

24.202 Prohibitions.

(a) A proposal in the possession or control of the Government, submitted in response to a competitive *solicitation*, *shall* not be made available to any person under the Freedom of Information Act. This prohibition does not apply to a proposal, or any part of a proposal, that is set forth or incorporated by reference in a contract between the Government and the contractor that submitted the proposal. (See [10 U.S.C. 3309](#) and [41 U.S.C. 4702](#).)

(b) No agency *shall* disclose any information obtained pursuant to [15.403-3\(b\)](#) that is exempt from disclosure under the Freedom of Information Act. (See [10 U.S.C. 3705\(c\)\(3\)](#) and [41 U.S.C. 3505\(b\)\(3\)](#).)

(c) A dispute resolution communication that is between a *neutral person* and a party to alternative dispute resolution proceedings, and that *may* not be disclosed under [5 U.S.C. 574](#), is exempt from disclosure under the Freedom of Information Act ([5 U.S.C. 552\(b\)\(3\)](#)).

Parent topic: [Subpart 24.2 - Freedom of Information Act](#)