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■ 1. The authority citation for parts 3001 through 3053 reads as follows:

Authority: 41 U.S.C. 418b (a) and (b).

■ 2. The text of parts 3001 through 3053 reads as follows:

PART 3001—FEDERAL ACQUISITION REGULATIONS SYSTEM

Subpart 3001.1—Purpose, Authority, Issuance

Sec.

3001.101 Purpose.

3001.102 Statement of Guiding Principles for the Federal Acquisition System.

3001.104 Applicability.

3001.105 Issuance.

3001.105-1 Publication and code arrangement.

3001.105-2 Arrangement of regulations.

3001.105-3 Copies.

3001.106 OMB Approval under the Paperwork Reduction Act.

Subpart 3001.3—Agency Acquisition Regulations

3001.301 Policy.

3001.301-70 Amendment of HSAR.

3001.301-71 Effective date.

3001.301-72 HSAC or HSAR Notice numbering.

3001.303 Publication and codification.

3001.304 Agency control and compliance procedures.

Subpart 3001.4—Deviations from the FAR

3001.403 Individual deviations.

3001.404 Class deviations.

Subpart 3001.6—Career Development, Contracting Authority, and Responsibilities

3001.601 General.

3001.602 Contracting Officers.

3001.602-3 Ratification of unauthorized commitments.

3001.603 Selection, appointment, and termination of appointment.

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Subpart 3001.7—Determinations and Findings

3001.704 Content.

Subpart 3001.70—Other Determinations, Waivers, Exceptions, Approvals, Reviews, and Submittals.

3001.7000 Coordination and approval.

3001.7001 Content.

Subpart 3001.1—Purpose, Authority, Issuance

3001.101 Purpose.

The Department of Homeland Security Acquisition Regulation (HSAR) establishes uniform acquisition policies and procedures, which implement and supplement the Federal Acquisition Regulation (FAR).

3001.102 Statement of Guiding Principles for the Federal Acquisition System.

(d) The FAR and this supplement are to be interpreted permissively, if consistent with statutory and regulatory requirements, policy, and sound professional judgment.

3001.104 Applicability.

(a) The following order of precedence applies to resolve any acquisition regulation or procedural inconsistency found within HSAR or the Homeland Security Acquisition Manual (HSAM):

- (1) Statute;
- (2) FAR or other applicable regulation or Executive Order;
- (3) HSAR;
- (4) Department of Homeland Security (DHS) Directives; and
- (5) HSAM.

(b) The Transportation Security Administration (TSA) exception to this regulation is authorized by the Aviation and Transportation Security Act of 2001 (Section 101(a) of Public Law 107-71). However, see (HSAR) 48 CFR 3033.211, regarding Board of Contract Appeals (BCA).

(c) For nonappropriated fund contracts, the FAR and HSAR will be followed to the maximum extent feasible excluding provisions determined by counsel not to apply to Nonappropriated Fund institutions (NAFIs). Contracting terms may provide for mutual agreement as to the Board of Contract Appeals jurisdiction but this policy will not confer court jurisdiction concerning NAFIs that does not otherwise exist.

3001.105 Issuance.

3001.105-1 Publication and code arrangement.

(a) The HSAR is published in:

- (1) The **Federal Register** and
- (2) Cumulated form in the Code of Federal Regulations (CFR).

3001.105-2 Arrangement of regulations.

(a) General. The HSAR, which encompasses both Department-wide and