

## 206.302-7

(B) The Secretary of Defense provides Congress written notice of intent to award. The contract cannot be awarded until 180 days have elapsed since the date Congress received the notice of intent to award. Contracting activities must submit a draft notice of intent with supporting documentation through channels to the Director of Defense Procurement and Acquisition Policy, Office of the Under Secretary of Defense (Acquisition, Technology, and Logistics).

(ii) The limitation in paragraph (c)(i) of this subsection applies only if the statute authorizing or requiring award was enacted after September 30, 1989.

(iii) Subsequent statutes may provide different or additional constraints on the award of contracts to specified colleges and universities. Contracting officers should consult legal counsel on a case-by-case basis.

[56 FR 36303, July 31, 1991, as amended at 57 FR 14992, Apr. 23, 1992; 58 FR 28463, May 13, 1993; 59 FR 36089, July 15, 1994; 60 FR 29497, June 5, 1995; 60 FR 40107, Aug. 7, 1995; 65 FR 39704, June 27, 2000; 68 FR 7439, Feb. 14, 2003]

### 206.302-7 Public interest.

(c) *Limitations.* For the defense agencies, the written determination to use this authority must be made by the Secretary of Defense.

### 206.303 Justifications.

### 206.303-70 Acquisitions in support of operations in Iraq or Afghanistan.

The justification and approval addressed in FAR 6.303 is not required for acquisitions conducted using a procedure specified in 225.7703-1(a).

[73 FR 53152, Sept. 15, 2008]

### 206.304 Approval of the justification.

(a)(4) The Under Secretary of Defense (Acquisition, Technology, and Logistics) may delegate this authority to—

(A) An Assistant Secretary of Defense; or

(B) For a defense agency, an officer or employee serving in, assigned, or detailed to that agency who—

(1) If a member of the armed forces, is serving in a rank above brigadier general or rear admiral (lower half); or

(2) If a civilian, is serving in a position with a grade under the General

## 48 CFR Ch. 2 (10-1-10 Edition)

Schedule (or any other schedule for civilian officers or employees) that is comparable to or higher than the grade of major general or rear admiral.

[61 FR 10285, Mar. 13, 1995, as amended at 61 FR 50451, Sept. 26, 1996; 65 FR 39704, June 27, 2000]

## PART 207—ACQUISITION PLANNING

### Subpart 207.1—Acquisition Plans

Sec.

207.102 Policy.

207.103 Agency-head responsibilities.

207.104 General procedures.

207.105 Contents of written acquisition plans.

207.106 Additional requirements for major systems.

207.170 Consolidation of contract requirements.

207.170-1 Scope.

207.170-2 Definitions.

207.170-3 Policy and procedures.

207.171 Component breakout.

207.171-1 Scope.

207.171-2 Definition.

207.171-3 Policy.

207.171-4 Procedures.

207.172 Human research.

### Subpart 207.4—Equipment Lease or Purchase

207.401 Acquisition considerations.

207.470 Statutory requirements.

207.471 Funding requirements.

### Subpart 207.5—Inherently Governmental Functions

207.500 Scope of subpart.

207.503 Policy.

### Subpart 207.70—Buy-to-Budget—Additional Quantities of End Items

207.7001 Definition.

207.7002 Authority to acquire additional quantities of end items.

207.7003 Limitation.

AUTHORITY: 41 U.S.C. 421 and 48 CFR chapter 1.

SOURCE: 56 FR 36305, July 31, 1991, unless otherwise noted.

### Subpart 207.1—Acquisition Plans

#### 207.102 Policy.

(a)(1) See 212.102 regarding requirements for a written determination that