6.302-7 Public interest.

(a) Authority.

(1) Citations: 10 U.S.C. 3204(a)(7) or 41 U.S.C. 3304(a)(7).

(2) *Full and open competition* need not be provided for when the *agency head* determines that it is not in the public interest in the particular *acquisition* concerned.

(b) *Application*. This authority *may* be used when none of the other authorities in 6.302 apply.

(c) Limitations.

(1) A written determination to use this authority *shall* be made in accordance with subpart 1.7, by-

(i) The Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Secretary of Homeland Security for the Coast Guard, or the Administrator of the National Aeronautics and Space Administration; or

(ii) The head of any other *executive agency*. This authority *may* not be delegated.

(2) The Congress *shall* be notified *in writing* of such determination not less than 30 days before award of the contract.

(3) If required by the *head of the agency*, the *contracting officer shall* prepare a justification to support the determination under paragraph (c)(1) of this subsection.

(4) This Determination and Finding (D&F) *shall* not be made on a class basis.

Parent topic: 6.302 Circumstances permitting other than full and open competition.