

**911.602 General.**

(d) Programs which maximize domestic energy supplies are eligible for priorities and allocations support depending on an executive decision made on a case-by-case basis. Eligibility is pursuant to section 104(a) of the Energy Conservation and Policy Act, Pub. L. 94-163, which added a new section 101(c) to the Defense Production Act. Guidance is provided by 10 CFR part 216 and Department of Energy publication DOE/MA-0192, "Priorities and Allocations Support for Energy: Keeping Energy Programs on Schedule," dated August 1985. Rated orders placed in support of authorized energy programs are equivalent to orders placed in support of authorized defense programs under the DPAS and receive the same preferential treatment throughout the industrial supply chain.

(e) The Heads of Contracting Activities shall ensure that members of their staffs and contractors under their jurisdiction are advised of the provisions of the DPAS regulation and that the related procedures are followed to ensure adherence to the regulation throughout the industrial supply chain. Under DPAS, it is mandatory that the priority rating be extended through the industrial chain from supplier to supplier.

[52 FR 38422, Oct. 16, 1987, as amended at 59 FR 9105, Feb. 25, 1994. Redesignated at 61 FR 21976, May 13, 1996]

**911.604 Solicitation provision and contract clause.**

(a) The contracting officer shall insert the provision at 952.211-70, Priorities and Allocations (Atomic Energy), in solicitations that will result in the placement of rated orders for authorized DOE atomic energy programs.

(b) The contracting officer shall insert the clause at 952.211-71, Priorities and Allocations (Atomic Energy) in contracts that are placed in support of authorized DOE atomic energy programs.

(c) The use of the provisions at 952.211-70 and the clause at 952.211-71 is optional for industrial delivery orders of \$5,000 or less.

(d) The contracting officer shall insert the provision at 952.211-70 (Alternate I), Priorities and Allocations (Domestic Energy Supplies), in solicitations that may result in the placement of rated orders for authorized energy programs.

(e) The contracting officer shall insert the clause at 952.211-71 (Alternate I), Priorities and Allocations (Domestic Energy Supplies), if it is believed the contract involves a program the purpose of which is to maximize domestic energy supplies.

[52 FR 38422, Oct. 16, 1987, as amended at 59 FR 9105, Feb. 25, 1994. Redesignated and amended at 61 FR 21976, May 13, 1996]

**PART 912 [RESERVED]**