CHANGE REQUEST COVER SHEET

Change Request Number: 13-31

Date Received: 1/8/2013

Title: Iran Sanctions -statute addition

Name: Tim Eckert

Phone: (202) 267-7527

Policy OR Guidance: Policy

Section/Text Location Affected: Appendix E, Part I

Summary of Change: Addition of Iran Threat Reduction and Syria Human Rights Act of 2012 to applicable statutes

Reason for Change: Addition of applicable statute

Development, Review, and/or Concurrence: Procurement Legal; Acquisition Policy Division; and Contracting Organizations at HQ, Centers, and Service Areas

Target Audience: Contracting workforce and program offices

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)

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

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

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

			Pro AM		ated by	у	
			P=Policy, G=Guidance, C=Clause				
	Description Summore	Functional area affected		ee Of insel	fice of	Chief	
Title Administrative	Description Summary 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 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, 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.		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			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					*
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	P			
Buy American Act (41 USC 10)	Requires American manufactured materials and supplies for public use. (Also see Executive Order 10582)	Procurement	P	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	

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	Р	G	С	
Convict Labor Act (18 USC 23-436)	Prohibits convicts from performing Government contracts. (Also see Executive Orders 11755 and 12943)		Р	G		
Cooperative Research and Development Agreements (15 USC 3710a)	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 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 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	C	
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.			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	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	Р	G		
Explosive Detection (49 USC 44913)	Governs the deployment and purchase of explosive detection equipment under 14 USC	Procurement		G		

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	Procurement	Р	G		
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Administrator and the Administration.					
Establishes provisions for collecting claims of	Procurement	İ			*
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.	Procurement	Р	G		
Mixed Waste is regulated as hazardous and	Environment				*
radioactive waste under the Resource					
Conservation and Recovery Act (RCRA) and					
the Atomic Energy Act (AEA), respectively.					
Prescribes requirement for purchases from	Procurement	Р	G	С	
Federal Prison facilities.					
	Procurement	Р	G	С	
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0	All	Р	G		*
proceedings.					
Provides general outhority to the Administrate	Droguramant		C		
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	Real Estate				
facilities and personnel to regulate and protect					
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air traffic.	A11		G		
air traffic. Authorizes the Administrator to accept any	All		G		
air traffic. Authorizes the Administrator to accept any conditional or unconditional gift or donation of	All		G		
air traffic. Authorizes the Administrator to accept any	All		G		
air traffic. 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 Metrics	P	G		
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	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.	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 assurace system; or manufactured to a proprietary standard, such as ISO 9000, QS9000, 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.ProcurementPrescribes requirement for purchases from Federal Prison facilities.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.AllRegulates the release of public information; 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(31 USC 1101, 1115-		Baseline				
1119)		Management		~		
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	
	Prohibits member of or delegate to Congress from sharing in benefit from contract or grant	Procurement			С	*
Facilities, Administrative (49	Authorizes the Secretary of Transportation to consolidate, operate, protect, maintain, and improve airport property and airway property (except meteorological facilities).	Procurement		G		
	Provides definitions pertaining to International Airport Facilities.	Procurement		G		
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	
1996 (50 USC 1701 i	Requires offerors to certify they have not been involved in sanctioned activities with the Government of Iran	Procurement		G	С	
Act (41 USC 46)	Established the Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped.	Procurement	P	G		
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	
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	
Hazards Reduction Act of 1977 (P.L. 95-	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-	Canada/Mexico exception from Buy American Act if purchase is over \$25,000.	Procurement			C	
182 (19 USC 3311)						

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Conservation Policy Act (42 USC 6201)	measures for federal buildings, facilities, or space					
National	Requires environmental assessment or	Environment	Р	G	1	
Environmental Policy	environmental impact statement for proposed					
Act (42 USC 6201)	Federal actions					
Paperwork Reduction	Requires Federal agencies to become more	All	P			
Act (44 USC 3501)	responsible and publicly accountable for		1			
net (++ 05C 5501)	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.					
Drive or A of (5 USC		Ethics	P	G	C	1
Privacy Act (5 USC	Establishes procedures for records maintained on individuals to ensure that certain information	Ethics	P	G	C	
552a)	is secured.					
		Procurement				
Procurement Integrity	Prohibits unauthorized release of source	Procurement	Р	G	С	
Act (41 USC 423)	selection or other proprietary data					
Project Grant	Authorizes the Secretary of Transportation to	Procurement		G		
Authority (49 USC	make project grants from the Airport and					
47104)	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	Empowers the President to authorize agencies	Procurement	Р	G	С	
(50 USC 1431-1434)	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)					
Randolph-Sheppard	Provides for blind persons licensed under the	Procurement	Р	G		
Vending Facility Act	provisions of this chapter authorization to					
(20 USC 107)	operate vending facilities on any Federal					
	property.					
Rehabilitation Act of	Requires information technology purchases to	Procurement	P	G	C	
	be accessible to people with disabilities.					
USC 794d)						
1	Requires affirmative action to employ and	Procurement	P	G		*
USC 793)	advance in employment qualified individuals		Ē			
	with disabilities.					
Research and	Requires the FAA Administrator to establish	Procurement	_	G		<u> </u>
	and carry out a program to accelerate and					
44912)	expand the research, development, and					
	implementation of technologies and procedures					
	to counteract terrorist acts agianst civil aviation.					
Resource	Prescribes policies and procedures for acquiring	Procurement	P	G	С	
Conservation and	Environmental Protection Agency-designated		Ĺ			
Recovery Act (42	products through affirmative procurement	Environment				
USC 6901)	programs.	Environment				
Robert T Stafford	Provides for a preference for local	Procurement	P	G	С	
			1	5	<u> </u>	

Disaster Relief and	organizations, firms, or activities when					
Emergency Assistance Act (42 USC 5150)	contracting for major disaster or emergency assistance activities					
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.		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	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		
Terms of Gifts (49	Specifies the terms applicable to a gift of an	Procurement		G		
USC 47152) Training Schools (49 USC 40108)	interest in surplus property. 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		
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	P	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**

Appendix E: Part			Pro AM	-	ated by	y		
			P=Policy, G=Guidance, C=Clause					
		Functional area affected		ee Of insel	fice of	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				*		
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		Real Estate						
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	safety.					
Authority to Transfer an Interest in Surplus Property (49 USC 47151)		Procurement		G		
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Caribbean Basin Economic Recovery Act (19 USC 2701)	Exempts certain Caribbean countries from Buy American provisions of 19 USC 2701.	Procurement		G		
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Cooperative Research	Supports the full use of the results of the	Agreements		G		
and Development	Nation's Federal investment in research and	Breemento				
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		Procurement	Р	G	C	
USC 874 and 40 USC	employed in the construction or repair of public					
276c) a.k.a. Anti-	buildings or public works financed in whole or					
Kickback Act	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	Р	G	С	
USC 276a)	prevailing wages for laborers and mechanics.		<u> </u>	-		
Department of	Provides general authority for FAA to enter into	Agreements		G		
Transportation,	reimbursable agreements with other agencies					
General Duties and	and for cooperative agreements to use the					
Powers (49 USC	services, records, and facilities of State,					
322(c))	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		Ethics	Р	G		
Confidential	information by public officials, i.e. trade secrets.	Eulies	r	U		
Information (18 USC		D				
1905)		Procurement				
Drug Free Workplace	Prohibits award of contracts to entities who have	Procurement	Р	G	С	
(41 USC 10)	not certified that it is a drug free workplace.	liocarcinent	Î.			
(11 050 10)	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.					
Economy Act (31	Authorizes the head of an agency or major	Procurement		G		
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					
	statute.					
Energy Policy and		Procurement	Р	G		
Conservation Act (42	standards for energy conservation and energy					
USC 6361(a)(1))	efficiency to govern the procurement policies	Environment				
	and decisions of the Federal Government and all					
	Federal agencies and to cause such standards to					
	be implemented.	-	-	~		
Explosive Detection		Procurement		G		
(49 USC 44913)	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.					
<u>I</u>	In	1	1	1	1	

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 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	Ρ	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	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	Procurement	P	G	C	

	Indian organization or Indian-owned economic					
	enterprise as defined in this chapter.					
	Prohibits member of or delegate to Congress	Procurement			С	*
-	from sharing in benefit from contract or grant		<u> </u>	<u> </u>		
International Airport Facilities,	Authorizes the Secretary of Transportation to	Procurement		G		
Administrative (49	consolidate, operate, protect, maintain, and improve airport property and airway property					
USC 47305)	(except meteorological facilities).					
International Airport	Provides definitions pertaining to International	Procurement		G		
Facilities, Definitions (49 USC 47301)	Airport Facilities.					
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 40118 (5))	financed international air transportation of personnel (and their personal effects) or					
40118 (3))	property, to the extent that service by those					
	carriers is available. (Also known as the Fly					
	America Act)					
Iran Sanctions Act of	Requires offerors to certify they have not been	Procurement		G	С	
1996 (50 USC 1701	involved in sanctioned activities with the					
note)	Government of Iran	1	<u> </u>	<u> </u>		
Iran Threat Reduction	Expands sanctions relating to the energy sector	Procurement		G	С	
and Syria Human Rights Act of 2012	of Iran and sanctions with respect to Iran's					
(P.L. 112-158)	Revolutionary Guard Corps					
	Established the Committee for Purchase of	Procurement	Р	G		
Act (41 USC 46)	Products and Services of the Blind and Other		[
	Severely Handicapped.					
Judicial Review (49	Prescribes judicial review process for a person	Procurement	Р		С	
USC 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	Р	G	С	
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	Р			
Hazards Reduction	assessing and enhancing the seismic safety of					
Act of 1977 (P.L. 95-	buildings designed for, or constructed by, or					
124), Amended 1990 (P.L. 101-614) (42	leased by the Federal Government.					
USC 7701 et seq.)						
North American Free	Canada/Mexico exception from Buy American	Procurement			С	
Trade Agreement	Act if purchase is over \$25,000.			1		
(NAFTA) P.L. 103-						
182 (19 USC 3311)						
National Energy	Requires energy and water conservation	Environment	Р			
Conservation Policy	measures for federal buildings, facilities, or					
Act (42 USC 6201)	space	E	 	C		
National	Requires environmental assessment or	Environment	Р	G		

	environmental impact statement for proposed					
Act (42 USC 6201) Paperwork Reduction Act (44 USC 3501)	Federal actions 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)	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	P	G		
	Requires information technology purchases to be accessible to people with disabilities.	Procurement	Р	G	C	
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	Provides for a preference for local organizations, firms, or activities when contracting for major disaster or emergency assistance activities	Procurement	P	G	C	

		-				
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.		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	
	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		
	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		
	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	Subjects the FAA to the Procurement Integrity Act (41USC 423), except that Subsections (f), Definitions, and (g), Limitation on Protests,	Procurement		G		

END OF PART I

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

			AM	S:	ited b	y
			G=0	Policy, Guida Clause	nce,	
(T) ()		Functional area affected		ee Of insel	fice of	f Chief
Title	Description Summary	A 11			-	*
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	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		

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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	Provides policy regarding inventions made with	Procurement				*
USC 200)	Government assistance					
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)		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)						
	Requires American manufactured materials and	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.					
	Mandates preference for shipping cargo on U.S.	Procurement			С	
(46 USC 1241)	ships.					
Caribbean Basin	¥	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	Environment				
	pollution prevention.					
Clean Water Act (33		Procurement	Р	G	С	
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	violation of routing instructions.					
11707)	_					
Comprehensive Iran	Requires offerors to certify that they have not	Procurement		G	С	
Sanctions,	exported sensitive technology to Iran					
Accountability, and						
Divestment Act of						
2010 (P.L. 111-195)						
Contract Work Hours		Procurement	Р	G	С	
and Safety Standards	and standard 40 hour workweek for laborers					
Act (40 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.					
	Prohibits convicts from performing Government		Р	G		
USC 23-436)	contracts. (Also see Executive Orders 11755 and					
USC 23-430)		1	1	1	1	
,	12943)					-
,	Supports the full use of the results of the	Agreements		G		Ì
,		Agreements		G		

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 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 compensation to which they are entitled.	Procurement	P	G	C	
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 (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)	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	P	G	C	
Economy Act (31 USC 1535)	-	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)		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	Р			

	1					
	manufactured in accordance with a fastener					
5402)	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	D	Р	G		1
Federal Aviation Administration (49		Procurement	P	G		
	perform such contracts, leases, cooperative					
USC 106)	agreements, or other transactions as may be					
	necessary to carry out the functions of the Administrator and the Administration.					
Federal Claims		Procurement				*
Collection (31 USC	Establishes provisions for collecting claims of the U.S. for money or property arising out of the	Floculement				
3711)	activities of, or referred to the agency.					
Federal Excise Taxes		Droguramont	Р	G		
(26 USC 4041)	Imposes tax on diesel fuel in certain cases.	Procurement	P	G		
Federal Facilities	Minad Wests is regulated as havendous and	Environment				*
Compliance Act	Mixed Waste is regulated as hazardous and radioactive waste under the Resource	Environment				
Compliance Act	Conservation and Recovery Act (RCRA) and					
	the Atomic Energy Act (AEA), respectively.					
Federal Prison	Prescribes requirement for purchases from	Procurement	Р	G	C	
Industries (18 USC	Federal Prison facilities.	Procurement	r	G	Ľ	
4121)	rederar Frison facilities.					
Federal Workforce	To movido tomporory outhority to Covernment	Decousionant	Р	G	С	
	To provide temporary authority to Government agencies relating to voluntary separation,	Procurement	r	G	Ľ	
Restructuring Act of	incentive payments, and for other purposes and					
USC 5597)	limitation on procurement of Service Contracts					
050 5597)	with involuntarily separated employees.					
Freedom of	Regulates the release of public information;	All	Р	G		*
Information	agency rules, opinions, orders, records, and	All	r	U		
Act (FOIA) as	proceedings.					
amended (5 USC 552)	proceedings.					
General Facilities and	Provides general authority to the Administrator	Procurement	Р	G		1
Personnel	of the Federal Aviation Administration to	1 Toeurement	1			
Authority(49 USC	acquire, establish, improve, operate, and	Real Estate				
44502)	maintain air navigation facilities; and provide	Real Estate				
	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					
Government	Requires performance indicators and	Metrics	Р	<u> </u>		
Performance and	measurement.					
Results Act of 1993		Baseline				
(31 USC 1101, 1115-		Management				
1119)	<u> </u>					
Indian Incentive	A contractor of a Federal agency under any Act	Procurement	Р	G	С	
Program (25 USC	of Congress may be allowed an additional					
1544)	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.		<u> </u>		<u> </u>	
Interest of Member of	Prohibits member of or delegate to Congress	Procurement			С	*

$C_{\text{em}} = c_{\text{em}} (41 \text{ LICC} 22)$	for an abaning in how fit for a contract on south					
-	from sharing in benefit from contract or grant		_	0		
International Airport	Authorizes the Secretary of Transportation to	Procurement		G		
Facilities,	consolidate, operate, protect, maintain, and					
Administrative (49	improve airport property and airway property					
USC 47305)	(except meteorological facilities).		_			
International Airport	Provides definitions pertaining to International	Procurement		G		
Facilities, Definitions	Airport Facilities.					
(49 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					
	America Act)					
Iran Sanctions Act of	Requires offerors to certify they have not been	Procurement		G	С	
1996 (50 USC 1701	involved in sanctioned activities with the					
note)	Government of Iran					
Iran Threat	Expands sanctions relating to the energy sector	Procurement		G	C	
Reduction and Syria	of Iran and sanctions with respect to Iran's					
Human Rights Act of	Revolutionary Guard Corps					
2012 (P.L. 112-158)	The second se					
	Established the Committee for Purchase of	Procurement	Р	G		
Act (41 USC 46)	Products and Services of the Blind and Other	l'iocurement	1			
	Severely Handicapped.					
Judicial Review (49	Prescribes judicial review process for a person	Procurement	P		С	
USC 46110)	disclosing a substantial interest in an order	l'iocurement	1		C	
050 40110)	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	С	
270a-270f)	performance and payment bonds that are greater	Tiocurcinent	1	U	C	
270a-2701)	than \$25,000 but not greater than \$100,000.					
National Fauth avala		All	P	_		
National Earthquake	Requires Agencies to adopt standards for	All	r			
Hazards Reduction Act of 1977 (P.L. 95-	assessing and enhancing the seismic safety of buildings designed for, or constructed by, or					
124), Amended 1990	leased by the Federal Government.					
(P.L. 101-614) (42	leased by the Federal Government.					
USC 7701 et seq.)	Conside/Mariae execution from Dury America	Dro ourorst			C	
North American Free	Canada/Mexico exception from Buy American	Procurement			С	
Trade Agreement	Act if purchase is over \$25,000.					
(NAFTA) P.L. 103-						
182 (19 USC 3311)		P				
National Energy	Requires energy and water conservation	Environment	Р			
Conservation Policy	measures for federal buildings, facilities, or					
Act (42 USC 6201)	space		_		_	
National	Requires environmental assessment or	Environment	Р	G		
Environmental Policy	environmental impact statement for proposed					
Act (42 USC 6201)	Federal actions					
Paperwork Reduction	Requires Federal agencies to become more	All	Р			

		1				1
Act (44 USC 3501)	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.	Dat:			0	
Privacy Act (5 USC	Establishes procedures for records maintained	Ethics	Р	G	С	
552a)	on individuals to ensure that certain information					
	is secured.	Procurement	_			
Procurement Integrity	Prohibits unauthorized release of source	Procurement	Р	G	С	
Act (41 USC 423)	selection or other proprietary data					
Project Grant	Authorizes the Secretary of Transportation to	Procurement		G		
Authority (49 USC	make project grants from the Airport and					
47104)	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	Empowers the President to authorize agencies	Procurement	Р	G	С	
(50 USC 1431-1434)	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)					
Randolph-Sheppard	Provides for blind persons licensed under the	Procurement	Р	G		
Vending Facility Act	provides for onnu persons incensed under the provisions of this chapter authorization to	riocurement	r	U		
(20 USC 107)	operate vending facilities on any Federal					
(20 050 107)	property.					
Rehabilitation Act of	Requires information technology purchases to	Procurement	P	G	C	
	be accessible to people with disabilities.					
USC 794d)	I I I					
	Requires affirmative action to employ and	Procurement	Р	G		*
USC 793)	advance in employment qualified individuals					
,	with disabilities.					
Research and	Requires the FAA Administrator to establish	Procurement		G		<u> </u>
Development (49 USC	and carry out a program to accelerate and					
44912)	expand the research, development, and					
	implementation of technologies and procedures					
	to counteract terrorist acts agianst civil aviation.					
Resource	Prescribes policies and procedures for acquiring	Procurement	Р	G	С	
Conservation and	Environmental Protection Agency-designated					
Recovery Act (42	products through affirmative procurement	Environment				
USC 6901)	programs.					
Robert T Stafford	Provides for a preference for local	Procurement	Р	G	С	
Disaster Relief and	organizations, firms, or activities when					
	contracting for major disaster or emergency					
Act (42 USC 5150)	assistance activities					
Service Contract	Provides for minimum wages and fringe benefits		Р	G	С	
Act(41 USC 351-357)	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.					
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 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		
	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		
	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		
	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