# PART 5349 - Termination of Contracts

**2019 Edition**

*Revised: 26 Jul 21*

Table of Contents

[SUBPART 5349.1 — GENERAL PRINCIPLES 1](#_Toc76484105)

[5349.101 Authorities and Responsibilities 1](#_Toc76484106)

[5349.102 Notification of Termination 2](#_Toc76484107)

[SUBPART 5349.4 — TERMINATION FOR DEFAULT 2](#_Toc76484108)

[5349.402-3 Procedure for Default 2](#_Toc76484109)

[5349.402-6 Repurchase Against Contractor’s Account 2](#_Toc76484110)

[SUBPART 5349.5 — CONTRACT TERMINATION CLAUSES 2](#_Toc76484111)

[SUBPART 5349.70 — SPECIAL TERMINATION REQUIREMENTS 2](#_Toc76484112)

[5349.7001 Congressional Notification on Significant Contract Terminations 2](#_Toc76484113)

[5349.7003 Notification of Anticipated Terminations or Reductions 2](#_Toc76484114)

## SUBPART 5349.1 — GENERAL PRINCIPLES

### 5349.101 Authorities and Responsibilities

(b) The SCO or command-appointed termination contracting officer (TCO) must approve a termination for default or cause prior to a contracting officer taking the action. When requesting approval, the contracting officer must provide all relevant documents to include a chronology of key events, cure/show cause notices and responses thereto.

See [AF PGI 5349.101](pgi_5349.docx).

See [SMC PGI 5349.101](pgi_5349.docx).

See [USAFA PGI 5349.101](pgi_5349.docx).

### 5349.102 Notification of Termination

See the tailorable [Termination Authority](https://usaf.dps.mil/sites/AFCC/KnowledgeCenter/contracting_templates/termination_authority.pdf) template.

## SUBPART 5349.4 — TERMINATION FOR DEFAULT

### 5349.402-3 Procedure for Default

(f) Prior to making a final decision concerning termination for default, the contracting officer must forward the termination notice and the complete contract file to [AF/JACQ](mailto:AF.JACQ.ContractLaw.FieldSupportCntr.Mbx@us.af.mil) with a copy of the termination notice to [SAF/GCR](mailto:SAF.GCR.Workflow@us.af.mil) and follow the procedures in [AFFARS 5333.291(b)](5333.docx#p5333291).

### 5349.402-6 Repurchase Against Contractor’s Account

(c) The contracting officer must provide copies of assessments of excess reprocurement costs through the SCO to [AF/JACQ](mailto:AF.JACQ.ContractLaw.FieldSupportCntr.Mbx@us.af.mil).

## SUBPART 5349.5 — CONTRACT TERMINATION CLAUSES

**5349.501-70** **Special Termination Costs**

(a) See MP5301.601-90. Submit requests through the SCO to [SAF/AQC](mailto:SAF.AQ.SAF-AQC.Workflow@us.af.mil) for approval.

(c) The contracting officer must forward a request for SAF/FM approval through their SCO and [SAF/AQC](mailto:SAF.AQ.SAF-AQC.Workflow@us.af.mil)prior to authorizing any increase in the Government's maximum liability under the clause. [SAF/AQC](mailto:SAF.AQ.SAF-AQC.Workflow@us.af.mil) will forward the request to [SAF/FM](mailto:SAF.FM.Workflow@us.af.mil).

## SUBPART 5349.70 — SPECIAL TERMINATION REQUIREMENTS

### 5349.7001 Congressional Notification on Significant Contract Terminations

The contracting officer must submit the proposed Congressional notification through the SCO to [SAF/AQC](mailto:SAF.AQ.SAF-AQC.Workflow@us.af.mil) at least five workdays before the proposed termination date. The SAF/AQC action officer will forward the information to SAF/LLP. The contracting officer must not release the termination notice until Congress has been notified (see [MP5349](mp_5349.docx)).

### 5349.7003 Notification of Anticipated Terminations or Reductions

(b)(2)(i) The contracting officer must submit the draft notification through the SCO to [SAF/AQC](mailto:SAF.AQ.SAF-AQC.Workflow@us.af.mil) as soon as the proposed termination/reduction is known. SAF/AQC will forward the notification to SAF/AQ for signature (see [MP5349](mp_5349.docx)).