

Subpart 3001.70—Other Determinations, Waivers, Exceptions, Approvals, Reviews, and Submittals

3001.7000 Coordination and approval.

Documents requiring CPO approval. Requests shall be prepared in writing by the contracting officer and submitted through the HCA to the CPO for approval.

3001.7001 Content.

The general format at (HSAR) 48 CFR 3001.704 shall be used to provide a justification to support the requested determination, waiver, exception or approval.

PART 3002—DEFINITIONS OF WORDS AND TERMS

Subpart 3002.1—Definitions

Sec.

3002.101 Definitions.

Subpart 3002.2—Abbreviations

3002.270 Abbreviations.

AUTHORITY: 41 U.S.C. 418b (a) and (b).

SOURCE: 68 FR 67871, Dec. 4, 2003, unless otherwise note.

Subpart 3002.1—Definitions

3002.101 Definitions.

Chief Information Officer (CIO) means the Director of the Office of the CIO.

Chief of the Contracting Office (COCO) means the individual(s) responsible for managing the contracting office(s) within a Component.

Chief Procurement Officer (CPO) means the Senior Procurement Executive (SPE).

Component means the following entities for purposes of this chapter:

- (1) Bureau of Customs and Border Protection (CBP);
- (2) Bureau of Immigration and Customs Enforcement (ICE);
- (3) DHS Office of Procurement Operations (OPO);
- (4) Federal Emergency Management Agency (FEMA);
- (5) Federal Law Enforcement Training Center (FLETC);

(6) Transportation Security Administration (TSA); (TSA is exempt from the HSAR and HSAM, pursuant to the "Aviation and Transportation Security Act of 2001");

(7) U.S. Coast Guard (USCG); and

(8) U.S. Secret Service (USSS).

Contracting activity includes all the contracting offices within a Component and is the same as the term "procuring activity."

Contracting officer means an individual authorized by virtue of position or by appointment to perform the functions assigned by the Federal Acquisition Regulation and the Homeland Security Acquisition Regulation.

Head of the Agency means the Secretary of the Department of Homeland Security, or, by delegation, the Under Secretary of Management.

Head of the Contracting Activity (HCA) means the individual responsible for direct management of the entire acquisition function within a Component.

Legal counsel means the Department of Homeland Security Office of General Counsel or Component office providing legal services to the contracting organization.

Legal review means review by legal counsel.

Major system means an acquisition as defined in Management Directive Number 1400, Investment Review Process.

Micro-purchase threshold is defined as in (FAR) 48 CFR 2.101, except when (HSAR) 48 CFR 3013.7003(a) applies.

Organizational Element (OE) means the following entities for purposes of this chapter:

- (1) Bureau of Customs and Border Protection (CBP);
- (2) Bureau of Immigration and Customs Enforcement (ICE);
- (3) DHS Office of Procurement Operations (OPO);
- (4) Federal Emergency Management Agency (FEMA) (Includes all elements of the Emergency Preparedness and Response Directorate);
- (5) Federal Law Enforcement Training Center (FLETC);
- (6) Transportation Security Administration (TSA); (TSA is exempt from the HSAR and HSAM according to the "Aviation and Transportation Security Act of 2001");
- (7) U.S. Coast Guard (USCG); and

(8) U.S. Secret Service (Secret Service).

Senior Procurement Executive (SPE) for the Department of Homeland Security is the Chief Procurement Officer (CPO).

Sensitive Information as used in this Chapter, means any information, the loss, misuse, disclosure, or unauthorized access to or modification of which could adversely affect the national or homeland security interest, or the conduct of Federal programs, or the privacy to which individuals are entitled under 5 U.S.C. 552a (the Privacy Act), but which has not been specifically authorized under criteria established by an Executive Order or an Act of Congress to be kept secret in the interest of national defense, homeland security or foreign policy. This definition includes the following categories of information:

(1) Protected Critical Infrastructure Information (PCII) as set out in the Critical Infrastructure Information Act of 2002 (Title II, Subtitle B, of the Homeland Security Act, Pub. L. 107-296, 196 Stat. 2135), as amended, the implementing regulations thereto (6 CFR part 29) as amended, the applicable PCII Procedures Manual, as amended, and any supplementary guidance officially communicated by an authorized official of the Department of Homeland Security (including the PCII Program Manager or his/her designee);

(2) Sensitive Security Information (SSI), as defined in 49 CFR part 1520, as amended, "Policies and Procedures of Safeguarding and Control of SSI," as amended, and any supplementary guidance officially communicated by an authorized official of the Department of Homeland Security (including the Assistant Secretary for the Transportation Security Administration or his/her designee);

(3) Information designated as "For Official Use Only," which is unclassified information of a sensitive nature and the unauthorized disclosure of which could adversely impact a person's privacy or welfare, the conduct of Federal programs, or other programs or operations essential to the national or homeland security interest; and

(4) Any information that is designated "sensitive" or subject to other controls, safeguards or protections in

accordance with subsequently adopted homeland security information handling procedures.

Simplified acquisition threshold is defined as in (FAR) 48 CFR 2.101, except when (HSAR) 48 CFR 3013.7004 applies.

[68 FR 67871, Dec. 4, 2003, as amended at 71 FR 25767, May 2, 2006; 71 FR 48801, Aug. 22, 2006; 72 FR 1297, Jan. 11, 2007]

Subpart 3002.2—Abbreviations

3002.270 Abbreviations.

- BCBA Civilian Board of Contract Appeals
- CFO Chief Financial Officer
- CIO Chief Information Officer
- COCO Chief of the Contracting Office
- COR Contracting Officer's Representative
- COTR Contracting Officer's Technical Representative
- CPO Chief Procurement Officer
- D&F Determination and Findings
- FOIA Freedom of Information Act
- HCA Head of Contracting Activity
- J&A Justification and Approval for Other than Full and Open Competition
- KO Contracting Officer
- MD Management Directive
- OCPO Office of the Chief Procurement Officer
- OIG Office of the Inspector General
- OSDBU Office of Small and Disadvantaged Business Utilization
- PCR SBA's Procurement Center Representative
- RFP Request for Proposal
- SBA Small Business Administration
- SBS Small Business Specialist
- SPE Senior Procurement Executive

[72 FR 1297, Jan. 11, 2007]

PART 3003—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

Subpart 3003.1—Safeguards

- Sec.
- 3003.101 Standards of conduct.
- 3003.101-3 Agency regulations.

Subpart 3003.2—Contractor Gratuities to Government Personnel

- 3003.203 Reporting suspected violations of the Gratuities clause.