

In the heading for subsection (d) and in subsection (d)(2), the words “disabled people” are substituted for “handicapped persons” for consistency with chapter 85 of the revised title.

### § 1711. Value engineering

Each executive agency shall establish and maintain cost-effective procedures and processes for analyzing the functions of a program, project, system, product, item of equipment, building, facility, service, or supply of the agency. The analysis shall be—

- (1) performed by qualified agency or contractor personnel; and
- (2) directed at improving performance, reliability, quality, safety, and life cycle costs.

(Pub. L. 111-350, § 3, Jan. 4, 2011, 124 Stat. 3718.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1711 .....	41:432.	Pub. L. 93-400, § 36, as added Pub. L. 104-106, title XLIII, § 4306(a), Feb. 10, 1996, 110 Stat. 665.

### § 1712. Record requirements

(a) MAINTAINING RECORDS ON COMPUTER.—Each executive agency shall establish and maintain for 5 years a computer file, by fiscal year, containing unclassified records of all procurements greater than the simplified acquisition threshold in that fiscal year.

(b) CONTENTS.—The record established under subsection (a) shall include, with respect to each procurement carried out using—

- (1) competitive procedures—
  - (A) the date of contract award;
  - (B) information identifying the source to whom the contract was awarded;
  - (C) the property or services the Federal Government obtains under the procurement; and
  - (D) the total cost of the procurement; or
- (2) procedures other than competitive procedures—
  - (A) the information described in paragraph (1);
  - (B) the reason under section 3304(a) of this title or section 3204(a) of title 10 for using the procedures; and
  - (C) the identity of the organization or activity that conducted the procurement.

(c) SEPARATE RECORD CATEGORY FOR PROCUREMENTS RESULTING IN ONE BID OR PROPOSAL.—Information included in a record pursuant to subsection (b)(1) that relates to procurements resulting in the submission of a bid or proposal by only one responsible source shall be separately categorized from the information relating to other procurements included in the record. The record of that information shall be designated “noncompetitive procurements using competitive procedures”.

(d) TRANSMISSION AND DATA ENTRY OF INFORMATION.—The head of each executive agency shall—

- (1) ensure the accuracy of the information included in the record established and maintained by the agency under subsection (a); and

(2) transmit in a timely manner such information to the General Services Administration for entry into the Federal Procurement Data System referred to in section 1122(a)(4) of this title, or any successor system.

(Pub. L. 111-350, § 3, Jan. 4, 2011, 124 Stat. 3718; Pub. L. 117-81, div. A, title XVII, § 1702(h)(5), Dec. 27, 2021, 135 Stat. 2158.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1712 .....	41:417.	Pub. L. 93-400, § 19, as added Pub. L. 98-369, title VII, § 2732(a), July 18, 1984, 98 Stat. 1197; Pub. L. 103-355, title IV, § 4403, Oct. 13, 1994, 108 Stat. 3349; Pub. L. 110-417, title VIII, § 874(b), Oct. 14, 2008, 122 Stat. 4558.

#### Editorial Notes

##### AMENDMENTS

2021—Subsec. (b)(2)(B). Pub. L. 117-81 substituted “section 3204(a)” for “section 2304(c)”.

### § 1713. Procurement data

(a) DEFINITIONS.—In this section:

(1) QUALIFIED HUBZONE SMALL BUSINESS CONCERN.—The term “qualified HUBZone small business concern” has the meaning given that term in section 31(b) of the Small Business Act.

(2) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term “small business concern owned and controlled by socially and economically disadvantaged individuals” has the meaning given that term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)).

(3) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY WOMEN.—The term “small business concern owned and controlled by women” has the meaning given that term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and section 204 of the Women’s Business Ownership Act of 1988 (Public Law 100-533, 102 Stat. 2692).

(b) REPORTING.—Each Federal agency shall report to the Office of Federal Procurement Policy the number of qualified HUBZone small business concerns, the number of small businesses owned and controlled by women, and the number of small business concerns owned and controlled by socially and economically disadvantaged individuals, by gender, that are first time recipients of contracts from the agency. The Office shall take appropriate action to ascertain, for each fiscal year, the number of those small businesses that have newly entered the Federal market.

(Pub. L. 111-350, § 3, Jan. 4, 2011, 124 Stat. 3719; Pub. L. 115-91, div. A, title XVII, § 1701(a)(4)(F)(ii), Dec. 12, 2017, 131 Stat. 1796.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1713(a) .....	41:417a(b).	Pub. L. 100-533, title V, § 502, Oct. 25, 1988, 102 Stat. 2697; Pub. L. 105-135, title VI, § 604(f)(2), Dec. 2, 1997, 111 Stat. 2634.