CHANGE REQUEST COVER SHEET

Change Request Number: 12-106

Date Received: 8/8/2012

Title: Reference to Disaster Relief and Emergency Assistance Statute

Name: Tim Eckert

Phone: (202) 267-7527

Policy OR Guidance: Policy

Section/Text Location Affected: Appendix E, Part I

Summary of Change: Addition of reference to Robert T. Stafford Disaster Relief and Emergency Assistance Act to statutes applicable to the FAA, plus edits to put statutes in alphabetical order and make administrative changes

Reason for Change: Addition of statute applicable to FAA for disaster or emergency set- asides

Development, Review, and/or Concurrence: Procurement Legal and Acquisition Policy Division

Target Audience: Contracting workforce

Potential Links within FAST for the Change: None

Briefing Planned: No

ASAG Responsibilities: None

Potential Links within FAST for the Change: None

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

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

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

SECTIONS EDITED:

Acquisition Management Policy:

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

SECTIONS EDITED:

Appendix E: Part I - Statutes

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

			Pro AM	0	ated by	y		
Title			P=Policy, G=Guidance, C=Clause					
	Description Summary	Functional area affected		ee Of insel	fice of	Chief		
Administrative Procedures Act (5 USC 500 et seq)	Authorizes a duly qualified individual to represent a person before an agency.	All				*		
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 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 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	Ρ					
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	Р	G	С			
Anti-Kickback Act (41 USC 51-58)	Prohibits offering or accepting kickbacks; criminal penalties apply.	Ethics 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		
Authority to Transfer an 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.	Procurement		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 Interest Laws (18 USC 208)	Prescribes acts and penalties affecting a personal financial interest.	All	Р			
Buy American Act (41 USC 10)	Requires American manufactured materials and supplies for public use. (Also see Executive Order 10582)	Procurement	Р	G	С	
Buy American (FAA) (49 USC 50101)	Mandates a preference for raw and manufactured American materials.	Procurement			С	*
Cargo Preference Act (46 USC 1241)	Mandates preference for shipping cargo on U.S. ships.	Procurement			С	
Caribbean Basin Economic Recovery Act (19 USC 2701)	Exempts certain Caribbean countries from Buy American provisions of 19 USC 2701.	Procurement		G		
Clean Air Act (42 USC 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	Р	G	С	
Clean Water Act (33 USC 1251 et seq)	Restores and maintains the chemical, physical, and biological integrity of the Nation's waters.	Procurement Environment	Р	G	С	
Common Carrier Liability (49 USC 11707)	Specifies liability when property is delivered in violation of routing instructions.	Procurement				*
Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (P.L. 111-195)	Requires offerors to certify that they have not exported sensitive technology to Iran	Procurement		G	C	

	Establishes a standard 8 hour workday and standard 40 hour workweek for laborers and	Procurement	Р	G	С
Act (40 USC 328)	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 USC 23-436)	Prohibits convicts from performing Government contracts. (Also see Executive Orders 11755 and 12943)	Procurement	Р	G	
and Development	Supports the full use of the results of the Nation's Federal investment in research and	Agreements		G	
Agreements (15 USC 3710a)	development. To this end the Federal 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 874 and 40 USC 276c) a.k.a. Anti- Kickback Act	Makes it unlawful to induce any person, employed in the construction or repair of public buildings or public works financed in whole or in part by the U.S., to give up any part of the	Procurement	Р	G	C
	compensation to which they are entitled.				
Davis Bacon Act (40 USC 276a)	Requires construction contractors to pay prevailing wages for laborers and mechanics.	Procurement	Р	G	C
Department of Transportation, General Duties and	Provides general authority for FAA to enter into reimbursable agreements with other agencies and for cooperative agreements to use the	Agreements		G	
Powers (49 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				
Disclosure of Confidential	Section 322(c) for FAA agreements. Prohibits the disclosure of confidential information by public officials, i.e. trade secrets.	Ethics	Р	G	
Information (18 USC		Procurement			
1905) 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	Procurement	Р	G	С
	workplace.				
Economy Act (31 USC 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	Procurement		G	
Energy Policy and	statute. Requires agencies to develop mandatory	Procurement	Р	G	
Energy Policy and Conservation Act (42 USC 6361(a)(1))	standards for energy conservation and energy efficiency to govern the procurement policies		ſ	U	
USC 6361(a)(1))	and decisions of the Federal Government and all Federal agencies and to cause such standards to be implemented.	Environment			
Explosive Detection (49 USC 44913)	-	Procurement		G	

108.7(b)(8) or 108.20 when the EAA					
or as part of an integrated system, can detect					
under realistic air carrier operating conditions					
the amounts, configurations, and types of					
	1		1		
· · · ·	All		G		*
	Procurement	Р			
	Procurement	P	G		
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agreements, or other transactions as may be					
necessary to carry out the functions of the					
Administrator and the Administration.					
Establishes provisions for collecting claims of	Procurement				*
	-				
Imposes tax on diesel fuel in certain cases.	Procurement	Р	G		
NC 1XX7	F				*
	Environment				Ŷ
	Procurement	Р	G	С	
Federal Prison facilities.					
To provide temporary authority to Government	Procurement	Р	G	С	
	4 11				
	All	P	G		*
proceedings.					
Provides general authority to the Administrator	Procurement	Р	G		
	1 locaronioni	ľ			
acquire, establish, improve, operate, and	Real Estate				
maintain air navigation facilities; and provide					
facilities and personnel to regulate and protect					
Authorizes the Administrator to accept any	All		G		
conditional or unconditional gift or donation of					
money or property, real or personal, or of					
money or property, real or personal, or of services for the FAA	Metrics	P			
money or property, real or personal, or of	Metrics	Р			
money or property, real or personal, or of services for the FAA Requires performance indicators and	Metrics	Р			
money or property, real or personal, or of services for the FAA Requires performance indicators and	Metrics	Р			
money or property, real or personal, or of services for the FAA Requires performance indicators and measurement.	Metrics	Р			
	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. Specifies civil penalties for false claims against the U.S. 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. 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. Establishes provisions for collecting claims of the U.S. for money or property arising out of the activities of, or referred to the agency. Imposes tax on diesel fuel in certain cases. Mixed Waste is regulated as hazardous and radioactive waste under the Resource Conservation and Recovery Act (RCRA) and the Atomic Energy Act (AEA), respectively. Prescribes requirement for purchases from Federal Prison facilities. 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. Regulates the release of public information; agency rules, opinions, orders, records, and proceedings. 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. Authorizes the Administrator to accept any	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.AllSpecifies civil penalties for false claims against the U.S.AllRequires 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.ProcurementQS9000, VDA6.1, or AS9000.ProcurementAuthorizes 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.ProcurementEstablishes provisions for collecting claims of the U.S. for money or property arising out of the activities of, or referred to the agency.ProcurementMixed Waste is regulated as hazardous and radioactive waste under the Resource Conservation and Recovery Act (RCRA) and the Atomic Energy Act (AEA), respectively.ProcurementTo 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.AllProcurement of the Federal Aviation Administrator to acquire, establish, improve, operate, and maintian air navigation facilities; and provide facilities and personnel to regulate and provide facilities and personnel to regulate and proveted facilities and personnel to regulate and proveted facilities and per	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.AllSpecifies civil penalties for false claims against the U.S.AllProcurementRequires fasteners (i.e. bolts, nuts, screws) to be manufactured in accordance with a fastener quality asurance system; or manufactured to a proprietary standard, such as ISO 9000, QS9000, VDA6.1, or AS9000.ProcurementPAuthorizes 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.ProcurementPMixed Waste is regulated as hazardous and radioactive waste under the Resource Conservation and Recovery Act (RCRA) and the Atomic Energy Act (AEA), respectively.ProcurementPPrescribes requirement for purchases from Federal Prison facilities.ProcurementPProcurement of Service Contracts with involuntarily separated employees.ProcurementPRegulates the release of public information; agency rules, opinions, orders, records, and proceedings.AllPProvides general authority to the Administrator of the Federal Aviation Administration to acquice, establish, improve, operate, and maintain air navigation facilities; and provide facilities and personnel to regulate and protect air traffic.Procurement AllP	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.AllGSpecifies civil penalties for false claims against the U.S.AllProcurementPRequires 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.ProcurementPAuthorizes 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.ProcurementPGMixed Waste is regulated as hazardous and radioactive waste under the Resource Conservation and Recovery Act (RCRA) and the Atomic Energy Act (RCRA) and the Atomic facilities.ProcurementPGTo 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.ProcurementPGProvides general authority to the Administrator of the Federal Aviation Administratior of the Federa	Administrator certifies that the equipment alone, or as part of an integrated system, can detect under realistic air carire operating conditions the amounts, configurations, and types of explosive material that would likely be used to cause catastrophic damage to commercial aircraft. 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(31 USC 1101, 1115- 1119)		Baseline Management				
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	Ρ	G	С	
	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 (except meteorological facilities).	Procurement		G		
International Airport Facilities, Definitions (49 USC 47301)	Provides definitions pertaining to International Airport Facilities.	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	
Iran Sanctions Act of 1996 (50 U.S.C. 1701 note)	Requires offerors to certify they have not been involved in sanctioned activities with the Government of Iran	Procurement		G	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	Р	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	Р	G	С	
National Earthquake Hazards Reduction Act of 1977 (P.L. 95- 124), Amended 1990 (P.L. 101-614) (42 USC 7701 et seq.)	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	Р			
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	Environment	Р	Ì	1	

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-	measures for federal buildings, facilities, or space					
	Requires environmental assessment or	Environment	Р	G		
	environmental impact statement for proposed					
Act (42 USC 6201)	Federal actions					
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	Ρ			
Privacy Act (5 USC 552a)	Establishes procedures for records maintained on individuals to ensure that certain information is secured.	Ethics Procurement	Р	G	С	
			D	0		
Procurement Integrity Act (41 USC 423)	Prohibits unauthorized release of source selection or other proprietary data	Procurement	Р	G	С	
	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		
(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	Ρ	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	Р	G		
	Requires information technology purchases to be accessible to people with disabilities.	Procurement	Р	G	С	
Rehabilitation Act (29 USC 793)	Requires affirmative action to employ and	Procurement	Р	G		*
	advance in employment qualified individuals with disabilities.					
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	Р	G	С	
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		P	G	С	

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

END OF PART I

New Content: <u>Acquisition Management Policy</u>: **Appendix E: Part I - Statutes**

			AM P=F G=0	mulga S: Policy, Guida Clause	nce,	y
		Functional area affected		ee Off insel	fice o	f Chief
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 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 FAA to improve or replenish the national air traffic control system.	Procurement		G		
Airport Improvement	Establishes U.S. policy for airport development and improvement.	Agreements		G		
Air Traffic Management System Performance Improvement Act of 1996, P.L. 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	Ρ			
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	Р	G	С	
Anti-Kickback Act (41 USC 51-58)	Prohibits offering or accepting kickbacks; criminal penalties apply.	Ethics				*
		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		
Authority to Transfer an Interest in Surplus	Authorizes a department, agency, or instrumentality of the executive branch of the	Procurement		G		

Property (49 USC	U.S. Government or a wholly owned					
47151)	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 200)	Provides policy regarding inventions made with Government assistance	Procurement				*
Bona fide Fiscal year	Requires appropriations to be applied only to the	Budget			С	*
need statutes (31 USC	objects for which the appropriations were made					
1301)	except as otherwise provided by law.	Procurement				
Bribery and Conflict	Prescribes fines and punishment for bribery of	All				*
of Interest Laws (18	public officials and witnesses.					
USC 201)						
Bribery and Conflict	Prescribes acts and penalties affecting a personal	All	Р			
of Interest Laws (18	financial interest.					
USC 208)						
	1	Procurement	Р	G	С	
USC 10)	supplies for public use. (Also see Executive					
	Order 10582)					
Buy American (FAA)	Mandates a preference for raw and	Procurement			С	*
(49 USC 50101)	manufactured American materials.					
Cargo Preference Act	Mandates preference for shipping cargo on U.S.	Procurement			С	
(46 USC 1241)	ships.					
Caribbean Basin	Exempts certain Caribbean countries from Buy	Procurement		G		
Economic Recovery	American provisions of 19 USC 2701.					
Act (19 USC 2701)		 		 ~		
Clean Air Act (42	Encourages or otherwise promotes reasonable	Procurement	Р	G	С	
USC 7401 et seq)	Federal, State, and local governmental actions,					
	consistent with the provisions of this chapter, for pollution prevention.	Environment				
Clean Water Act (33	Restores and maintains the chemical, physical,	Decoursent	Р	G	С	
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05C 1251 Ct seq)	and biological integrity of the tvation's waters.	Environment				
a a c		1				*
Common Carrier Liability (49 USC	Specifies liability when property is delivered in violation of routing instructions.	Procurement				T
11707)	violation of fouring instructions.					
Comprehensive Iran	Requires offerors to certify that they have not	Procurement		G	С	
Sanctions,	exported sensitive technology to Iran	riocurement		U	C	
Accountability, and	experted sensitive technology to fruit					
Divestment Act of						
2010 (P.L. 111-195)						
Contract Work Hours	Establishes a standard 8 hour workday	Procurement	Р	G	С	
and Safety Standards	and standard 40 hour workweek for laborers and					
Act (40 USC 328)	mechanics, with compensation of not less than					
	one and one-half times the basic rate of pay for					
	work exceeding the standard workweek.					
	Prohibits convicts from performing Government	Procurement	Р	G		
USC 23-436)	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 owned or originated technology to State and local governments and					
Copeland Act (18 USC 874 and 40 USC 276c) a.k.a. Anti- Kickback Act	to the private sector. Makes it unlawful to induce any person, employed in the construction or repair of public 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.	Procurement	Р	G	С	
Davis Bacon Act (40 USC 276a)	Requires construction contractors to pay prevailing wages for laborers and mechanics.	Procurement	Р	G	С	
Department of Transportation, General Duties and Powers (49 USC 322(c))	Provides general authority for FAA to enter into reimbursable agreements with other agencies and for cooperative agreements to use the services, records, and facilities of State, territorial, municipal and other agencies. However, 49 USC 106 (1) and (m) provides broader authority and should be cited in place of Section 322(c) for FAA agreements.	Agreements		G		
Disclosure of Confidential Information (18 USC 1905)	Prohibits the disclosure of confidential information by public officials, i.e. trade secrets.	Ethics Procurement	Р	G		
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	Р	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	Р	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 -	Requires fasteners (i.e. bolts, nuts, screws) to be	Procurement	P			

June 8, 1999 (15 USC 5402)	manufactured in accordance with a fastener quality assurance system; or manufactured to a 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	Р	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	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	Р	G	С	
Freedom of Information Act (FOIA) as amended (5 USC 552)	Regulates the release of public information; agency rules, opinions, orders, records, and proceedings.	All	Р	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	Р	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	Р			
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	Ρ	G	С	
Interest of Member of FAST Archive 10/	Prohibits member of or delegate to Congress	Procurement			С	*

om sharing in benefit from contract or grant uthorizes the Secretary of Transportation to onsolidate, operate, protect, maintain, and mprove airport property and airway property except meteorological facilities). rovides definitions pertaining to International irport Facilities. equires that all Federal agencies and overnment contractors and subcontractors use (.Sflag air carriers for U.S. Government- nanced international air transportation of ersonnel (and their personal effects) or roperty, to the extent that service by those arriers is available. (Also known as the Fly merica Act) equires offerors to certify they have not been wolved in sanctioned activities with the overnment of Iran stablished the Committee for Purchase of	Procurement Procurement Procurement Procurement		G	С	
rovides definitions pertaining to International irport Facilities. equires that all Federal agencies and overnment contractors and subcontractors use .Sflag air carriers for U.S. Government- nanced international air transportation of ersonnel (and their personal effects) or roperty, to the extent that service by those arriers is available. (Also known as the Fly merica Act) equires offerors to certify they have not been wolved in sanctioned activities with the overnment of Iran stablished the Committee for Purchase of	Procurement		G	С	
Sovernment contractors and subcontractors use Sflag air carriers for U.S. Government- nanced international air transportation of ersonnel (and their personal effects) or roperty, to the extent that service by those arriers is available. (Also known as the Fly merica Act) equires offerors to certify they have not been wolved in sanctioned activities with the overnment of Iran stablished the Committee for Purchase of				С	
volved in sanctioned activities with the overnment of Iran stablished the Committee for Purchase of	Procurement				
			G	С	
roducts and Services of the Blind and Other everely Handicapped.	Procurement	Р	G		
rescribes judicial review process for a person isclosing a substantial interest in an order sued by the Secretary of Transportation (or ne Administrator of the Federal Aviation dministration with respect to aviation safety uties and powers designated to be arried out by the Administrator) under this part.	Procurement	Ρ		С	
equires construction contractors to provide erformance and payment bonds that are greater tan \$25,000 but not greater than \$100,000.	Procurement	Р	G	С	
equires Agencies to adopt standards for ssessing and enhancing the seismic safety of uildings designed for, or constructed by, or ased by the Federal Government.	All	Р			
anada/Mexico exception from Buy American ct if purchase is over \$25,000.	Procurement			С	
equires energy and water conservation leasures for federal buildings, facilities, or bace	Environment	Р			
equires environmental assessment or avironmental impact statement for proposed ederal actions	Environment	Р	G		
equires Federal agencies to become more esponsible and publicly accountable for educing the burden of Federal paperwork on expublic and for other purposes resulting form	All	Р			
	rformance and payment bonds that are greater an \$25,000 but not greater than \$100,000. equires Agencies to adopt standards for sessing and enhancing the seismic safety of ildings designed for, or constructed by, or used by the Federal Government. anada/Mexico exception from Buy American et if purchase is over \$25,000. equires energy and water conservation easures for federal buildings, facilities, or ace equires environmental assessment or vironmental impact statement for proposed deral actions equires Federal agencies to become more sponsible and publicly accountable for fucing the burden of Federal paperwork on	rformance and payment bonds that are greater an \$25,000 but not greater than \$100,000.Allequires Agencies to adopt standards for sessing and enhancing the seismic safety of ildings designed for, or constructed by, or used by the Federal Government.Allmada/Mexico exception from Buy American tri f purchase is over \$25,000.Procurementequires energy and water conservation easures for federal buildings, facilities, or aceEnvironmentequires environmental assessment or vironmental impact statement for proposed deral actionsEnvironmentequires Federal agencies to become more sponsible and publicly accountable for ducing the burden of Federal paperwork on e public, and for other purposes resulting fromAll	rformance and payment bonds that are greater an \$25,000 but not greater than \$100,000.equires Agencies to adopt standards for sessing and enhancing the seismic safety of ildings designed for, or constructed by, or used by the Federal Government.Allmada/Mexico exception from Buy American tr if purchase is over \$25,000.Procurementequires energy and water conservation easures for federal buildings, facilities, or aceEnvironmentequires environmental assessment or vironmental impact statement for proposed deral actionsEnvironmentPAllPProcurementequires Federal agencies to become more sponsible and publicly accountable for ducing the burden of Federal paperwork on e public, and for other purposes resulting from	Arrow and payment bonds that are greater an \$25,000 but not greater than \$100,000.AllPaquires Agencies to adopt standards for sessing and enhancing the seismic safety of ildings designed for, or constructed by, or used by the Federal Government.AllPanada/Mexico exception from Buy American et if purchase is over \$25,000.ProcurementIequires energy and water conservation easures for federal buildings, facilities, or aceEnvironmentPequires environmental assessment or vironmental impact statement for proposed deral actionsEnvironmentPGAllPequires Federal agencies to become more sponsible and publicly accountable for ducing the burden of Federal paperwork on e public, and for other purposes resulting fromAllP	Arrormance and payment bonds that are greater an \$25,000 but not greater than \$100,000.AllPequires Agencies to adopt standards for sessing and enhancing the seismic safety of ildings designed for, or constructed by, or used by the Federal Government.AllPImada/Mexico exception from Buy American et if purchase is over \$25,000.ProcurementCequires energy and water conservation easures for federal buildings, facilities, or aceEnvironmentPequires environmental assessment or vironmental impact statement for proposed deral actionsEnvironmentPequires Federal agencies to become more sponsible and publicly accountable for hucing the burden of Federal paperwork onAllP

Privacy Act (5 USC 552a)	Establishes procedures for records maintained on individuals to ensure that certain information is secured.	Ethics Procurement	Р	G	С	
Procurement Integrity Act (41 USC 423)	Prohibits unauthorized release of source selection or other proprietary data	Procurement	Р	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 USC 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	Ρ	G	С	
Randolph-Sheppard Vending Facility Act (20 USC 107)	Provides for blind persons licensed under the provisions of this chapter authorization to operate vending facilities on any Federal property.	Procurement	Р	G		
Rehabilitation Act of 1973 - Section 508 (29 USC 794d)	Requires information technology purchases to be accessible to people with disabilities.	Procurement	Р	G	С	
Rehabilitation Act (29 USC 793)	Requires affirmative action to employ and advance in employment qualified individuals with disabilities.	Procurement	Р	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 agianst civil aviation.	Procurement		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	Р	G	С	
Robert T Stafford Disaster Relief and Emergency Assistance Act (42 USC 5150)	Provides for a preference for local organizations, firms, or activities when contracting for major disaster or emergency assistance activities	Procurement	Р	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	Ρ	G	С	
Service-Disabled Veteran Owned Small	Provides for competitive and non-competitive set-asides for Service Disabled Veteran Owned	Procurement	Р	G	С	

Business Program (13 CFR,121,125&134)	Small Businesses.				
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	
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 11701)	Procurement		G	*
Waiving and Adding Terms (49 USC 47153)	Authorizes the Secretary of Transportation to waive, without charge, a term of a gift of an interest in property under this subchapter.	Procurement		G	
Walsh Healey Public Contracts Act (41 USC 35)	Provides conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes.	Procurement	Р	G	
Wendell H. Ford Aviation Investment & Reform Act (A.O. 106-181, Apr 5, 2000)	Subjects the FAA to the Procurement Integrity Act (41USC 423), except that Subsections (f), Definitions, and (g), Limitation on Protests, shall not apply.	Procurement		G	

END OF PART I

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

	Promulgated by AMS:
	P=Policy, G=Guidance, C=Clause
Functional area affected	*=See Office of Chief Counsel

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 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 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		
PLP.L. 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	Р	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 reimbursement, if the Administrator determines that providing such services promotes aviation safety.	Procurement		G		
Authority to Transfer an 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.	Procurement		G	1	
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	Budget			С	*
	made except as otherwise provided by law.	Procurement				
Bribery and Conflict of Interest Laws (18 USC 201)	Prescribes fines and punishment for bribery of public officials and witnesses.	A11				*
Bribery and Conflict of Interest Laws (18 USC 208)	Prescribes acts and penalties affecting a personal financial interest.	All	Р			
Buy American Act (41 USC 10)	Requires American manufactured materials and supplies for public use. (Also see Executive Order 10582)	Procurement	Р	G	С	
Buy American (FAA) (49 USC 50101)	Mandates a preference for raw and manufactured American materials.	Procurement			С	*
Cargo Preference Act (46 USC 1241)	Mandates preference for shipping cargo on U.S. ships.	Procurement	Ì		С	
Caribbean Basin Economic Recovery Act (19 USC 2701)	Exempts certain Caribbean countries from Buy American provisions of 19 USC 2701.	Procurement		G		
Clean Air Act (42 USC 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	Р	G	С	
Clean Water Act (33 USC 1251 et seq)	Restores and maintains the chemical, physical, and biological integrity of the Nation's waters.	Procurement	Р	G	С	
		Environment				*
(49 USC 11707)	Specifies liability when property is delivered in violation of routing instructions.					ŕ
Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (P.L. 111-195)	Requires offerors to certify that they have not exported sensitive technology to Iran	Procurement		G	С	
Contract Work Hours and Safety Standards Act (40 USC 328)	Establishes a standard 8 hour workday and standard 40 hour workweek for laborers and mechanics, with compensation of not less than one and one-half times the basic rate of pay for work exceeding the standard workweek.	Procurement	Ρ	G	С	
Convict Labor Act (18 USC 23-436)	Prohibits convicts from performing Government contracts. (Also see Executive Orders 11755 and 12943)	Procurement	Р	G		
	Supports the full use of the results of the Nation's Federal investment in research and development. To this end the Federal Government shall strive where appropriate to transfer Federally owned or originated technology to State and local governments and to the private sector.	Agreements		G		
Copeland Act (18 USC 374 and 40 USC 276c) a.k.a. Anti-Kickback Act	Makes it unlawful to induce any person, employed in the construction or repair of public 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.	Procurement	Р	G	С	
Denis Deser Ast (40 UCC	Requires construction contractors to pay	Procurement	Р	G	С	

276a)	prevailing wages for laborers and mechanics.				
Department of Transportation, General Duties and Powers (49 USC 322(c))	Provides general authority for FAA to enter into reimbursable agreements with other agencies and for cooperative agreements to use the 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.	Agreements		G	
Disclosure of Confidential Information (18 USC 1905)	Prohibits the disclosure of confidential information by public officials, i.e. trade secrets.	Ethics Procurement	Р	G	
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	Р	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	Ρ	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	*
Fasten: r Quality Act - June 8, 1999 (15 U.S.C<u>USC</u> 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	Ρ	G	
Federal Claims Collection (31 USC 3711)	Establishes provisions for collecting claims of the U.S. for money or property arising out of	Procurement			*

	the activities of, or referred to the agency.					
Federal Excise Taxes (26 USC 4041)	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 (FOIA) as amended (5 USC 552)	Regulates the release of public information; agency rules, opinions, orders, records, and proceedings.	A11	Р	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	Р			
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	Ρ	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 (except meteorological facilities).	Procurement		G		
International Airport Facilities, Definitions (49 USC 47301)	Provides definitions pertaining to International Airport Facilities.	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	Procurement			С	

	property, to the extent that service by those carriers is available. (Also known as the Fly America Act)				
	Requires offerors to certify they have not been involved in sanctioned activities with the Government of Iran	Procurement		G	С
Vavitts-Wagner-O'Dea Act (41 USC 46)	Established the Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped.	Procurement	Р	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	Ρ		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	Р	G	С
977 (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	Ρ		
North American Free Frade 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	Р		
Policy Act (42 USC 6201)	Requires environmental assessment or environmental impact statement for proposed Federal actions	Environment	Р	G	
44 U.S.C.<u>USC</u> 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	Ρ		
Privacy Act (5 USC 552a)	Establishes procedures for records maintained on individuals to ensure that certain information is secured.	Ethics Procurement	Р	G	C
Procurement Integrity Act 41 USC 423)	Prohibits unauthorized release of source selection or other proprietary data	Procurement	Р	G	C
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	Procurement		G	

	of civil aeronautics.					
Public Law 85-804 (50 U.S.C.<u>USC</u> 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.<u>USC</u> 107)	Provides for blind persons licensed under the provisions of this chapter authorization to operate vending facilities on any Federal property.	Procurement	Р	G		
Rehabilitation Act of 1973 - Section 508 (29 USC 794d)	Requires information technology purchases to be accessible to people with disabilities.	Procurement	Р	G	С	
Rehabilitation Act (29 USC 793)	Requires affirmative action to employ and advance in employment qualified individuals with disabilities.	Procurement	P	G		*
<u>Research and</u> 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 agianst civil aviation.			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	
Robert T Stafford Disaster Relief and Emergency Assistance Act (42 USC 5150)	Provides for a preference for local organizations, firms, or activities when contracting for major disaster or emergency assistance activities	Procurement	Р	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	Р	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	Р	G	С	
Systems, Procedures,	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	Procurement		G		

	will best serve those needs and promote maximum coordination of air traffic control and air defense systems.				
Research and Development (49 USC 44912) Requires the FAA Administrator to establish and carry out a program to accelerate and expand the	Specifies the terms applicable to a gift of an interest in surplus property.	Procurement	C	3	
research, development, and implementation of technologies and procedures to counteract terrorist acts against civil aviation. Procurement G Terms					
of Gifts (49 USC 47152) 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	0	3	
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 11701)	Procurement	C	3	*
Waiving and Adding Terms (49 USC 47153)	Authorizes the Secretary of Transportation to waive, without charge, a term of a gift of an interest in property under this subchapter.	Procurement	C	Ĵ	
Walsh Healey Public Contracts Act (41	Provides conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes.	Procurement	P	3	
Wendell H. Ford Aviation	Subjects the FAA to the Procurement Integrity Act (41USC 423), except that Subsections (f), Definitions, and (g), Limitation on Protests, shall not apply.	Procurement	C	Ĵ	

END OF PART I