## **CHANGE REQUEST COVER SHEET**

Change Request Number: 10-73 Date Received: 9/14/2010

**Title:** Measurement and Analysis

Name: Colleen Gutrick

**Phone:** 202-493-5605

Policy OR Guidance: Policy

Section/Text Location Affected: AMS Policy 2.1.6, FAST Specialty Functions, Processes, and Guidance Section

and Appendix E: Part I-Statutes

http://fasteditapp.faa.gov/ams/do\_action?=LinkSection&contentUID=4&sectionNumber=2.1.6

http://fast.faa.gov/lifecycle/7up/index.htm

 $http://fasteditapp.faa.gov/ams/do\_action?do\_action=ListTOC\&contentUID=4\\$ 

**Summary of Change:** To include the JRC-approved Acquisition Baseline Management Standard Operating Procedure in AMS, to provide a link to the JRC- approved Acquisition Baseline Management Standard Operating Procedure and add a listing for the formal name of Public Law 104-264 since the PL is applicable to all F&E funded acquisition programs initiated after October 9, 1996 in Appendix E: Part I- Statutes.

**Reason for Change:** Changes and links requested by ATO-F in coordination with Henry Gonzalez to provide practitioners with information contained in the SOP (link) and a reference to the public law in Appendix E: Part I-Statutes.

Development, Review, and/or Concurrence: AEB

**Target Audience:** M&A practitioners

Potential Links within FAST for the Change: Link to SOP (outside of the FAST).

http://atoexperience.faa.gov/finance/index.php?option=com content&task=view&id=292&Itemid=97

**Briefing Planned:** No

**ASAG Responsibilities:** Review and Comment

**Potential Links within FAST for the Change:** Link to SOP (outside of the FAST).

http://atoexperience.faa.gov/finance/index.php?option=com\_content&task=view&id=292&Itemi d=97

Links for New/Modified Forms (or) Documents (LINK 1)

Links for New/Modified Forms (or) Documents (LINK 2)

Links for New/Modified Forms (or) Documents (LINK 3)

FAST Version 10/2010 CR 10-73 p. 1

### SECTIONS EDITED:

**Acquisition Management Policy:** 

Section 2.1.6: Measurement and Analysis [Old Content] [New Content] [RedLine Content]

Acquisition Management Policy:

Appendix E: Part I - Statutes [Old Content] [New Content] [RedLine Content]

#### **SECTIONS EDITED:**

### **Section 2.1.6: Measurement and Analysis**

Old Content: <u>Acquisition Management Policy</u>: Section 2.1.6 : Measurement and Analysis

Measurement and analysis is a management and control process applied throughout the lifecycle of an investment program or operational asset to assess progress, forecast performance, determine status, and define corrective action. Measurement and analysis provides information and visibility toward accomplishing program goals and supporting management information needs.

Each line of business institutes measurement and analysis processes in accordance with AMS policy and guidance that:

- Collect, store, analyze, and report data on seventeen standard measures defined in <a href="Standard Program Performance Metrics">Standard Program Performance Metrics</a>; and
- Provide early warning indicators of program issues before they become major problems.

Measurement and analysis information needs include, but are not limited to:

- Contract information that supports management and executive monitoring of vendor performance;
- Contract information that supports acquisition quality assurance;
- Program, operational, risk, and contract information that supports monitoring of lifecycle cost, schedule, performance baselines, as well as benefits and technical progress;
- Program information that supports achievement of Flight Plan goals and alignment with the Enterprise Architecture; and

Operational and business case information that supports investment decision-making.

**New Content:** <u>Acquisition Management Policy</u>: **Section 2.1.6 : Measurement and Analysis** 

Measurement and analysis is a management and control process applied throughout the lifecycle of an investment program or operational asset to assess progress, forecast performance, determine status, and define corrective action. Measurement and analysis provides information and visibility toward accomplishing program goals and supporting management information needs.

FAST Version 10/2010 CR 10-73 p. 2 Each line of business institutes measurement and analysis processes in accordance with AMS policy and guidance that:

- Collect, store, analyze, and report data on seventeen standard measures defined in Standard Program Performance Measures;
- Collect, store, analyze, and report baseline performance data defined in the Acquisition Baseline Management Standard Operating Procedure for those programs with an approved Acquisition Program Baseline; and
- Provide early warning indicators of program issues before they become major problems.

Measurement and analysis information needs include, but are not limited to:

- Contract information that supports management and executive monitoring of vendor performance;
- Contract information that supports acquisition quality assurance;
- Program, operational, risk, and contract information that supports monitoring of lifecycle cost, schedule, performance baselines, as well as benefits and technical progress;
- Program information that supports achievement of Flight Plan goals and alignment with the FAA Enterprise Architecture; and
- Operational and business case information that supports investment decision-making.

# **Red Line Content:** <u>Acquisition Management Policy</u>: **Section 2.1.6 : Measurement and Analysis**

Measurement and analysis is a management and control process applied throughout the lifecycle of an investment program or operational asset to assess progress, forecast performance, determine status, and define corrective action. Measurement and analysis provides information and visibility toward accomplishing program goals and supporting management information needs.

Each line of business institutes measurement and analysis processes in accordance with AMS policy and guidance that:

- Collect, store, analyze, and report data on seventeen standard measures defined in <u>Standard Program Performance MetricsMeasures</u>;
- Collect, store, analyze, and report baseline performance data defined in the Acquisition Baseline Management Standard Operating Procedure for those programs with an approved Acquisition Program Baseline; and
- Provide early warning indicators of program issues before they become major problems.

Measurement and analysis information needs include, but are not limited to:

- Contract information that supports management and executive monitoring of vendor performance;
- Contract information that supports acquisition quality assurance;

- Program, operational, risk, and contract information that supports monitoring of lifecycle cost, schedule, performance baselines, as well as benefits and technical progress;
- Program information that supports achievement of Flight Plan goals and alignment with the <u>FAA</u> Enterprise Architecture; and

Operational and business case information that supports investment decision-making.

### **Appendix E: Part I - Statutes**

Old Content: Acquisition Management Policy:

**Appendix E: Part I - Statutes** 

			Pro AM	mulga S:	ated l	у	
		Functional area	P=Policy, G=Guidance, C=Clause *=See Office of Chief Counsel				
Title	Description Summary					Т.	
Administrative	Authorizes a duly qualified individual to	All				*	
Procedures Act (5 USC 500 et seq)	represent a person before an agency.						
Agreement on civil aircraft (19 USC 2513)	Exempts civil aircraft from Buy American Act.	Procurement				*	
Air Commerce and Safety (49 USC 40121(c) (2)	Establishes legal authority for joint activities between DoD and the FAA to improve or replenish the national air traffic control system.	Procurement		G			
Airport Improvement (AIP) Grants (49 USC 47101)	Establishes U.S. Policy for Airport development and improvement.	Agreements		G			
Air Transportation Security, (49 USC 44903)	Authorizes the Administrator to prescribe regulations to protect passengers and property on an aircraft operating in air transportation or intrastate air transportation against an act of criminal violence or aircraft piracy.	Procurement		G			
Anti-Deficiency Act (31 USC 1341)	Prohibits expenditure in excess of funds available	Procurement	P	G	С		
Anti-Kickback Act (41 USC 51-58)	Prohibits offering or accepting kickbacks; criminal penalties apply.	Ethics				*	
,		Procurement			C		
		Real Estate					
Anti-Lobbying Act (31 USC 1352)	Prohibits use of Federal funds for lobbying	Procurement				*	
Assistance to Foreign Aviation Authorities (49 USC 40113(e)	Authorizes the Administrator to provide safety- related training and operational services to foreign aviation authorities with or without	Procurement		G			

		I				
	reimbursement, if the Administrator determines					
	that providing such services promotes aviation					
1 1 1 T	safety.		1			1
Authority to Transfer an	Authorizes a department, agency, or	Procurement		G		
Interest in Surplus	instrumentality of the executive branch of the					
Property (49 USC 47151)	United States Government or a wholly owned					
	Government corporation to give a State,					
	political subdivision of a State, or tax-supported					
	organization any interest in property subject to					
	sections 47152, Terms of Gifts and 47153,					
	Waiving and Adding Terms, of this title.					
Bayh-Dole Act (35 USC	Provides policy regarding inventions made with	Procurement				*
200)	Government Assistance					
Bona fide Fiscal year	Requires appropriations to be applied only to	Budget			C	*
need statutes (31 USC	the objects for which the appropriations were					
1301)	made except as otherwise provided by law.	Procurement				
Bribery and Conflict of	Prescribes fines and punishment for bribery of	All	t			*
Interest Laws (18 USC	public officials and witnesses.	111				
201)	public officials and withesses.					
Bribery and Conflict of	Prescribes acts and penalties affecting a	All	Р			1
Interest Laws (18 USC	personal financial interest.	All	l			
208)	personal initalicial interest.					
	D	D	P	G		+
Buy American Act (41	Requires American manufactured materials and	Procurement	P	G	C	
USC 10)	supplies for public use. (Also see Executive					
D 4 : (E4.4) (40	Order 10582)	<u></u>	-	1		*
		Procurement			C	*
USC 50101)	manufactured American materials.					
	Mandates preference for shipping cargo on U.S.	Procurement			C	
USC 1241)	ships.					
Caribbean Basin	1	Procurement		G		
Economic Recovery Act	American provisions of 19 USC 2701.					
(19 USC 2701)						
Clean Air Act (42 USC	Encourages or otherwise promotes reasonable	Procurement	P	G	C	
7401 et seq)	Federal, State, and local governmental actions,					
	consistent with the provisions of this chapter,	Environment				
	for pollution prevention.					
Clean Water Act (33	Restores and maintains the chemical, physical,	Procurement	P	G	C	
USC 1251 et seq)	and biological integrity of the Nation's waters.					
		Environment				
Common Carrier	Specifies liability when property is delivered in		1			*
1	violation of routing instructions.					
	Establishes a standard workday of 8 hours and a	Procurement	P	G	C	+
Safety Standards Act (40	standard workweek of 40 hours for laborers and	1 TOCUICIICIII				
USC 328)	mechanics; with compensation of not less than					
050 520)	one and one-half times the basic rate of pay for					
	work in excess of the standard workweek.					
Convict Labor Act (19		Progurament	P	G		+
Convict Labor Act (18	Prohibits convicts from performing government	riocurement	r	U		
USC 23-436)	contracts. (Also see Executive Orders 11755					
Communication 1	and 12943)	<b>A</b>	-			-
Cooperative Research	Supports the full use of the results of the	Agreements		G		
and Development	Nation's Federal investment in research and					
Agreements (15 USC	development. To this end the Federal					
3710a)	Government shall strive where appropriate to					1

	transfer federally owned or originated					
	technology to State and local governments and					
	to the private sector.					
Copeland Act (18 USC	Makes it unlawful to induce any person,	Procurement	P	G	С	
874 and 40 USC 276c)	employed in the construction or repair of public					
a.k.a. Anti-Kickback Act	buildings or public works financed in whole or					
	in part by the U.S., to give up any part of the					
	compensation to which they are entitled.					
Davis Basen Ast (40	-	Procurement	P	G	С	
Davis Bacon Act (40		Procurement	P	G		
USC 276a)	prevailing wages for laborers and mechanics.					
Department of	Provides general authority for FAA to enter into	Agreements		G		
Transportation, General	reimbursable agreements with other agencies					
Duties and Powers (49	and for cooperative agreements to use the					
USC 322(c))	services, records, and facilities of State,					
	territorial, municipal and other agencies.					
	However, 49 USC 106 (l) and (m) provides					
	broader authority and should be cited in place					
	of Section 322(c) for FAA agreements.					
Disclosure of	Prohibits the disclosure of confidential	Ethics	P	G		
Confidential Information		Luncs	Г	U		
	information by public officials (i.e. trade					
(18 USC 1905)	secrets)	Procurement				
Drug Free Workplace (41	Prohibits award of contracts to entities who	Procurement	P	G	C	
USC 10)	have not certified that it is a drug free					
,	workplace. AMS does not reference 41 USC 10.					
	However it is the FAA policy to only award					
	contracts to entities who have certified that it is					
	a drug free workplace.					
Economy Act (31 USC		Procurement		G		
		rioculement		G		
1535)	organizational unit within to place an order with					
	a major organizational unit within					
	the same agency or another agency for goods or					
	services under conditions specified in the					
	statute.					
Energy Policy and	Requires agencies to develop mandatory	Procurement	P	G		
Conservation Act (42	standards with respect to energy conservation					
USC 6361(a)(1))	and energy efficiency to govern the	Environment				
	procurement policies and decisions of the	Liiviioiiiieiit				
	Federal Government and all Federal agencies					
	and to cause such standards to be implemented.					
Explosive Detection (49		Procurement		G		
USC 44913)		riocurement		U		
03C 44913)	explosive detection equipment under 14 USC					
	108.7(b)(8) or 108.20 when the Administrator					
	of the Federal Aviation Administration certifies					
	that the equipment alone, or as part of an					
	integrated system, can detect under realistic air					
	carrier operating conditions the amounts,					
	configurations, and types of explosive material					
	that would likely be used to cause catastrophic					
	damage to commercial aircraft.					
False Claims Act (31	Specifies civil penalties for false claims against	All		G		*
USC 3729)	the U.S.					
Fastener Quality Act -	Requires fasteners (i.e. bolts, nuts, screws) to be	Procurement	P			
	manufactured in accordance with a fastener	i iocuicillelli	I.			
June 8, 1999 (15 U.S.C.	manuractured in accordance with a fastener					
5402)	quality assurance system; or manufactured to a			l .		1

FAST Version 10/2010

	proprietary standard, such as ISO 9000, QS9000, VDA6.1, or AS9000.					
Federal Aviation Administration (49 USC 106)	Authorizes the Administrator to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary to carry out the functions of the Administrator and the Administration.	Procurement	P	G		
Federal Claims Collection (31 USC 3711)	Establishes provisions for collecting claims of the U.S. for money or property arising out of the activities of, or referred to the agency.	Procurement				*
Federal Excise Taxes (26 USC 4041)	Imposes tax on diesel fuel in certain cases.	Procurement	P	G		
Federal Facilities Compliance Act	Mixed Waste is regulated as hazardous and radioactive waste under the Resource Conservation and Recovery Act (RCRA) and the Atomic Energy Act (AEA), respectively.	Environment				*
Federal Prison Industries (18 USC 4121)	Prescribes requirement for purchases from Federal Prison facilities.	Procurement	P	G	С	
Federal Workforce Restructuring Act of 1994 - P.L. 103-226 (5 USC 5597)	To provide temporary authority to Government agencies relating to voluntary separation, incentive payments, and for other purposes and limitation on procurement of Service Contracts with involuntarily separated employees.	Procurement	P	G	С	
Freedom of Information Act of 1986 (5 USC 552)	Regulates the release of public information; agency rules, opinions, orders, records, and proceedings.	All		G		*
General Facilities and Personnel Authority(49 USC 44502)	Provides general authority to the Administrator of the Federal Aviation Administration to acquire, establish, improve, operate, and maintain air navigation facilities; and provide facilities and personnel to regulate and protect air traffic.	Procurement Real Estate	P	G		
Gift and Bequests (49 USC 326)	Authorizes the Administrator to accept any conditional or unconditional gift or donation of money or property, real or personal, or of services for the FAA	All		G		
Government Performance and Results Act of 1993 (31 USC 1101, 1115- 1119)	Requires performance indicators and measurement.	Metrics Baseline Management	P			
Indian Incentive Program (25 USC 1544)	A contractor of a Federal agency under any Act of Congress may be allowed an additional amount of compensation equal to 5 percent of the amount paid, or to be paid, to a subcontractor or supplier, in carrying out the contract if such subcontractor or supplier is an Indian organization or Indian-owned economic enterprise as defined in this chapter.	Procurement	P	G	С	
Interest of Member of Congress (41 USC 22)	Prohibits member of or delegate to Congress from sharing in benefit from contract or grant	Procurement			С	*
International Airport Facilities, Administrative (49 USC 47305)	Authorizes the Secretary of Transportation to consolidate, operate, protect, maintain, and improve airport property and airway property	Procurement		G		

	(except meteorological facilities).					
International Airport Facilities, Definitions (49 USC 47301)		Procurement		G		
International Air Transportation Fair Competitive Practices Act of 1974 (49 USC 40118 (5))	Requires that all Federal agencies and Government contractors and subcontractors use U.Sflag air carriers for U.S. Government-financed international air transportation of personnel (and their personal effects) or property, to the extent that service by those carriers is available. (Also known as the Fly America Act)	Procurement			С	
Javitts-Wagner-O'Dea Act (41 USC 46)	Established the Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped;	Procurement	P	G		
Judicial Review (49 USC 46110)	Prescribes judicial review process for a person disclosing a substantial interest in an order issued by the Secretary of Transportation (or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator) under this part.	Procurement	P		С	
Miller Act (40 USC 270a-270f)	Requires construction contractors to provide performance and payment bonds that are greater than \$25,000 but not greater than \$100,000.	Procurement	P	G	С	
1977 (P.L. 95-124),	Requires Agencies to adopt standards for assessing and enhancing the seismic safety of buildings designed for, or constructed by, or leased by the Federal Government.	All	P			
North American Free Trade Agreement (NAFTA) P.L. 103-182 (19 USC 3311)	Canada/Mexico exception from Buy American Act if purchase is over \$25,000.	Procurement			С	
National Energy	Requires energy and water conservation measures for federal buildings, facilities, or space	Environment	P			
National Environmental Policy Act (42 USC 6201)		Environment	P	G		
Paperwork Reduction Act (44 U.S.C. 3501)	Requires Federal Agencies to become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes resulting from the collection of information by or for the Federal Government.	All	P			
Privacy Act (5 USC 552a)	on individuals to ensure that certain information	Ethics Procurement	P	G	С	
Procurement Integrity Act (41 USC 423)	Prohibits unauthorized release of source selection or other proprietary data	Procurement	Р	G	С	

					1	
Project Grant Authority (49 USC 47104)	Authorizes the Secretary of Transportation to make project grants from the Airport and Airway Trust Fund to maintain a safe and	Procurement		G		
	efficient nationwide system of public-use airports that meets the present and future needs of civil aeronautics.					
Public Law 85-804 (50 U.S.C. 1431-1434)	Empowers the President to authorize agencies exercising functions in connection with the national defense to enter into, amend, and modify contracts, without regard to other provisions of law related to making, performing, amending, or modifying contracts, whenever the President considers that such action would facilitate the national defense, to exercise the authority conferred by the Act and to delegate it to other officials within the agency. (Also see E.O. 10789)	Procurement	P	G	С	
Randolph-Sheppard Vending Facility Act(20 U.S.C. 107)	Provides for blind persons licensed under the provisions of this chapter authorization to operate vending facilities on any Federal property.	Procurement	P	G		
Rehabilitation Act of 1973 - Section 508 (29 USC 794d)	Requires information technology purchases to be accessible to people with disabilities	Procurement	P	G	С	
Rehabilitation Act (29 USC 793)	Requires affirmative action to employ and advance in employment qualified individuals with disabilities.	Procurement	P	G		*
Resource Conservation and Recovery Act (42 USC 6901)	Prescribes policies and procedures for acquiring Environmental Protection Agency(EPA)-designated products through affirmative procurement programs.	Procurement Environment	P	G	С	
Service Contract Act(41 USC 351-357)	Provides for minimum wages and fringe benefits as well as other conditions of work under certain types of service contracts.  Whether or not the Act applies to a specific service contract will be determined by the definitions and exceptions given in the Act, or implementing regulations.	Procurement	P	G	С	
Service-Disabled Veteran Owned Small Business Program (13 CFR,121,125&134)	Provides for competitive and non-competitive set-asides for Service Disabled Veteran Owned Small Businesses.	Procurement	P	G	С	
Systems, Procedures, Facilities, and Devices (49 USC 44505)	Requires the Administrator of the Federal Aviation Administration to develop, alter, test, and evaluate systems, procedures, facilities, and devices, and define their performance characteristics, to meet the needs for safe and efficient navigation and traffic control of civil and military aviation, except for needs of the armed forces; and to select systems, procedures, facilities, and devices that will best serve those needs and promote maximum coordination of air traffic control and air defense systems.			G		

<b>-</b>	<b>—</b>	I		T	
Research and	Requires the Administrator of the Federal	Procurement		G	
Development (49 USC	Aviation Administration to establish and carry				
44912)	out a program to accelerate and expand the				
	research, development, and implementation of				
	technologies and procedures to counteract				
	terrorist acts against civil aviation.				
Terms of Gifts (49 USC	Specifies the terms applicable to a gift of an	Procurement		G	
47152)	interest in surplus property.				
Training Schools (49	Authorizes the Administrator of the Federal	Procurement		G	
USC 40108)	Aviation Administration to operate schools to				
,	train officers and employees of the				
	Administration to carry out duties, powers, and				
	activities of the Administrator.				
Vietnam Era Veterans	Requires contractors and subcontractors, when	Procurement		G	*
Readjustment Act (38	entering contracts subject to the Act, to list all				
USC 2012)	suitable employment openings with the				
,	appropriate local employment service office and				
	take affirmative action to employ, and advance				
	in employment, qualified special disabled				
	veterans and veterans of the Vietnam Era				
	without discrimination based on their disability				
	or Veteran's status. (Also see Executive Order				
	11701)				
Waiving and Adding	Authorizes the Secretary of Transportation to	Procurement		G	
Terms (49 USC 47153)	waive, without charge, a term of a gift of an				
,	interest in property under this subchapter.				
Walsh Healey Public	Provides conditions for the purchase of supplies	Procurement	P	G	
Contracts Act (41 U.S.C.	and the making of contracts by the United				
35)	States, and for other purposes.				
Wendell H. Ford	Subjects the FAA to the Procurement Integrity	Procurement		G	Ì
Aviation Investment &	Act (41USC 423), except that Subsections (f),				
Reform Act (A.O. 106-	Definitions, and (g), Limitation on Protests,				
181, Apr 5, 2000)	shall not apply.				
, r -,,	I I I				

### END OF PART I

New Content: Acquisition Management Policy:
Appendix E: Part I - Statutes

			Promulgated by AMS: P=Policy, G=Guidance, C=Clause			Y
Title	Description Summary	Functional area affected		e Off	ice of	
Administrative	Authorizes a duly qualified individual to	All				*
Procedures Act (5 USC	represent a person before an agency.					
500 et seq)						
Agreement on Civil	Exempts civil aircraft from Buy American Act.	Procurement				*

Aircraft (19 USC 2513)			Τ			
Air Commerce and Safety (49 USC 40121(c)(2)	Establishes legal authority for joint activities between DoD and FAA to improve or replenish the national air traffic control system.	Procurement		G		
Airport Improvement (AIP) Grants (49 USC 47101)	Establishes U.S. policy for airport development and improvement.			G		
Air Traffic Management System Performance Improvement Act of 1996, PL. 104-264 (49 USC 40121).	Administrator must consider terminating Facilities and Equipment acquisition program that exceeds 10% of cost or schedule baseline or fails to achieve 90% of performance goals. When cost or schedule breach is 50% or more, Administrator must terminate program, or make a written determination to continue program and send the determination to Congress.	All	P			
Air Transportation Security (49 USC 44903)	Authorizes the Administrator to prescribe regulations to protect passengers and property on an aircraft operating in air transportation or intrastate air transportation against an act of criminal violence or aircraft piracy.	Procurement		G		
Anti-Deficiency Act (31 USC 1341)	Prohibits expenditure in excess of funds available.	Procurement	P	G	С	
Anti-Kickback Act (41 USC 51-58)	Prohibits offering or accepting kickbacks; criminal penalties apply.	Ethics				*
		Procurement			С	
Anti-Lobbying Act (31 USC 1352)	Prohibits use of Federal funds for lobbying.	Real Estate Procurement				*
Assistance to Foreign Aviation Authorities (49 USC 40113(e)	Authorizes the Administrator to provide safety- related training and operational services to foreign aviation authorities with or without reimbursement, if the Administrator determines that providing such services promotes aviation safety.	Procurement		G		
Interest in Surplus Property (49 USC 47151)	Authorizes a department, agency, or instrumentality of the executive branch of the U.S. Government or a wholly owned Government corporation to give a State, political subdivision of a State, or tax-supported organization any interest in property subject to sections 47152, Terms of Gifts and 47153, Waiving and Adding Terms, of this title.			G		
Bayh-Dole Act ( 35 USC 200)	Provides policy regarding inventions made with Government assistance	Procurement				*
Bona fide Fiscal year need statutes (31 USC 1301)	Requires appropriations to be applied only to the objects for which the appropriations were made except as otherwise provided by law.	Budget Procurement			С	*
Bribery and Conflict of Interest Laws (18 USC 201)	Prescribes fines and punishment for bribery of public officials and witnesses.	All				*
Bribery and Conflict of	Prescribes acts and penalties affecting a	All	P			

Interest Laws (18 USC	personal financial interest.			Ι		<u> </u>
208)	[					
Buy American Act (41	Requires American manufactured materials and	Procurement	P	G	C	
USC 10)	supplies for public use. (Also see Executive Order 10582)					
	Mandates a preference for raw and	Procurement			C	*
USC 50101)	manufactured American materials.					
	Mandates preference for shipping cargo on U.S.	Procurement			C	
USC 1241)	ships.					
Caribbean Basin	Exempts certain Caribbean countries from Buy	Procurement		G		
Economic Recovery Act (19 USC 2701)	American provisions of 19 USC 2701.					
Clean Air Act (42 USC	Encourages or otherwise promotes reasonable	Procurement	P	G	С	
7401 et seq)	Federal, State, and local governmental actions,					
_	consistent with the provisions of this chapter,	Environment				
	for pollution prevention.					
Clean Water Act (33	Restores and maintains the chemical, physical,	Procurement	P	G	C	
USC 1251 et seq)	and biological integrity of the Nation's waters.					
		Environment				
Common Carrier	Specifies liability when property is delivered in	Procurement				*
Liability (49 USC 11707)	violation of routing instructions.					
Contract Work Hours and	Establishes a standard 8 hour workday	Procurement	P	G	С	İ
	and standard 40 hour workweek for laborers					
USC 328)	and mechanics, with compensation of not less					
	than one and one-half times the basic rate of					
	pay for work exceeding the standard workweek.					
Convict Labor Act (18	Prohibits convicts from performing	Procurement	P	G		
USC 23-436)	Government contracts. (Also see Executive Orders 11755 and 12943)					
Cooperative Research	Supports the full use of the results of the	Agreements	Ì	G		Ì
and Development	Nation's Federal investment in research and					
Agreements (15 USC	development. To this end the Federal					
3710a)	Government shall strive where appropriate to					
	transfer Federally owned or originated					
	technology to State and local governments and					
	to the private sector.					
Copeland Act (18 USC		Procurement	P	G	C	
874 and 40 USC 276c)	employed in the construction or repair of public					
a.k.a. Anti-Kickback Act	buildings or public works financed in whole or					
	in part by the U.S., to give up any part of the					
	compensation to which they are entitled.			<u> </u>		
Davis Bacon Act (40	Requires construction contractors to pay	Procurement	P	G	C	
USC 276a)	prevailing wages for laborers and mechanics.			<u> </u>		
Department of	Provides general authority for FAA to enter into	Agreements		G		
Transportation, General	reimbursable agreements with other agencies					
Duties and Powers (49	and for cooperative agreements to use the			1		
USC 322(c))	services, records, and facilities of State,					
	territorial, municipal and other agencies.			1		
	However, 49 USC 106 (l) and (m) provides					
	broader authority and should be cited in place					
Disalogues of	of Section 322(c) for FAA agreements.	Ethios	P	C		1
Disclosure of Confidential Information	Prohibits the disclosure of confidential information by public officials, i.e. trade	Ethics	r	G		
	miormation by public officials, i.e. trade					

(18 USC 1905)	secrets.	Procurement				
Drug Free Workplace (41 USC 10)	Prohibits award of contracts to entities who have not certified that it is a drug free workplace. AMS does not reference 41 USC 10. However it is FAA policy to only award contracts to entities who have certified a drug free workplace.	Procurement	P	G	С	
Economy Act (31 USC 1535)	Authorizes the head of an agency or major organizational unit within to place an order with a major organizational unit within the same agency or another agency for goods or services under conditions specified in the statute.	Procurement		G		
Energy Policy and Conservation Act (42 USC 6361(a)(1))	Requires agencies to develop mandatory standards for energy conservation and energy efficiency to govern the procurement policies and decisions of the Federal Government and all Federal agencies and to cause such standards to be implemented.	Procurement Environment	P	G		
Explosive Detection (49 USC 44913)	Governs the deployment and purchase of explosive detection equipment under 14 USC 108.7(b)(8) or 108.20 when the FAA Administrator certifies that the equipment alone, or as part of an integrated system, can detect under realistic air carrier operating conditions the amounts, configurations, and types of explosive material that would likely be used to cause catastrophic damage to commercial aircraft.	Procurement		G		
False Claims Act (31 USC 3729)	Specifies civil penalties for false claims against the U.S.	All		G		*
Fastener Quality Act - June 8, 1999 (15 U.S.C. 5402)	Requires fasteners (i.e. bolts, nuts, screws) to be manufactured in accordance with a fastener quality assurance system; or manufactured to a proprietary standard, such as ISO 9000, QS9000, VDA6.1, or AS9000.	Procurement	P			
Federal Aviation Administration (49 USC 106)	Authorizes the Administrator to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary to carry out the functions of the Administrator and the Administration.	Procurement	P	G		
Federal Claims Collection (31 USC 3711)	Establishes provisions for collecting claims of the U.S. for money or property arising out of the activities of, or referred to the agency.	Procurement				*
USC 4041)	Imposes tax on diesel fuel in certain cases.	Procurement	P	G		
Federal Facilities Compliance Act	Mixed Waste is regulated as hazardous and radioactive waste under the Resource Conservation and Recovery Act (RCRA) and the Atomic Energy Act (AEA), respectively.	Environment				*
Federal Prison Industries (18 USC 4121)	Prescribes requirement for purchases from Federal Prison facilities.	Procurement	P	G	С	
Federal Workforce Restructuring Act of 1994	To provide temporary authority to Government agencies relating to voluntary separation,	Procurement	P	G	С	

- P.L. 103-226 (5 USC	incentive payments, and for other purposes and		1	Т		Π
5597)	limitation on procurement of Service Contracts					
	with involuntarily separated employees.					
Freedom of Information	Regulates the release of public information;	All		G		*
Act of 1986 (5 USC 552)	agency rules, opinions, orders,					
, , , , , , , , , , , , , , , , , , ,	records, and proceedings.					
General Facilities and	Provides general authority to the Administrator	Procurement	P	G		
Personnel Authority(49	of the Federal Aviation Administration to					
USC 44502)	acquire, establish, improve, operate, and	Real Estate				
	maintain air navigation facilities; and provide					
	facilities and personnel to regulate and protect					
	air traffic.					
Gift and Bequests (49	Authorizes the Administrator to accept any	All		G		
USC 326)	conditional or unconditional gift or donation of					
	money or property, real or personal, or of					
	services for the FAA					
	Requires performance indicators and	Metrics	P			
and Results Act of 1993	measurement.					
(31 USC 1101, 1115-		Baseline				
1119)		Management		<u> </u>		
	A contractor of a Federal agency under any Act	Procurement	P	G	C	
(25 USC 1544)	of Congress may be allowed an additional					
	amount of compensation equal to 5 percent of					
	the amount paid, or to be paid, to a					
	subcontractor or supplier, in carrying out the contract if such subcontractor or supplier is an					
	Indian organization or Indian-owned economic					
	enterprise as defined in this chapter.					
Interest of Member of	Prohibits member of or delegate to Congress	Procurement		+	C	*
Congress (41 USC 22)	from sharing in benefit from contract or grant	rocurement				
International Airport	Authorizes the Secretary of Transportation to	Procurement		G		
Facilities, Administrative	consolidate, operate, protect, maintain, and	1000101110110				
(49 USC 47305)	improve airport property and airway property					
,	(except meteorological facilities).					
International Airport	Provides definitions pertaining to International	Procurement		G		
Facilities, Definitions (49	Airport Facilities.					
USC 47301)						
International Air	Requires that all Federal agencies and	Procurement			С	
Transportation Fair	Government contractors and subcontractors use					
Competitive Practices	U.Sflag air carriers for U.S. Government-					
Act of 1974 (49 USC	financed international air transportation of					
40118 (5))	personnel (and their personal effects) or					
	property, to the extent that service by those					
	carriers is available. (Also known as the Fly					
I ''' IV' OID	America Act)	  D	<b>D</b>		-	
Javitts-Wagner-O'Dea	Established the Committee for Purchase of Products and Services of the Blind and Other	Procurement	P	G		
Act (41 USC 46)						
Indicial Daview (40 USC	Severely Handicapped.  Prescribes judicial review process for a person	Procurement	P	+	C	
46110)	disclosing a substantial interest in an order	riocurement	r			
T0110)	issued by the Secretary of Transportation (or					
	the Administrator of the Federal Aviation					
	Administration with respect to aviation safety					
	success Tell respect to a viation surety			1		1

	duties and powers designated to be carried out by the Administrator) under this part.					
Miller Act (40 USC 270a-270f)	Requires construction contractors to provide performance and payment bonds that are greater than \$25,000 but not greater than \$100,000.	Procurement	P	G	С	
1977 (P.L. 95-124),	Requires Agencies to adopt standards for assessing and enhancing the seismic safety of buildings designed for, or constructed by, or leased by the Federal Government.	All	P			
North American Free Trade Agreement (NAFTA) P.L. 103-182 (19 USC 3311)	Canada/Mexico exception from Buy American Act if purchase is over \$25,000.	Procurement			С	
National Energy Conservation Policy Act (42 USC 6201)	Requires energy and water conservation measures for federal buildings, facilities, or space	Environment	P			
National Environmental Policy Act (42 USC 6201)	Requires environmental assessment or environmental impact statement for proposed Federal actions	Environment	P	G		
Paperwork Reduction Act (44 U.S.C. 3501)	Requires Federal agencies to become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes resulting from the collection of information by or for the Federal Government.	All	Р			
Privacy Act (5 USC 552a)	Establishes procedures for records maintained on individuals to ensure that certain information is secured.	Ethics Procurement	P	G	С	
Procurement Integrity Act (41 USC 423)	Prohibits unauthorized release of source selection or other proprietary data	Procurement	P	G	С	
Project Grant Authority (49 USC 47104)	Authorizes the Secretary of Transportation to make project grants from the Airport and Airway Trust Fund to maintain a safe and efficient nationwide system of public-use airports that meets the present and future needs of civil aeronautics.	Procurement		G		
Public Law 85-804 (50 U.S.C. 1431-1434)	Empowers the President to authorize agencies exercising functions in connection with the national defense to enter into, amend, and modify contracts, without regard to other provisions of law related to making, performing, amending, or modifying contracts, whenever the President considers that such action would facilitate the national defense, to exercise the authority conferred by the Act and to delegate it to other officials within the agency. (Also see E.O. 10789)	Procurement	P	G	C	
Randolph-Sheppard Vending Facility Act(20 U.S.C. 107)	Provides for blind persons licensed under the provisions of this chapter authorization to operate vending facilities on any Federal	Procurement	Р	G		

	property.		Τ	1		Ι
Rehabilitation Act of 1973 - Section 508 (29 USC 794d)	Requires information technology purchases to be accessible to people with disabilities.	Procurement	P	G	С	
Rehabilitation Act (29 USC 793)	Requires affirmative action to employ and advance in employment qualified individuals with disabilities.	Procurement	P	G		*
Resource Conservation and Recovery Act (42 USC 6901)	Prescribes policies and procedures for acquiring Environmental Protection Agency-designated products through affirmative procurement programs.	Procurement Environment	P	G	С	
Service Contract Act(41 USC 351-357)	Provides for minimum wages and fringe benefits as well as other conditions of work under certain types of service contracts. Whether or not the Act applies to a specific service contract will be determined by the definitions and exceptions given in the Act, or implementing regulations.	Procurement	P	G	С	
Service-Disabled Veteran Owned Small Business Program (13 CFR,121,125&134)	Provides for competitive and non-competitive set-asides for Service Disabled Veteran Owned Small Businesses.	Procurement	P	G	С	
Systems, Procedures, Facilities, and Devices (49 USC 44505)	Requires the FAA Administrator to develop, alter, test, and evaluate systems, procedures, facilities, and devices, and define their performance characteristics, to meet the needs for safe and efficient navigation and traffic control of civil and military aviation, except for needs of the armed forces; and to select systems, procedures, facilities, and devices that will best serve those needs and promote maximum coordination of air traffic control and air defense systems.	Procurement		G		
Research and Development (49 USC 44912)	Requires the FAA Administrator to establish and carry out a program to accelerate and expand the research, development, and implementation of technologies and procedures to counteract terrorist acts against civil aviation.	Procurement		G		
Terms of Gifts (49 USC 47152)	Specifies the terms applicable to a gift of an interest in surplus property.	Procurement		G		
Training Schools (49 USC 40108)	Authorizes the FAA Administrator to operate schools to train officers and employees of the Administration to carry out duties, powers, and activities of the Administrator.	Procurement		G		
Vietnam Era Veterans Readjustment Act (38 USC 2012)	Requires contractors and subcontractors, when entering contracts subject to the Act, to list all suitable employment openings with the appropriate local employment service office and take affirmative action to employ, and advance in employment, qualified special disabled veterans and veterans of the Vietnam Era without discrimination based on their disability or Veteran's status. (Also see Executive Order	Procurement		G		*

	11701)				
Waiving and Adding	Authorizes the Secretary of Transportation to	Procurement		G	
Terms (49 USC 47153)	waive, without charge, a term of a gift of an				
	interest in property under this subchapter.				
Walsh Healey Public	Provides conditions for the purchase of supplies	Procurement	P	G	
Contracts Act (41 U.S.C.	and the making of contracts by the United				
35)	States, and for other purposes.				
Wendell H. Ford	Subjects the FAA to the Procurement Integrity	Procurement		G	
Aviation Investment &	Act (41USC 423), except that Subsections (f),				
Reform Act (A.O. 106-	Definitions, and (g), Limitation on Protests,				
181, Apr 5, 2000)	shall not apply.				

### **END OF PART I**

Red Line Content: <u>Acquisition Management Policy</u>: <u>Appendix E: Part I - Statutes</u>

			AMS P=Pe G=G	Promulgated by AMS: P=Policy, G=Guidance, C=Clause				
		Functional area affected		ee Off of Cou	ice of insel			
Title	Description Summary							
Administrative Procedures Act (5 USC 500 et seq)	Authorizes a duly qualified individual to represent a person before an agency.	All			*			
Agreement on eivil <u>Civil</u> aircraft <u>Aircraft</u> (19 USC 2513)	Exempts civil aircraft from Buy American Act.	Procurement			*			
Air Commerce and Safety (49 USC 40121(c)-(2)	Establishes legal authority for joint activities between DoD and the FAA to improve or replenish the national air traffic control system.	Procurement		G				
Airport Improvement (AIP) Grants (49 USC 47101)	Establishes U.S. Policypolicy for Airportairport development and improvement.	Agreements		G				
Air Traffic Management System Performance Improvement Act of 1996, PL. 104-264 (49 USC 40121).	Administrator must consider terminating Facilities and Equipment acquisition program that exceeds 10% of cost or schedule baseline or fails to achieve 90% of performance goals. When cost or schedule breach is 50% or more, Administrator must terminate program, or make a written determination to continue program and send the determination to Congress.	All	P					
Air Transportation Security, (49 USC 44903)	Authorizes the Administrator to prescribe regulations to protect passengers and property on an aircraft operating in air transportation or intrastate air transportation against an act of criminal violence or aircraft piracy.	Procurement		G				

Anti-Deficiency Act (31	Prohibits expenditure in excess of funds	Procurement	P	G	С	Π
USC 1341)	available <u>.</u>					$oxed{oxed}$
	Prohibits offering or accepting kickbacks;	Ethics				*
USC 51-58)	criminal penalties apply.	Procurement			С	
		Real Estate				
Anti-Lobbying Act (31 USC 1352)	Prohibits use of Federal funds for lobbying.	Procurement				*
Assistance to Foreign Aviation Authorities (49 USC 40113(e)	Authorizes the Administrator to provide safety- related training and operational services to foreign aviation authorities with or without reimbursement, if the Administrator determines that providing such services promotes aviation safety.	Procurement		G		
Interest in Surplus Property (49 USC 47151)	Authorizes a department, agency, or instrumentality of the executive branch of the United States U.S. Government or a wholly owned Government corporation to give a State, political subdivision of a State, or tax-supported organization any interest in property subject to sections 47152, Terms of Gifts and 47153, Waiving and Adding Terms, of this title.	Procurement		G		
Bayh-Dole Act (35 USC	Provides policy regarding inventions made with Government Assistance assistance	Procurement				*
need statutes (31 USC	Requires appropriations to be applied only to the objects for which the appropriations were made except as otherwise provided by law.	Budget Procurement			С	*
	Prescribes fines and punishment for bribery of public officials and witnesses.	All				*
	Prescribes acts and penalties affecting a personal financial interest.	All	P			
USC 10)	Requires American manufactured materials and supplies for public use. (Also see Executive Order 10582)	Procurement	P	G	С	
	Mandates a preference for raw and manufactured American materials.	Procurement			С	*
	Mandates preference for shipping cargo on U.S. ships.	Procurement			С	
	Exempts certain Caribbean countries from Buy American provisions of 19 USC 2701.	Procurement		G		
7401 et seq)	Encourages or otherwise promotes reasonable Federal, State, and local governmental actions, consistent with the provisions of this chapter, for pollution prevention.	Procurement Environment	P	G	С	
	Restores and maintains the chemical, physical, and biological integrity of the Nation's waters.	Procurement	P	G	С	
1		Environment				

Liability (49 USC 11707)	violation of routing instructions.			1		
Contract Work Hours and	Establishes a standard workday of 8 hours	Procurement	P	G	С	
Safety Standards Act (40	andhour workday aand standard workweek of					
USC 328)	40 hourshour workweek for laborers and					
	mechanics; with compensation of not less than					
	one and one-half times the basic rate of pay for					
	work in excess of exceeding the standard					
	workweek.					
Convict Labor Act (18	Prohibits convicts from performing	Procurement	P	G		
USC 23-436)	government Government contracts. (Also see					
	Executive Orders 11755 and 12943)					
Cooperative Research	Supports the full use of the results of the	Agreements		G		
and Development	Nation's Federal investment in research and					
Agreements (15 USC	development. To this end the Federal					
3710a)	Government shall strive where appropriate to					
	transfer federally Federally owned or originated					
	technology to State and local governments and					
	to the private sector.					
Copeland Act (18 USC	Makes it unlawful to induce any person,	Procurement	P	G	С	
874 and 40 USC 276c)	employed in the construction or repair of public					
a.k.a. Anti-Kickback Act	buildings or public works financed in whole or					
	in part by the U.S., to give up any part of the					
	compensation to which they are entitled.					
Davis Bacon Act (40	Requires construction contractors to pay	Procurement	P	G	С	
USC 276a)	prevailing wages for laborers and mechanics.					
Department of	Provides general authority for FAA to enter into	Agreements		G		
Transportation, General	reimbursable agreements with other agencies	greements				
Duties and Powers (49	and for cooperative agreements to use the					
USC 322(c))	services, records, and facilities of State,					
	territorial, municipal and other agencies.					
	However, 49 USC 106 (l) and (m) provides					
	broader authority and should be cited in place					
	of Section 322(c) for FAA agreements.					
Disclosure of	Prohibits the disclosure of confidential	Ethics	P	G		
	information by public officials, (i.e. trade	Lines	ľ			
(18 USC 1905)	secrets).	Procurement				
	I		D			
	Prohibits award of contracts to entities who	Procurement	P	G	C	
USC 10)	have not certified that it is a drug free					
	workplace. AMS does not reference 41 USC 10.					
	However it- is the FAA policy to only award					
	contracts to entities who have certified that it					
	is a drug free workplace.	_		1~		
Economy Act (31 USC	Authorizes the head of an agency or major	Procurement		G		
1535)	organizational unit within to place an order with					
	a major organizational unit within					
	the same agency or another agency for goods or					
	services under conditions specified in the					
F D 11 1	statute.	 	D.			
Energy Policy and		Procurement	P	G		
Conservation Act (42	standards with respect to for energy					
USC 6361(a)(1))	conservation and energy efficiency to govern	Environment				
	the procurement policies and decisions of the					
	Federal Government and all Federal agencies					
	and to cause such standards to be implemented.					

					_	
Explosive Detection (49 USC 44913)	Governs the deployment and purchase of explosive detection equipment under 14 USC 108.7(b)(8) or 108.20 when the Administrator of the Federal Aviation Administration FAA Administrator certifies that the equipment alone, or as part of an integrated system, can detect under realistic air carrier operating conditions the amounts, configurations, and types of explosive material that would likely be used to cause catastrophic damage to	Procurement		G		
	commercial aircraft.					
False Claims Act (31 USC 3729)	Specifies civil penalties for false claims against the U.S.	All		G		*
Fastener Quality Act - June 8, 1999 (15 U.S.C. 5402)	Requires fasteners (i.e. bolts, nuts, screws) to be manufactured in accordance with a fastener quality assurance system; or manufactured to a proprietary standard, such as ISO 9000, QS9000, VDA6.1, or AS9000.	Procurement	Р			
Federal Aviation Administration (49 USC 106)	Authorizes the Administrator to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary to carry out the functions of the Administrator and the Administration.	Procurement	P	G		
Federal Claims Collection (31 USC 3711)	Establishes provisions for collecting claims of the U.S. for money or property arising out of the activities of, or referred to the agency.	Procurement				*
	Imposes tax on diesel fuel in certain cases.	Procurement	Р	G		
Federal Facilities Compliance Act	Mixed Waste is regulated as hazardous and radioactive waste under the Resource Conservation and Recovery Act (RCRA) and the Atomic Energy Act (AEA), respectively.	Environment				*
Federal Prison Industries (18 USC 4121)	Prescribes requirement for purchases from Federal Prison facilities.	Procurement	Р	G	С	
Federal Workforce Restructuring Act of 1994 - P.L. 103-226 (5 USC 5597)	To provide temporary authority to Government agencies relating to voluntary separation, incentive payments, and for other purposes and limitation on procurement of Service Contracts with involuntarily separated employees.	Procurement	P	G	С	
Freedom of Information Act of 1986 (5 USC 552)	Regulates the release of public information; agency rules, opinions, orders, records, and proceedings.	All		G		*
General Facilities and Personnel Authority(49 USC 44502)		Procurement Real Estate	P	G		
Gift and Bequests (49 USC 326)	Authorizes the Administrator to accept any conditional or unconditional gift or donation of money or property, real or personal, or of services for the FAA	All		G		

Covernment Daufaum	Daguiros porformanas indicators and	Metrics	P			
and Results Act of 1993	Requires performance indicators and measurement.	INTEUTOS	r			
(31 USC 1101, 1115-	measurement.	Dagalina				
1119)		Baseline Management				
	A contractor of a Fodoral according and a constant	Management	P	G	С	<u> </u>
(25 USC 1544)	A contractor of a Federal agency under any Act of Congress may be allowed an additional	rrocurement	r	U		
(23 USC 1344)	amount of compensation equal to 5 percent of					
	the amount paid, or to be paid, to a					
	subcontractor or supplier, in carrying out the					
	contract of supplier, in earlying out the					
	Indian organization or Indian-owned economic					
	enterprise as defined in this chapter.					
Interest of Member of	Prohibits member of or delegate to Congress	Procurement			C	*
Congress (41 USC 22)	from sharing in benefit from contract or grant	Tocurement				
International Airport	Authorizes the Secretary of Transportation to	Procurement	1	G		<u> </u>
Facilities, Administrative	consolidate, operate, protect, maintain, and	riocurement		0		
(49 USC 47305)	improve airport property and airway property					
(1) 050 +1303)	(except meteorological facilities).					
International Airport	Provides definitions pertaining to International	Procurement		G		
Facilities, Definitions (49)		1 TOCUICIICIII	1			
USC 47301)	inport i delitios.					
International Air	Requires that all Federal agencies and	Procurement	1		C	
Transportation Fair	Government contractors and subcontractors use	Tocurement				
Competitive Practices	U.Sflag air carriers for U.S. Government-					
Act of 1974 (49 USC	financed international air transportation of					
40118 (5))	personnel (and their personal effects) or					
	property, to the extent that service by those					
	carriers is available. (Also known as the Fly					
	America Act)					
Javitts-Wagner-O'Dea	Established the Committee for Purchase of	Procurement	P	G		
Act (41 USC 46)	Products and Services of the Blind and Other					
	Severely Handicapped;					
Judicial Review (49 USC		Procurement	P		С	
46110)	disclosing a substantial interest in an order					
,	issued by the Secretary of Transportation (or					
	the Administrator of the Federal Aviation					
	Administration with respect to aviation safety					
	duties and powers designated to be					
	carried out by the Administrator) under this					
	part.					
Miller Act (40 USC	Requires construction contractors to provide	Procurement	P	G	C	
270a-270f)	performance and payment bonds that are greater					
	than \$25,000 but not greater than \$100,000.					
National Earthquake	Requires Agencies to adopt standards for	All	P			
II.	assessing and enhancing the seismic safety of					
1977 (P.L. 95-124),	buildings designed for, or constructed by, or					
	leased by the Federal Government.					
614) (42 USC 7701 et						
seq.)						
North American Free	1 7	Procurement			C	
Trade Agreement	Act if purchase is over \$25,000.		1			
(NAFTA) P.L. 103-182						
(19 USC 3311)						

National Engage	Deguines anamay and water conservation	Environment	P	_		_
National Energy Conservation Policy Act	Requires energy and water conservation	Environment	P			
	measures for federal buildings, facilities, or					
(42 USC 6201)	space	<u> </u>				1
National Environmental	Requires environmental assessment or	Environment	P	G		
Policy Act (42 USC	environmental impact statement for proposed					
6201)	federal Federal actions					
Paperwork Reduction Act	Requires Federal Agencies agencies to become	All	P			
(44 U.S.C. 3501)	more responsible and publicly accountable for					
	reducing the burden of Federal paperwork on					
	the public, and for other purposes resulting					
	from the collection of information by or for the					
	Federal Government.					
Privacy Act (5 USC	Establishes procedures for records maintained	Ethics	Р	G	С	1
552a)	on individuals to ensure that certain information					
3324)	is secured.	1				
		Procurement	1	1		1
Procurement Integrity	Prohibits unauthorized release of source	Procurement	P	G	C	
Act (41 USC 423)	selection or other proprietary data					
Project Grant Authority	Authorizes the Secretary of Transportation to	Procurement		G		
(49 USC 47104)	make project grants from the Airport and					
	Airway Trust Fund to maintain a safe and					
	efficient nationwide system of public-use					
	airports that meets the present and future needs					
	of civil aeronautics.					
Public Law 85-804 (50	Empowers the President to authorize agencies	Procurement	P	G	С	Ť
U.S.C. 1431-1434)	exercising functions in connection with the	Trocurement				
0.5.6. 1431-1434)	national defense to enter into, amend, and					
	modify contracts, without regard to other					
	provisions of law related to making,					
	performing, amending, or modifying contracts,					
	whenever the President considers that such					
	action would facilitate the national defense, to					
	exercise the authority conferred by the Act and					
	to delegate it to other officials within the					
	agency. (Also see E.O. 10789)					
Randolph-Sheppard	Provides for blind persons licensed under the	Procurement	P	G		
Vending Facility Act(20	provisions of this chapter authorization to					
U.S.C. 107)	operate vending facilities on any Federal					
	property.					
Rehabilitation Act of	Requires information technology purchases to	Procurement	P	G	С	
1973 - Section 508 (29	be accessible to people with disabilities.					
USC 794d)						
Rehabilitation Act (29	Requires affirmative action to employ and	Procurement	P	G		*
USC 793)	and a summarie action to employ and		ſ			
	advance in apple smart qualified in dividual.					
	advance in employment qualified individuals					
_ ~	with disabilities.		<u> </u>		-	1
Resource Conservation	Prescribes policies and procedures for acquiring	Procurement	P	G	C	
and Recovery Act (42	Environmental Protection Agency(EPA)					
USC 6901)	designated products through affirmative	Environment				
	procurement programs.					
Service Contract Act(41	Provides for minimum wages and fringe	Procurement	P	G	С	
USC 351-357)	benefits as well as other conditions of work					
<u> </u>	under certain types of service contracts.					
	Whether or not the Act applies to a specific					
	1. III all of hot the riet applies to a specific	1				

	service contract will be determined by the		1	Т		Т
	definitions and exceptions given in the Act, or					
	implementing regulations.	_		1		_
	1 1	Procurement	P	G	C	
Owned Small Business	set-asides for Service Disabled Veteran Owned					
Program (13	Small Businesses.					
CFR,121,125&134)						
Systems, Procedures,	1	Procurement		G		
Facilities, and Devices	Aviation <u>FAA</u> Administration <u>Administrator</u> to					
(49 USC 44505)	develop, alter, test, and evaluate systems,					
	procedures, facilities, and devices, and define					
	their performance characteristics, to meet the					
	needs for safe and efficient navigation and traffic control of civil and military aviation,					
	except for needs of the armed forces; and to					
	select systems, procedures, facilities, and					
	devices that will best serve those needs and					
	promote maximum coordination of air traffic					
	control and air defense systems.					
Research and		Procurement		G		
Development (49 USC	Aviation Administration FAA Administrator to	Tocurcinent				
44912)	establish and carry out a program to accelerate					
11712)	and expand the research, development, and					
	implementation of technologies and procedures					
	to counteract terrorist acts against civil aviation.					
Terms of Gifts (49 USC		Procurement		G		
47152)	interest in surplus property.	1 Tocurement				
Training Schools (49		Procurement	1	G		
USC 40108)	Aviation Administration FAA Administrator to					
	operate schools to train officers and employees					
	of the Administration to carry out duties,					
	powers, and activities of the Administrator.					
Vietnam Era Veterans		Procurement		G		*
Readjustment Act (38	entering contracts subject to the Act, to list all					
USC 2012)	suitable employment openings with the					
,	appropriate local employment service office and					
	take affirmative action to employ, and advance					
	in employment, qualified special disabled					
	veterans and veterans of the Vietnam Era					
	without discrimination based on their disability					
	or Veteran's status. (Also see Executive Order					
	[11701)					
Waiving and Adding	, ,	Procurement		G		
Terms (49 USC 47153)	waive, without charge, a term of a gift of an					
	interest in property under this subchapter.					
Walsh Healey Public	Provides conditions for the purchase of supplies	Procurement	P	G		
Contracts Act (41 U.S.C.	and the making of contracts by the United					
35)	States, and for other purposes.					
Wendell H. Ford		Procurement		G		
Aviation Investment &	Act (41USC 423), except that Subsections (f),					
Reform Act (A.O. 106-	Definitions, and (g), Limitation on Protests,					
181, Apr 5, 2000)	shall not apply.					