5.401 General.

(a) A high level of business security *must* be maintained in order to preserve the integrity of the *acquisition* process. When it is necessary to obtain information from potential contractors and others outside the Government for use in preparing Government estimates, *contracting officers shall* ensure that the information is not publicized or discussed with potential contractors.

(b) *Contracting officers may* make available maximum information to the public, except information-

(1) On plans that would provide undue or discriminatory advantage to private or personal interests;

(2) Received in confidence from an *offeror*;

(3) Otherwise requiring protection under Freedom of Information Act (see subpart 24.2) or Privacy Act (see subpart 24.1); or

(4) Pertaining to internal agency communications (*e.g.,* technical reviews, *contracting* authority or other reasons, or recommendations referring thereto).

(c) This policy applies to all Government personnel who participate directly or indirectly in any stage of the *acquisition* cycle.

Parent topic: Subpart 5.4 - Release of Information