

General Services Administration
Washington, DC 20405

ADM 2800.12B, Change 173
January 18, 2024

GSA ORDER

Subject: General Services Administration Acquisition Manual; GSAR Case
2024-G501, Update of Title 10 References

1. Purpose. This order transmits a revision to the General Services Administration Acquisition Manual (GSAM).
2. Background. GSA conducts routine reviews of the GSAM. The review indicated a need to update two statutory references to Title 10 of the United States Code (U.S.C.). The update reflects the correct statutory reference for each respective reference.
3. Effective date. January 18, 2024
4. Explanation of changes. This amendment includes only non-regulatory changes as summarized below. For full text changes of the amendment see Attachment A, GSAM Text Line-In/Line-Out.

GSAM 515.403-4 Requiring certified cost or pricing data (10 U.S.C. 2306a and 41 U.S.C. 254b), is revised as follows:

FROM: 10 U.S.C. 2306a
TO: 10 U.S.C. chapter 271

GSAM 525.1070 Purchases Using Department of Defense (DoD) Appropriated Funds, is revised as follows:

FROM: 10 U.S.C. 2533a
TO: 10 U.S.C. 4862

5. Cancellations. Not applicable
6. Point of contact. For clarification of content, contact the GSA Acquisition Policy Division, at gsarpolicy@gsa.gov.

Jeffrey Koses
Senior Procurement Executive
Office of Acquisition Policy
Office of Government-wide Policy

TAB A - Line-In/Line-Out

GSAM Baseline: **Change 172 effective 01/01/2024**

- Additions to baseline made by rule are indicated by **[bold text in brackets]**
 - Deletions to baseline made by rule are indicated by ~~strikethroughs~~
 - Five asterisks (* * * * *) indicate that there are no revisions between the preceding and following sections
 - Three asterisks (* * *) indicate that there are no revisions between the material shown within a subsection
 - Regulatory GSAR language is indicated by shaded text
 - Non-regulatory GSAM language is indicated by unshaded text
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PART 515 - CONTRACTING BY NEGOTIATION

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Subpart 515.4 - Contract Pricing 515.403 Obtaining certified cost or pricing data.

515.403-4 Requiring certified cost or pricing data (~~10 U.S.C. 2306a~~[10 U.S.C. chapter 271] and 41 U.S.C. 254b).

To determine if a contract action meets the threshold at FAR 15.403-4 for requesting certified cost and pricing data, the contracting officer shall consider the value of the action plus any priced options. Exercise of a priced option is not a price adjustment and does not require submission of certified cost and pricing data.

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PART 525 - FOREIGN ACQUISITION

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Subpart 525.10 - Additional Foreign Acquisition Regulations

525.1070 Purchases Using Department of Defense (DoD) Appropriated Funds.

(a) The Berry Amendment, ~~10 U.S.C. 2533a~~[10 U.S.C. 4862], applies domestic-source requirements to certain food, clothing, fabrics, specialty metals, and hand or measuring tools when purchased with DoD appropriated funds. The Berry Amendment, as applicable to purchases using DoD appropriated funds, is implemented at DFARS Subpart 225.70 and in clauses prescribed there.

(b) GSA acquisition personnel are responsible for reviewing requests for purchases using DoD appropriated funds to ensure that all special funding and procurement requirements, e.g., Berry Amendment applicability, have been disclosed to GSA.