Government supply source pursuant to FAR 51.101.

[67 FR 65511, Oct. 25, 2002, as amended at 71 FR 62559, Oct. 26, 2006; 78 FR 38235, June 26, 2013]

**208.7401 Definitions.**

As used in this subpart—

*Enterprise software agreement* means an agreement or a contract that is used to acquire designated commercial software or related services such as software maintenance.

*Enterprise Software Initiative* means an initiative led by the DoD Chief Information Officer to develop processes for DoD-wide software asset management.

*Software maintenance* means services normally provided by a software company as standard services at established catalog or market prices, *e.g.*, the right to receive and use upgraded versions of software, updates, and revisions.

[67 FR 65511, Oct. 25, 2002, as amended at 71 FR 39005, July 11, 2006]

**208.7402 General.**

(1) Departments and agencies shall fulfill requirements for commercial software and related services, such as software maintenance, in accordance with the DoD Enterprise Software Initiative (ESI) (see Web site at <http://>