

## Federal Acquisition Regulation

50.001

### SHOW CAUSE NOTICE

Since you have failed to \_\_\_\_\_ [insert "perform Contract No. \_\_\_\_\_ within the time required by its terms", or "cure the conditions endangering performance under Contract No. \_\_\_\_\_ as described to you in the Government's letter of \_\_\_\_\_ (date)"], the Government is considering terminating the contract under the provisions for default of this contract. Pending a final decision in this matter, it will be necessary to determine whether your failure to perform arose from causes beyond your control and without fault or negligence on your part. Accordingly, you are given the opportunity to present, in writing, any facts bearing on the question to \_\_\_\_\_ [insert the name and complete address of the contracting officer], within 10 days after receipt of this notice. Your failure to present any excuses within this time may be considered as an admission that none exist. Your attention is invited to the respective rights of the Contractor and the Government and the liabilities that may be invoked if a decision is made to terminate for default.

Any assistance given to you on this contract or any acceptance by the Government of delinquent goods or services will be solely for the purpose of mitigating damages, and it is not the intention of the Government to condone any delinquency or to waive any rights the Government has under the contract.

(End of notice)

[48 FR 42447, Sept. 19, 1983, as amended at 60 FR 48250, Sept. 18, 1995]

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AUTHORITY: 40 U.S.C. 486(c); 10 U.S.C. Chapter 137; and 42 U.S.C. 2473(c).

SOURCE: 48 FR 42471, Sept. 19, 1983, unless otherwise noted.

### 50.000 Scope of part.

This part prescribes policies and procedures for entering into, amending, or modifying contracts in order to facilitate the national defense under the extraordinary emergency authority granted by Public Law 85-804 (50 U.S.C. 1431-1434), referred to in this part as the "Act", and Executive Order 10789, dated November 14, 1958, referred to in this part as "the Executive order". It does not cover advance payments (see subpart 32.4).

[65 FR 46073, July 26, 2000]

### 50.001 Definitions.

As used in this part—

*Approving authority* means an agency official or contract adjustment board authorized to approve actions under the Act and Executive Order.

*Secretarial level* means a level at or above the level of a deputy assistant agency head, or a contract adjustment board.

[48 FR 42471, Sept. 19, 1983, as amended at 66 FR 2134, Jan. 10, 2001]