

# **PART 425 - FOREIGN ACQUISITION**

Authority: 5 U.S.C. 301 and 40 U.S.C. 486(c).

Source: 61 FR 53646, Oct. 15, 1996, unless otherwise noted.

## Subpart 425.1 - Buy American Act - Supplies

425.102 [Reserved]

425.103 Exceptions.

425.104 Nonavailable articles.

425.105 Determining reasonableness of cost.

425.108 [Reserved]

## Subpart 425.2 - Buy American Act - Construction Materials

425.202 Exceptions.

425.203-425.204 [Reserved]

Subparts 425.3-425.4 [Reserved]

## Subpart 425.6 - Trade Sanctions

425.602 Exceptions.

Subpart 425.9 [Reserved]

## Subpart 425.10 - Additional Foreign Acquisition Regulations

425.1001 Waiver of right to examination of records.

**Parent topic:** SUBCHAPTER D - SOCIOECONOMIC PROGRAMS

## **Subpart 425.1 - Buy American Act - Supplies**

Source: 70 FR 48, Jan. 3, 2005, unless otherwise noted.

**425.102 [Reserved]**

**425.103 Exceptions.**

(a) The Senior Procurement Executive (SPE) shall make the determination prescribed in FAR 25.103(a).

(b) Copies of determinations of nonavailability in accordance with FAR 25.103(b)(2) or 25.202(a)(2), for articles, material or supplies not listed in FAR 25.104, may be submitted to the SPE for submission to the Civilian Agency Acquisition Council (CAAC).

#### **425.104 Nonavailable articles.**

Information required by FAR 25.104(b) shall be submitted to the SPE for submission to the CAAC.

#### **425.105 Determining reasonableness of cost.**

The SPE may make the determination prescribed in FAR 25.105(a). Requests for a determination by the SPE shall be submitted by the HCA, in writing, and shall provide a detailed justification supporting why evaluation factors higher than those listed in FAR 25.102(b)(1) and (2) should be applied to determine whether the offered price of a domestic end product is unreasonable.

#### **425.108 [Reserved]**

### **Subpart 425.2 - Buy American Act - Construction Materials**

#### **425.202 Exceptions.**

(a) The SPE shall make the determination prescribed in FAR 25.202(a)(1).

(b) If a contracting officer proposes that the use of a particular domestic construction material should be waived for a contract on the grounds that its use would be impracticable, the contracting officer shall submit a proposed determination with supporting information through the HCA to the SPE for approval or disapproval.

#### **425.203-425.204 [Reserved]**

### **Subparts 425.3-425.4 [Reserved]**

### **Subpart 425.6 - Trade Sanctions**

#### **425.602 Exceptions.**

The Secretary, without power of redelegation, has the authority to make the necessary determination(s) and authorize award(s) of contract(s) in accordance with FAR 25.602(b).

## **Subpart 425.9 [Reserved]**

## **Subpart 425.10 - Additional Foreign Acquisition Regulations**

### **425.1001 Waiver of right to examination of records.**

The SPE shall make the determination under FAR 25.1001(a)(2)(iii).