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Introduction

This guide provides an introduction to research in federal government contracts law. It will identify print and online sources of statutory law, administrative law, case law, and secondary materials.

The law of federal government contracts developed as a means for contractors to redress grievances based upon the award, performance, or non-performance of their contracts with the government. As a sovereign, the United States government can be sued only with its permission. The terms of this permission are set forth in the amalgamation of executive orders, statutes, policies, regulations, court, and administrative tribunal decisions that is collectively known as government contracts or public procurement law.

As a highly specialized area of law, government contracts can seem intimidating, overwhelming, and confusing. Contributing to the confusion is the “language” of government contracts that includes not only acronyms and abbreviations, but also special meanings given to ordinary words and phrases. “Public procurement,” “government procurement,” and “public contracts” are other terms used to refer to the field.

The basic techniques for researching federal statutes, regulations, and court decisions also apply to government contracts law. For additional information, please see the following research guides available from the Law Library’s website: Government Contracts Resources, Federal Regulatory Resources, Federal Statutory Law Resources, Presidential Documents, and Case Law Resources.

Locating Sources

To determine if a source listed in this guide is available in Bloomberg Law, Lexis Advance, or Westlaw, enter the name of the source in the search box at the top of the page and then select the source from the drop-down list.

To obtain Bloomberg Law, Lexis Advance, or Westlaw credentials, email eservices@law.gwu.edu and include your GWid number.

To locate other databases, including Cheetah (Wolters Kluwer) and HeinOnline, see the GW Law Database List.

Sources

I. Starting Points

A. Government Contract Guidebook

The Guidebook provides a good, basic discussion of the principles and processes of federal government procurement.

Online: Westlaw
B. Government Contracts Reporter

This resource provides analysis, statutes, executive orders, federal appellate court and administrative decisions, regulations and other official documents relating to government contracts. The print is no longer updated (1962-1998), and has been superseded by the Cheetah (Wolters Kluwer) database.

Print:   LL2, Historic, **K846.5.G68** (Commerce Clearing House 1993-1998)
Online: **Cheetah (Wolters Kluwer)**

C. Government Contracts Under the Federal Acquisition Regulation

This work comprehensively covers all topics relating to government contracts. Citations to cases, statutes, and regulations are provided. It also reprints statutes with annotations, forms, reference tables, and includes an index.

Online: **Westlaw**

D. Government Contracts: Cyclopedic Guide to Law, Administration, Procedure

This work comprehensively covers all topics relating to government contracts. Citations to cases, statutes, and regulations are provided. It also reprints statutes with annotations, forms, reference tables, and includes an index.

Print:   SL3, **KF849.M25** (McBride, et al., Matthew Bender 1962-)
Online: **Lexis Advance**


This is an excellent tool for understanding the language of procurement. This title provides definitions and references to other secondary sources.

Online: **Cheetah (Wolters Kluwer)**

F. Acronyms and Abbreviations in Government Contracting

This book explains abbreviations used in government contracts.

Online: **Cheetah (Wolters Kluwer)**

G. Glossary of Defense Acquisition Acronyms and Terms

This resource includes acronyms, abbreviations, and terms commonly used in the weapon systems acquisition process within the Department of Defense and defense industries.

Online: **DAU** (Defense Acquisition University 2017)

II. Statutes

A. Major Statutes

Listed below are some of the major statutes that affect government contracts law. Explanations and relevant public law numbers regarding these acts can be located in The Government Contracts Reference Book: A Comprehensive Guide to the Language of Procurement (Location: 1st Floor, Reserve, **KF847.5.N37 2013**).
- Armed Services Procurement Act of 1947 (ASPA)
- Clinger-Cohen Act of 1996
- Competition in Contracting Act (CICA)
- Contract Disputes Act of 1978 (CDA)
- Equal Access to Justice Act
- Federal Acquisition Streamlining Act of 1994 (FASA)
- Federal Property and Administrative Service Act of 1949
- Truth in Negotiations Act (TINA)
- Tucker Act

B. United States Code (U.S.C.)

The current version of laws governing federal government contracts are found in several titles of the United States Code, including Title 41. These laws can found in several sources.


Online: govinfo (PDF, 1994 ed.)
Bloomberg Law
Cheetah (Wolters Kluwer)
HeinOnline (PDF, 1925 ed.)
Lexis Advance
Westlaw

III. Legislative History

A legislative history is a collection of Congressional documents (bills, committee hearings, committee reports, and debates) produced during the period that a piece of legislation is considered by Congress. Analysis of the legislative history of a law may provide valuable insight into what Congress intended by a particular phrase or section of the act.

Legislative history documents are available from a variety of sources, depending upon the date of enactment of the law. For detailed information on locating legislative history documents, see the Federal Legislative History Resources guide.

Legislative history chronologies provide citations to the documents making up the legislative history of a law. Various legislative histories are available in print and can be located by searching JACOB using the name of the statute and the phrase “legislative history.” The following resources also provide compiled legislative histories of government contracts laws.

1. United States Government Accountability Office Federal Legislative Histories

This resource contains legislative histories compiled by the U.S. GAO. It provides access to PDFs of congressional materials, hearings, and presidential documents.

Online: Westlaw (PDF, selective 1921-1995)
2. ProQuest Congressional & ProQuest Legislative Insight

These two databases provide access to legislative history materials, including congressional reports, documents, prints, and hearings in PDF. They also include reports from the Congressional Research Service.

Online: ProQuest Congressional  
ProQuest Legislative Insight

IV. Federal Acquisition Regulation (FAR)

Federal agency regulations that implement federal laws are first generally published as proposed regulations and later, as final regulations in the Federal Register. The most up-to-date codified version of federal acquisition regulations appear in Title 48 of the Code of Federal Regulations (CFR).

The current system of regulations for government contracts is the Federal Acquisition Regulations System, which became effective on April 1, 1984. The primary document in the FAR System is the Federal Acquisition Regulation (FAR), which applies to all federal executive agencies. Each agency can promulgate its own set of regulations, called supplements, which govern the procurement activities specific to that agency, but these supplements cannot restate or contradict the FAR. For example, the Defense FAR Supplement (DFARS) is issued by the Department of Defense, the National Aeronautics and Space Administration FAR Supplement (NFS) is issued by the National Aeronautics and Space Administration, and the Air Force FAR Supplement (AFFARS) is issued by the Air Force Department.

Federal Acquisitions Circulars (FACs) revise, amend, and update the FAR. They are published in the Federal Register for a notice and comment period. FACs are numbered sequentially and correspond to the FAR edition they update. For example, FAC 90-3 would refer to the 1990 edition of the FAR and the third FAC released under that edition.

A. Sources for the Current FAR

1. Print

• Code of Federal Regulations, Title 48, Chapter 1, 1st Floor, Reserve
• Federal Acquisition Regulation as of ...: FAR, 1st Floor, Reserve, KF844.715.F43 (CCH)
2. Online

- Acquisition.gov (current PDF)
- govinfo (PDF, 1996-)
- Bloomberg Law
- Cheetah (Wolters Kluwer)
- HeinOnline (PDF, 1984-)
- Lexis Advance (1984-)
- Westlaw (1984-)

B. Sources for FAR Supplements

1. Code of Federal Regulations, Title 48

Print: 1st Floor, Reserve

Online: govinfo (PDF, 1996-)
Federal Acquisition Jumpstation
Hill Air Force Base FARSite
Bloomberg Law
Cheetah (Wolters Kluwer)
HeinOnline (PDF, 1984-)
Lexis Advance (1984-)
Westlaw (1984-)

2. Department of Defense FAR Supplement (DFARS)

Beginning with the 1998 edition, the DFARS is officially published in electronic format only on the Defense Procurement and Acquisition Policy website. Other Defense related FAR supplements can be found on the Hill Air Force Base FARSite.

Print: 1st Floor, Reserve

Online: Defense Procurement and Acquisition Policy
Hill Air Force Base FARSite
govinfo (PDF, 1996-)
Bloomberg Law
Cheetah (Wolters Kluwer)
Lexis Advance (1984-)
Westlaw (1984-)

C. Sources for Proposed or Final Regulations Amending the FAR

1. Federal Acquisition Circulars (FACs)

Online: Acquisition.gov
Cheetah (Wolters Kluwer)
2. Federal Register

Print: 1st Floor, Reserve (current year)

Online:.gov info (PDF, 1984-)
Bloomberg Law (1999-)
HeinOnline (PDF, 1984-)
Lexis Advance (1984-)
Westlaw (1984-)

D. Sources for Superseded FARs and pre-FAR Regulations

It may be necessary to research older, superseded procurement regulations. Prior to the FAR, federal government procurement was governed by various regulations. The following superseded regulations should be used when the matter in question occurred during a specific time period.

Although the Jacob Burns Law Library has some of these superseded regulations in print, the Code of Federal Regulations should generally be used to research historical procurement regulations. Pre-FAR defense regulations can be located in C.F.R. Title 32 and general federal agency regulations can be located in C.F.R. Title 41. It may also be necessary to search the Federal Register, since new regulations may have been added and superseded before the publication of the next C.F.R. For the most comprehensive coverage, search for these regulations in HeinOnline.

For additional guidance in locating defense related pre-FAR regulations, see the U.S. Defense Procurement Resources guide.

1. Superseded FARs

Online: Cheetah (Wolters Kluwer)

2. Other Superseded Procurement Regulations

a. Defense

Armed Services Procurement Regulations (ASPR)


b. Civilian

Federal Procurement Regulations (FPR)

Print: Historic, LL2, KF844.714 .A2 1964 (General Services Administration, 1964 ed.)

c. Other Relevant Regulations

For other superseded regulations, check the appropriate C.F.R. and Federal Register resources.
E. FAR Cross Reference Indexes

The following sources provide cross references from section numbers of superseded procurement regulations to the corresponding sections in the FAR and vice versa:

- **Cross Index: Defense Acquisition Regulation to Federal Acquisition Regulation (DAR-FAR)**

- **Cross Index: Federal Acquisition Regulation to Defense Acquisition Regulation (FAR-DAR)**

- **Cross Index: Federal Acquisition Regulation to Federal Procurement Regulations (FAR-FPR)**

- **Cross Index: Federal Procurement Regulations to Federal Acquisition Regulation (FPR-FAR)**

V. Federal Court & Agency Decisions

In federal government contracts law, decisions are rendered by federal courts, mainly the U.S. Court of Appeals for the Federal Circuit and the U.S. Court of Federal Claims (previously the U.S. Court of Claims). In addition to the usual reporters for federal cases, such as U.S. Reports, Federal Reporter, etc., specialized reporters are available.

For more information on locating federal court decisions see the [Case Law Resources](#) guide.

A. Specialized Federal Court Reporters

1. **Federal Claims Reporter (Fed. Cl.)**

   Contains decisions of the U.S. Court of Federal Claims, U.S. Court of Appeals for the Federal Circuit, and U.S. Supreme Court.

   Print: SL3, [KF125.C55](1992-)

   Online:  
     - Bloomberg Law
     - Lexis Advance
     - Westlaw

2. **United States Claims Court Reporter (Cl. Ct.)**

   Contains decisions of the U.S. Claims Court, U.S. Court of Appeals for the Federal Circuit, and the U.S. Supreme Court.


   Online:  
     - Lexis Advance
     - Westlaw
3. Court of Claims Reports (Ct. Cl.) and United States Court of Claims Reports (Ct. Cl.)

Covers cases decided in the U.S. Court of Claims.


Online: Bloomberg Law
        HeinOnline (PDF, 1863-1982)
        Lexis Advance
        Westlaw

4. Contract Cases Federal (CCF)

Decisions from U.S. courts of appeals, claims courts, and district courts.

Print: LL2, Historic, KF846.5.G676 (1942-1998)


5. Federal Court Procurement Decisions (FPD)

Contains decisions from U.S. courts of appeals and claims courts.


B. Administrative Tribunals

Prior to January 6, 2007, the Comptroller General (Comp. Gen.) and individual agency boards of contract appeals were the main administrative tribunals for hearing contract protests. On January 6, 2007, all civilian agency boards were merged to form the Civilian Board of Contract Appeals. This board and the Armed Services Board of Contract Appeals (ASBCA) hear post award disputes.

1. Decisions of the Comptroller General of the United States

Online: Government Accountability Office (selective PDF, 1894-)
        Cheetah (Wolters Kluwer) (1986-)
        HeinOnline (PDF, 1921-1994)
        Lexis Advance (1921-)
        Westlaw (1921-)

2. Comptroller General's Procurement Decisions (CPD)

Print: SL3, KF846.A2 U54 (1958-)

Online: Westlaw


Online:  
*Armed Services Board of Contract Appeals*  
*Civilian Board of Contract Appeals*  
*Cheetah (Wolters Kluwer)* (1956-)  
*Lexis Advance*  
*Westlaw*

VI. Citators

Government contracts cases, statutes, and regulations may be Shepardized on Lexis Advance or KeyCited on Westlaw. Citing references in both Shepard’s and KeyCite include cases and law journal articles. The Government Contracts Citator can be used to update court decisions, decisions of the Comptroller General, and Boards of Contract Appeals.

Print:  

Online:  
*Westlaw*

VII. Selected Treatises & Reference Works

The following titles provide in-depth analysis of different areas of government contracts law. Additional materials can be located by searching *JACOB*, the Library’s catalog.

- **Civil False Claims and Qui Tam Actions**  
  Online:  
  *Cheetah (Wolters Kluwer)* (Boese, 4th ed., CCH 2010- )  
  *Westlaw*

- **Administration of Government Contracts**  
  Print:  
  Online:  
  *Cheetah (Wolters Kluwer)*

- **Cost-Reimbursement Contracting**  
  Print:  
  Online:  
  *Cheetah (Wolters Kluwer)*

- **Formation of Government Contracts**  
  Print:  

- **Government Contract Law: The Deskbook for Procurement Professionals**  
  Print:  
- **Government Contract Costs and Pricing**  
  Online: [Westlaw](https://www.westlaw.com)

- **Government Contract Disputes**  
  Online: [Westlaw](https://www.westlaw.com)

- **Competitive Negotiation: The Source Selection Process**  
  Online: [Cheetah (Wolters Kluwer)](https://www.cheetahlaw.com)

- **Government Contract Changes**  
  Online: [Westlaw](https://www.westlaw.com)

- **Accounting for Government Contracts: Cost Accounting Standards**  
  Online: [Lexis Advance](https://www.lexis.com) (Oyer, Matthew Bender)

### VIII. Newsletters & Journals

Listed below are major newsletters and journals published in the area of federal government contracts law. Newsletters provide current information on cases, legislation, and regulations. Journals generally contain articles that provide in-depth analysis of procurement law issues.

#### A. Newsletters

1. **Westlaw Journal Government Contract**  
   Biweekly publication that reports on ongoing procurement litigation and reproduces associated documents.  
   
   **Print:** 1st Floor, Reserve & SL3, *KF851.A3 D44*  
   **Online:** [Westlaw](https://www.westlaw.com) (1996-)

2. **Bloomberg BNA Federal Contracts Report**  
   Weekly newsletter covering developments in government contracts law.  
   
   **Print:** 1st Floor, Reserve & SL3, *KF849.A1 B85*  
   **Online:** [Bloomberg BNA](https://www.bloombergbna.com) or [Bloomberg Law](https://www.bloomberglaw.com)
3. **The Government Contractor**

   A weekly newsletter focusing on the legal developments in federal procurement such as legislation, cases/decisions, and rules/regulations.

   Print: 1st Floor, Reserve & SL3, *KF844.73.G68*

   Online: *Westlaw* (1992-)

4. **The Nash & Cibinic Report**

   A monthly periodical that provides analysis of government contracts topics by Professor Ralph Nash and Vernon J. Edwards.

   Print: 1st Floor, Reserve & SL3, *KF849.N37*

   Online: *Westlaw* (1987-)

5. **The Procurement Lawyer**

   ABA quarterly newsletter on current developments in federal, state, and local government procurement.


   Online: *HeinOnline* (PDF, 1965-)

B. **Journals**

1. **Briefing Papers**

   Monthly journal of in-depth articles on government contracts law. Includes a topical index and “Year in Review” supplement that discusses significant changes in government contracts law from the preceding year.


   Online: *Westlaw* (1992-)
2. Federal Circuit Bar Journal

A quarterly review of the U.S. Court of Appeals for the Federal Circuit.

Print: 1st Floor, Reserve & LL2, K6.E34

Online: Westlaw (selected, 1991-)
HeinOnline (PDF, 1991-)
LexisNexis (2001-)


Published annually by the National Contract Management Association.

Print: 1st Floor, Reserve & SL3, KF842.C67


4. Journal of Public Procurement

Scholarly journal that covers topics such as procurement policy, contract management, procurement methods and techniques, and performance evaluation.


Online: Emerald (PDF, 2001-)
ABI/INFORM Complete Plus (PDF, 2001-2014)

5. Public Contract Law Journal

Scholarly journal published quarterly by the ABA, in cooperation with The George Washington University Law School.

Print: 1st Floor, Reserve & LL2, K16.U25

Online: HeinOnline (PDF, 1967-)
LexisNexis (1995-)
Westlaw (selected 1982-)

6. Public Procurement Law Review

Bimonthly publication that focuses on public procurement in Europe and serves as a forum for debate on procurement law and practice.

Print: 1st Floor, Reserve & LL2, K16.U2743 (1992-)

Online: Westlaw (selected 1992-)

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IX. Current Awareness Resources

1. Cheetah (Wolters Kluwer) - News & Blogs
   Online:  Cheetah (Wolters Kluwer)

2. Law360
   Online:  Law360

   Print:  1st Floor, Reserve & SL3, **KF849.A1 B85**
   Online:  Bloomberg BNA or **Bloomberg Law**

X. Selected Websites

- **Acquisition.gov**
  Maintained by the GSA, this site contains links to supplemental regulations and various acquisition systems, in addition to the current FAR, FAR archives, and looseleaf FACs.

- **Defense Procurement and Acquisition Policy**
  The official online source for the Defense FAR Supplement (DFARS).

- **Federal Acquisition Jumpstation**
  Site that links to various federal agencies' procurement websites.

- **FAPIIS**
  The Federal Awardee Performance and Integrity Information System contains information on contractor debarments and suspensions, in addition to civil, criminal, and administrative proceedings.

- **Federal Procurement Data System**
  Provides information on all contracts with estimated values over $3,500. Supplies information to USAspending.gov regarding procurement data.

- **Regulations.gov**
  Federal website that contains information and documents related to the creation of federal regulations. Also contains submitted comments on proposed rules.

- **USAspending.gov**
  Site that provides information regarding federal awards, including grants. Contains entity information, amount of the award, and location.

- **WIFCON.com**
  Provides links to federal contracting, state contracting, and grant/cooperative agreements websites.

Revised by Mary Kate Hunter, May 2018