

**PART 2824—PROTECTION OF PRIVACY AND FREEDOM OF INFORMATION**

**Subpart 2825.2—Buy American Act—Construction Materials**

**Subpart 2824.2—Freedom of Information Act**

**2825.203 Evaluating offers.**

Sec.  
2824.202 Policy.

The HCA, or designee at a level not lower than the BPC, is the agency official authorized to make determination that using a particular domestic construction material would unreasonably increase the cost of the acquisition or would be impracticable.

AUTHORITY: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 28 CFR 0.76(j).

SOURCE: 63 FR 16130, Apr. 2, 1998, unless otherwise noted.

**Subpart 2825.3—Balance of Payments Program**

**Subpart 2824.2—Freedom of Information Act**

**2825.302 Policy.**

**2824.202 Policy.**

The HCA, or designee at a level not lower than the BPC, is the agency official authorized to make determinations under FAR 25.302(b)(3), as well as authorize the use of a differential greater than 50 percent, as specified in FAR 25.302(c), for the evaluation of domestic and foreign offers under the Balance of Payments Program. All determinations made under this section shall be in writing and shall set forth the facts and circumstances supporting the determination. Determinations shall be reviewed and concurred in by the contracting activity's legal counsel.

Procedures for processing Freedom of Information Act requests are set forth in Departmental regulations and 28 CFR part 16.

[63 FR 16130, Apr. 2, 1998]

**PART 2825—FOREIGN ACQUISITION**

**Subpart 2825.2—Buy American Act—Construction Materials**

**Subpart 2825.9—Additional Foreign Acquisition Clauses**

Sec.  
2825.203 Evaluating offers.

**Subpart 2825.3—Balance of Payments Program**

**2825.901 Omission of audit clause.**

2825.302 Policy.

**Subpart 2825.9—Additional Foreign Acquisition Clauses**

The HCA, or designee at a level not lower than the BPC, is the agency official authorized to make determinations under FAR 25.901(c). All determinations made under this authority shall be reviewed and concurred in by the contracting activity's legal counsel prior to being approved by the authorized agency official.

2825.901 Omission of audit clause.

AUTHORITY: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 28 CFR 0.76(j).

SOURCE: 63 FR 16130, Apr. 2, 1998, unless otherwise noted.