

### Subpart 623.3—Hazardous Material Identification and Material Safety Data

#### 623.302-70 Policy.

Any work which affects the safety and/or health of post personnel, including the handling of hazardous materials, shall comply with the applicable requirements of the Department of State Safety/Health and Environmental Management Resource Guide (6 FAM 606.7). Requirements offices shall ensure that any contractor operations and activities, whether sponsored by the post or other Department organization, are closely coordinated with the Post Occupational Safety and Health Officer during both planning and implementation phases.

[59 FR 66760, Dec. 28, 1994]

### Subpart 623.4—Use of Recovered Materials

SOURCE: 64 FR 43626, Aug. 11, 1999, unless otherwise noted.

#### 623.400 Scope of subpart.

The affirmative procurement program is applicable to all domestic acquisitions of items currently designated by an EPA guideline or by future guidelines promulgated by EPA. The requirements of this section are not applicable to acquisitions made and/or performed outside the United States or its possessions.

#### 623.404 Procedures.

(b)(2) The requirements office initiating an acquisition is responsible for determining whether recovered materials should be included in the specifications. Requirements offices may purchase EPA designated items containing other than recovered materials only if one of the exemptions listed in FAR 23.404(b)(3) applies. If the requirements office determines to acquire EPA designated items that do not contain recovered materials, a written justification must be submitted to the head of the contracting activity.

(i) Contracts for the purchase of, or requiring the supply of, any EPA designated item shall require that the item conform to the EPA guidelines,

unless an exception has been approved by the head of the contracting activity in accordance with FAR 23.404(b)(3) and DOSAR 623.404(b)(3).

(ii) Contracting officers shall promote the fact that the Department is seeking to buy items containing recovered materials at pre-bid and pre-proposal conferences, when appropriate. Other means of promotion may include a specific notice on a solicitation's cover letter, calling attention to the requirement for recovered materials.

(iii) Contracting officers shall include FAR clause 52.223-9 to ensure that contractors estimate, certify, and verify the amount of recovered material used in the performance of the contract.

(iv) The effectiveness of the program shall be reviewed annually by A/OPE. An assessment will be made to determine if greater use of recovered materials is possible for the existing requirements or if recovered materials are causing undue delay, lack of competition, unreasonable prices, or an unacceptable level of performance.

(3) The head of the contracting activity is the agency head for the purpose of FAR 23.404(b)(3).

### Subpart 623.5—Drug-Free Workplace

#### 623.506 Suspension of payments, termination of contract, and debarment and suspension actions.

The authority to approve the determination prescribed in FAR 23.506(e) is reserved to the Secretary of State.

[55 FR 5775, Feb. 16, 1990]

## PART 624—PROTECTION OF PRIVACY AND FREEDOM OF INFORMATION

AUTHORITY: 22 U.S.C. 2658; 40 U.S.C. 486(c); 48 CFR Subpart 1.3.

### Subpart 624.2—Freedom of Information Act

#### 624.202 Policy.

DOS regulations implementing the Freedom of Information Act (5 U.S.C.

552), as amended, are codified in Chapter 1, Department of State, Subchapter R, Access to Information, Part 171, Availability of information and records to the public, of Title 22 of the Code of Federal Regulations (22 CFR Part 171).

[53 FR 26172, July 11, 1988]

## **PART 625—FOREIGN ACQUISITION**

### **Subpart 625.1—Buy American Act—Supplies**

Sec.

625.102 Policy.

625.105 Evaluating offers.

625.108 Excepted articles, materials, and supplies.

### **Subpart 625.2—Buy American Act—Construction Materials**

625.202 Policy.

625.203 Evaluating offers.

625.204 Violations.

### **Subpart 625.3—Balance of Payments Program**

625.300 Scope of subpart.

625.300-70 Overseas acquisitions.

625.302 Policy.

625.304 Excess and near-excess foreign currencies.

### **Subpart 625.7—Restrictions on Certain Foreign Purchases**

625.703 Exceptions.

### **Subpart 625.70—Arab League Boycott and Related Provisions**

625.7001 Policy.

625.7002 Solicitation provision and contract clause.

AUTHORITY: 40 U.S.C. 486(c); 22 U.S.C. 2658.

SOURCE: 53 FR 26172, July 11, 1988, unless otherwise noted.

### **Subpart 625.1—Buy American Act—Supplies**

#### **625.102 Policy.**

(a)(3) The authority to make the determination prescribed in FAR 25.102(a)(3) is delegated, without power of redelegation, to the head of the contracting activity.

(b)(2) The authority to make the determination prescribed in FAR 25.102(b)(2) is delegated, without power

of redelegation, to the head of the contracting activity.

[59 FR 66762, Dec. 28, 1994]

#### **625.105 Evaluating offers.**

The authority to make the determinations prescribed in FAR 25.105 is delegated, without power of redelegation, to the head of the contracting activity.

#### **625.108 Excepted articles, materials, and supplies.**

A/OPE is the DOS central agency control point for furnishing to the appropriate FAR Council the documentation prescribed in FAR 15.108(b) and (c).

[53 FR 26172, July 11, 1988, as amended at 59 FR 66762, Dec. 28, 1994]

### **Subpart 625.2—Buy American Act—Construction Materials**

#### **625.202 Policy.**

(a)(2) The authority to make the determination prescribed in FAR 25.202(a)(2) is delegated, without power of redelegation, to the head of the contracting activity.

(b) The authority to make the determination prescribed in FAR 25.202(b) is delegated, without power of redelegation, to the head of the contracting activity.

[59 FR 66762, Dec. 28, 1994]

#### **625.203 Evaluating offers.**

The head of the contracting activity is the agency head for the purposes of FAR 25.203 (a) and (b).

[59 FR 66762, Dec. 28, 1994]

#### **625.204 Violations.**

The Procurement Executive is the agency head for the purposes of FAR 25.204.

### **Subpart 625.3—Balance of Payments Program**

#### **625.300 Scope of subpart.**

#### **625.300-70 Overseas acquisitions.**

This program applies to acquisitions of supplies and services for use outside the United States regardless of the contractor's location.