

3.502-1 Definitions.

As used in this section—

Kickback means any money, fee, commission, credit, gift, gratuity, thing of value, or compensation of any kind which is provided to any *prime contractor*, *prime contractor employee*, *subcontractor*, or *subcontractor employee* for the purpose of improperly obtaining or rewarding favorable treatment in connection with a *prime contract* or in connection with a *subcontract* relating to a *prime contract*.

Person means a corporation, partnership, business association of any kind, trust, joint-stock company, or individual.

Prime contract means a contract or contractual action entered into by the *United States* for the purpose of obtaining *supplies*, materials, equipment, or services of any kind.

Prime Contractor means a *person* who has entered into a *prime contract* with the *United States*.

Prime Contractor employee, as used in this section, means any officer, partner, employee, or agent of a *prime contractor*.

Subcontract means a contract or contractual action entered into by a *prime contractor* or *subcontractor* for the purpose of obtaining *supplies*, materials, equipment, or services of any kind under a *prime contract*.

Subcontractor—

(1) Means any *person*, other than the *prime contractor*, who *offers* to furnish or furnishes any *supplies*, materials, equipment, or services of any kind under a *prime contract* or a *subcontract* entered into in connection with such *prime contract*; and

(2) Includes any *person* who *offers* to furnish or furnishes general *supplies* to the *prime contractor* or a higher tier *subcontractor*.

Parent topic: [3.502 Subcontractor kickbacks.](#)