

Federal Funding Requirements - 2023

- **Davis-Bacon Act** – 40 U.S.C. 3141, et seq., as applicable under 23 U.S.C. 113
- **Federal Fair Labor Standards Act** – 29 U.S.C. 201, et seq.
- **Hatch Act** – 5 U.S.C. 1501, et seq.
- **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970** – 42 U.S.C. 4601, et seq.
- **Section 106 of the National Historic Preservation Act of 1966** – 54 U.S.C. 306108
- **Archeological and Historic Preservation Act of 1974** – 54 U.S.C. 312501, et seq.
- **Native American Graves Protection and Repatriation Act** – 25 U.S.C. 3001, et seq.
- **Clean Air Act**, Pub. L. No. 90-148, as amended – 42 U.S.C. 7401, et seq.
- **Section 404 of the Clean Water Act**, as amended – 33 U.S.C. 1344
- **Section 7 of the Endangered Species Act**, Pub. L. No. 93-205, as amended – 16 U.S.C. 1536
- **Coastal Zone Management Act**, Pub. L. No. 92-583, as amended – 16 U.S.C. 1451, et seq.
- **Section 102 of the Flood Disaster Protection Act of 1973** – 42 U.S.C. 4012a
- **Age Discrimination Act of 1975** – 42 U.S.C. 6101, et seq.
- **American Indian Religious Freedom Act**, Pub. L. No. 95-341, as amended
- **Drug Abuse Office and Treatment Act of 1972**, as amended – 21 U.S.C. 1101, et seq.
- **The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970**, Pub. L. No. 91-616, as amended – 42 U.S.C. 4541, et seq.
- **Sections 523 and 527 of the Public Health Service Act of 1912**, as amended – 42 U.S.C. 290dd through 290dd-2
- **Architectural Barriers Act of 1968** – 42 U.S.C. 4151, et seq.
- **Contract Work Hours and Safety Standards Act** – 40 U.S.C. 3701, et seq.
- **Copeland Anti-kickback Act**, as amended – 18 U.S.C. 874 and 40 U.S.C. 3145
- **National Environmental Policy Act of 1969** – 42 U.S.C. 4321, et seq.
- **Wild and Scenic Rivers Act**, Pub. L. No. 90-542, as amended – 16 U.S.C. 1271, et seq.
- **Federal Water Pollution Control Act**, as amended – 33 U.S.C. 1251-1376
- **Single Audit Act of 1984** – 31 U.S.C. 7501, et seq.
- **Americans with Disabilities Act of 1990** – 42 U.S.C. 12101, et seq.
- **Title IX of the Education Amendments of 1972**, as amended – 20

- U.S.C. 1681 through 1683 and 1685 through 1687
- **Section 504 of the Rehabilitation Act of 1973**, as amended – 29 U.S.C. 794
- **Title VI of the Civil Rights Act of 1964** – 42 U.S.C. 2000d, et seq.
- **Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions** – 31 U.S.C. 1352
- **Freedom of Information Act** – 5 U.S.C. 552, as amended
- **Magnuson-Stevens Fishery Conservation and Management Act** – 16 U.S.C. 1855
- **Farmland Protection Policy Act of 1981** – 7 U.S.C. 4201, et seq.
- **Fish and Wildlife Coordination Act of 1956** – 16 U.S.C. 661, et seq.
- **Section 9 of the Rivers and Harbors Act and the General Bridge Act of 1946** – 33 U.S.C. 401 and 525
- **Section 4(f) of the Department of Transportation Act of 1966** – 49 U.S.C. 303 and 23 U.S.C. 138
- **Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA)**, as amended – 42 U.S.C. 9601, et seq.
- **Safe Drinking Water Act** – 42 U.S.C. 300f to 300j-26
- **Wilderness Act** – 16 U.S.C. 1131-1136
- **Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976** – 42 U.S.C. 6901, et seq.
- **Migratory Bird Treaty Act** – 16 U.S.C. 703, et seq.
- **The Federal Funding Accountability and Transparency Act of 2006**, as amended (Pub. L. No. 109-282, as amended by section 6202 of Pub. L. No. 110-252)
- **Cargo Preference Act of 1954** – 46 U.S.C. 55305
- **Section 889 of the John D. McCain National Defense Authorization Act for Fiscal Year 2019**, Pub. L. No. 115-232
- **Build America, Buy America Act**, Pub. L. No. 117-58, div. G §§ 70901-70927
- **Executive Order 11246** – Equal Employment Opportunity
- **Executive Order 11990** – Protection of Wetlands
- **Executive Order 11988** – Floodplain Management
- **Executive Order 12372** – Intergovernmental Review of Federal Programs
- **Executive Order 12549** – Debarment and Suspension
- **Executive Order 12898** – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- **Executive Order 13166** – Improving Access to Services for Persons With Limited English Proficiency
- **Executive Order 13985** – Advancing Racial Equity and Support for Underserved Communities Through the Federal

- Government**
- **Executive Order 14005** – Ensuring the Future is Made in All of America by All of America’s Workers
- **Executive Order 14008** – Tackling the Climate Crisis at Home and Abroad
- **Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards** – 2 C.F.R. Parts 200, 1201
- **Non-procurement Suspension and Debarment** – 2 C.F.R. Parts 180, 1200
- **Procedures for predetermination of wage rates** – 29 C.F.R. Part 1
- **Contractors and subcontractors on public building or public work financed in whole or in part by loans or grants from the United States** – 29 C.F.R. Part 3
- **Labor standards provisions applicable to contracts governing federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act)** – 29 C.F.R. Part 5
- **Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements)** – 41 C.F.R. Parts 60, et seq.
- **New Restrictions on Lobbying** – 49 C.F.R. Part 20
- **Nondiscrimination in Federally Assisted Programs of the Department of Transportation –Effectuation of Title VI of the Civil Rights Act of 1964** – 49 C.F.R. Part 21
- **Uniform relocation assistance and real property acquisition for Federal and Federally assisted programs** – 49 C.F.R. Part 24
- **Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance** – 49 C.F.R. Part 25
- **Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance** – 49 C.F.R. Part 27
- **DOT’s implementation of DOJ’s ADA Title II regulations compliance procedures for all programs, services, and regulatory activities relating to transportation under 28 C.F.R. Part 35**
- **Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation** – 49 C.F.R. Part 28
- **Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors** – 49 C.F.R. Part 30
- **Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)** – 49 C.F.R. Part 32

- **DOT’s implementing ADA regulations for transit services and transit vehicles, including the DOT’s standards for accessible transportation facilities in Part 37, Appendix A** – 49 C.F.R. Parts 37 and 38
- **Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs** – 49 C.F.R. Part 26 (as applicable under section 15.3 of this agreement)
- **Highways** – Title 23, U.S.C.
- **Brooks Act** (for FHWA projects, this incorporates Title IX of the Federal Property and Administrative Services Act of 1949 – 40 U.S.C. 1101-1104; 23 U.S.C. 112(b)(2))
- **Letting of Contracts**, 23 U.S.C. 112
- **Highway Design and Construction Standards**, 23 U.S.C. 109
- **Prevailing Rate of Wage**, 23 U.S.C. 113
- **Planning**, 23 U.S.C. 134 and 135 (except for projects that are not regionally significant that do not receive funding under Title 23 or Chapter 53 of Title 49)
- **Tolls**, 23 U.S.C. 301 (to the extent the recipient wishes to toll an existing free facility that has received Title 23 funds in the past); except as authorized by 23 U.S.C. 129 and 166.
- **Size, Weight, and Length Limitations** – 23 U.S.C. 127, 49 U.S.C. 31101 et seq.
- **Buy America** – 23 U.S.C. 313
- **Nondiscrimination** – 23 U.S.C. 140
- **Efficient Environmental Reviews** - 23 U.S.C. 139
- **Highways** – Title 23, C.F.R.
- **Planning** – 23 C.F.R. Part 450 (except for projects that are not regionally significant that do not receive funding under Title 23 or Chapter 53 of Title 49)
- **National Highway System Design Standards** – 23 C.F.R. Part 625
- **Preconstruction Procedures** – 23 C.F.R. Part 630 Subparts A and B
- **Construction and Maintenance** – 23 C.F.R. Part 635
- **Manual on Uniform Traffic Control Devices** – 23 C.F.R. Part 655
- **Environmental Impact and Related Procedures** – 23 C.F.R. Part 771
- **Procedures for Abatement of Highway Traffic and Construction Noise** – 23 C.F.R. Part 772
- **Procedures Implementing Section 4(f) of the Department of Transportation Act** – 23 C.F.R. Part 774
- **Permitting Requirements under the National Pollutant Discharge Elimination System** – 40 C.F.R. Part 122
- **Required Contract Provisions** – 23 C.F.R. Part 633 (Form 1273)
- **External Programs** – 23 C.F.R. Part 230