

## OFFICE OF FEDERAL PROCUREMENT POLICY ACT

[Public Law 93–400]

[As Amended Through P.L. 111–350, Enacted January 4, 2011]

【Currency: This publication is a compilation of the text of Public Law 93–400. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To establish an Office of Federal Procurement Policy within the Office of Management and Budget, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) 【41 U.S.C. 401 note】 SHORT TITLE.—This Act may be cited as the “Office of Federal Procurement Policy Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- 【Sec. 2. Repealed.】
- 【Sec. 3. Repealed.】
- Sec. 4. Definitions.
- Sec. 5. Office of Federal Procurement Policy.
- Sec. 6. Authority and functions of the Administrator.
- Sec. 7. Administrative powers.
- 【Sec. 8. Repealed.】
- Sec. 9. Effect on existing laws.
- 【Sec. 10. Repealed.】
- Sec. 11. Authorization of appropriations.
- Sec. 12. Delegation.
- Sec. 14. Access to information.
- Sec. 15. Tests of innovative procurement methods and procedures.
- Sec. 16. Chief Acquisition Officers and senior procurement executives.
- Sec. 16A. Chief Acquisition Officers Council.
- Sec. 18. Procurement notice.
- Sec. 19. Record requirements.
- Sec. 20. Advocates for competition.
- Sec. 21. Rights in technical data.
- Sec. 22. Publication of proposed regulations.
- Sec. 23. Contracting functions performed by Federal personnel.
- Sec. 25. Federal Acquisition Regulatory Council.
- Sec. 26. Cost Accounting Standards Board.
- Sec. 27. Restrictions on disclosing and obtaining contractor bid or proposal information or source selection information.
- Sec. 28. Advocate for the Acquisition of Commercial Products.

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- Sec. 29. Contract clauses and certifications.  
Sec. 30. Federal acquisition computer network (FACNET).  
Sec. 30A. Federal acquisition computer network implementation.  
Sec. 31. Simplified acquisition procedures.  
Sec. 32. Procedures applicable to purchases below micro-purchase threshold.  
Sec. 32A. Special emergency procurement authority.  
Sec. 33. List of laws inapplicable to contracts not greater than the simplified acquisition threshold in Federal Acquisition Regulation.  
Sec. 34. List of laws inapplicable to procurements of commercial items in Federal Acquisition Regulation.  
Sec. 35. Commercially available off-the-shelf item acquisitions: lists of inapplicable laws in Federal Acquisition Regulation.  
Sec. 35A. Inflation adjustment of acquisition-related dollar thresholds.  
Sec. 36. Value engineering.  
Sec. 37. Acquisition workforce.  
Sec. 38. Modular contracting for information technology.  
Sec. 39. Levels of compensation of certain contractor personnel not allowable as costs under certain contracts.  
Sec. 40. Protection of constitutional rights of contractors.  
Sec. 41. Incentives for efficient performance of services contracts.  
42. Civilian Board of Contract Appeals.<sup>1</sup>  
Sec. 43. Public-private competition required before conversion to contractor performance.  
Sec. 44. Contingency Contracting Corps.

**[SEC. 2. REPEALED.]****[SEC. 3. REPEALED.]**

**[Sections 4 through 7 were repealed by section 7(b) of Public Law 111–350; 124 Stat. 3855, which provides for the codification of title 41, U.S.C. into positive law.]**

**[SEC. 8. REPEALED.]**

**[Section 9 was repealed by section 7(b) of Public Law 111–350; 124 Stat. 3855, which provides for the codification of title 41, U.S.C. into positive law.]**

**[SEC. 10. REPEALED.]**

**[Sections 11 and 12 were repealed by section 7(b) of Public Law 111–350; 124 Stat. 3855, which provides for the codification of title 41, U.S.C. into positive law.]**

**[SEC. 13. REPEALED.]**

**[Sections 14 through 16A were repealed by section 7(b) of Public Law 111–350; 124 Stat. 3855, which provides for the codification of title 41, U.S.C. into positive law.]**

**[SEC. 17. REPEALED.]**

**[Sections 18 through 23 were repealed by section 7(b) of Public Law 111–350; 124 Stat. 3855, which provides for the codification of title 41, U.S.C. into positive law.]**

**[SEC. 24. REPEALED.]**

**[Sections 25 through 27 were repealed by section 7(b) of Public Law 111–350; 124 Stat. 3855, which provides for the codification of title 41, U.S.C. into positive law.]**

<sup>1</sup>The entry in the table of sections in section 1(b) for the item relating to section 42 probably should include “Sec.” at the beginning. See amendment made by section 847(f)(2) of Public Law 109–163.

**[SEC. 28. REPEALED.]**

【Sections 29 through 30 were repealed by section 7(b) of Public Law 111-350; 124 Stat. 3855, which provides for the codification of title 41, U.S.C. into positive law.】

**[SEC. 30A. REPEALED.]**

【Sections 31 through 44 were repealed by section 7(b) of Public Law 111-350; 124 Stat. 3855, which provides for the codification of title 41, U.S.C. into positive law.】