

# AGAR PART 425

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## PART 425

### FOREIGN ACQUISITION

#### SUBPART 425.1--BUY AMERICAN ACT--SUPPLIES

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

**425.204 [Reserved]**

**SUBPART 425.3-- [Reserved]**

**SUBPART 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).