Federal Management Regulation

§ 102–33.40 What are GSA's responsibilities for Federal aviation management?


(a) A single office (i.e., MTA) for developing policy for improving the management of Federal aviation, including acquisition, operation, safety, and disposal of Government aircraft, and publishing that policy;

(b) An interagency committee (i.e., the ICAP), whose members represent the executive agencies that use Government aircraft to conduct their official business (including FAA and NTSB specifically) and advise GSA on developing policy for managing Government aircraft; and

(c) A management information system to collect, analyze, and report information on the inventory, cost,
usage, and safety of Government aircraft.

NOTE to §102-33.40: See OMB Circular A-126 for a complete listing of GSA’s responsibilities related to Federal aviation.

Subpart B—Acquiring Government Aircraft and Aircraft Parts

OVERVIEW

§ 102–33.45 What is a Government aircraft?

A Government aircraft is one that is operated for the exclusive use of an executive agency and is a—

(a) Federal aircraft, which an executive agency owns, bail, loans, or borrows; or
(b) Commercial aircraft hired as commercial aviation services (CAS), which an executive agency—
   (1) Leases or lease-purchases with the intent to take title;
   (2) Charters or rents; or
   (3) Hires as part of a full service contract or an inter-service support agreement (ISSA).

§ 102–33.50 Under what circumstances may we acquire Government aircraft?

Your agency may acquire Government aircraft when you meet the requirements for operating an in-house aviation program contained in OMB Circular A–76, “Performance of Commercial Activities,” August 4, 1983 (available from http://www.whitehouse.gov/omb), and when—

(a) For Federal aircraft—
   (1) Aircraft are the optimum means of supporting your agency’s official business;
   (2) You do not have aircraft that can support your agency’s official business safely (i.e., in compliance with applicable safety standards and regulations) and cost-effectively;
   (3) No commercial or other Governmental source is available to provide aviation services safely (i.e., in compliance with applicable safety standards and regulations) and cost-effectively; and
   (4) Congress has specifically authorized your agency to purchase, lease, or transfer aircraft and to maintain and operate those aircraft (see 31 U.S.C. 1343).

(b) For commercial aviation services (CAS)—
   (1) Aircraft are the optimum means of supporting your agency’s official business; and
   (2) Using commercial aircraft and services is safe (i.e., conforms to applicable laws, safety standards, and regulations) and is more cost effective than using Federal aircraft, aircraft from any other Governmental source, or scheduled air carriers.

§ 102–33.55 Are there restrictions on acquiring Government aircraft?

Yes, you may not acquire—

(a) More aircraft than you need to carry out your official business;
(b) Aircraft of greater size or capacity than you need to perform your Governmental functions cost-effectively; or
(c) Federal aircraft that Congress has not authorized your agency to acquire or Federal aircraft or commercial aircraft and services for which you have not followed the requirements in OMB Circular A–76.

§ 102–33.60 What methods may we use to acquire Government aircraft?

Following the requirements of §§102–33.50 and 102–33.55, you (or an internal bureau or sub-agency within your agency) may acquire Government aircraft by means including, but not limited to—

(a) Purchase;
(b) Borrowing from a non-federal source;
(c) Bailment from another executive agency;
(d) Exchange/sale (but only with approval from GSA; see §102–33.275);
(e) Reimbursable transfer from another executive agency (see §§102–36.75 through 102–36.85 of this subchapter B);
(f) Transfer from another executive agency as approved by GSA;
(g) Reassignment from one internal bureau or subagency to another within your agency;
(h) Forfeiture (you must have specific authority to seize aircraft);
(i) Insurance replacement (i.e., receiving a replacement aircraft);
(j) Lease or lease-purchase;