

before “the workforce”, par. (2) designation before “the management”, and par. (3) designation before “the statutory,”.

Subsec. (b). Pub. L. 116-283, §1806(a)(3), redesignated par. (3) of section 2545 of this title as subsec. (b) of this section, inserted heading and realigned margin, substituted “In this part, the term” for “The term”, “workforce;” for “workforce,”, and “functions;” for “functions,”, and inserted dash after “organization that”, par. (1) designation before “employs”, par. (2) designation before “carries out”, and par. (3) designation before “focuses”.

Subsec. (c). Pub. L. 116-283, §1806(a)(4), as amended by Pub. L. 117-81, §1701(b)(1), added subsec. (c) consisting of text of par. (1) of section 2545 of this title, inserted heading, and substituted “In this section, the term” for “The term”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 117-81 applicable as if included in the enactment of title XVIII of Pub. L. 116-283 as enacted, see section 1701(a)(2) of Pub. L. 117-81, set out in a note preceding this section and Effective Date note below.

EFFECTIVE DATE

Section and amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as an Effective Date of 2021 Amendment note preceding this section.

§ 3002. Federal Acquisition Regulation

In this part, the term “Federal Acquisition Regulation” means the Federal Acquisition Regulation issued pursuant to section 1303(a)(1) of title 41.

(Added and amended Pub. L. 116-283, div. A, title XVIII, §1806(a)(1), (5), Jan. 1, 2021, 134 Stat. 4152.)

Editorial Notes

CODIFICATION

The text of par. (6) of section 2302 of this title, which was transferred to this section and amended by Pub. L. 116-283, §1806(a)(5), was based on Pub. L. 101-189, div. A, title VIII, §853(b)(1), Nov. 29, 1989, 103 Stat. 1518; Pub. L. 111-350, §5(b)(8)(B), Jan. 4, 2011, 124 Stat. 3843.

AMENDMENTS

2021—Pub. L. 116-283, §1806(a)(5), transferred par. (6) of section 2302 of this title to this section, realigned margin, struck out par. (6) designation at beginning, and substituted “In this part, the term” for “The term”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section and amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as an Effective Date of 2021 Amendment note preceding section 3001 of this title.

§ 3003. [Reserved]

(Added Pub. L. 116-283, div. A, title XVIII, §1806(a)(1), Jan. 1, 2021, 134 Stat. 4152; amended Pub. L. 117-81, div. A, title XVII, §1701(i)(1)(B), Dec. 27, 2021, 135 Stat. 2140.)

Editorial Notes

AMENDMENTS

2021—Pub. L. 117-81, §1701(i)(1)(B), amended Pub. L. 116-283, §1806(a)(1), which enacted this section, by adding section 3003 designation and catchline “[Reserved]”

and striking out former section 3003 designation and catchline “Defense Federal Acquisition Regulation Supplement”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment made to Pub. L. 116-283 by Pub. L. 117-81, resulting in omission of this section, applicable as if included in the enactment of title XVIII of Pub. L. 116-283 as enacted, see section 1701(a)(2) of Pub. L. 117-81, set out in a note preceding section 3001 of this title and Effective Date note below.

EFFECTIVE DATE

Section effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as an Effective Date of 2021 Amendment note preceding section 3001 of this title.

§ 3004. Head of an agency

In this part, the term “head of an agency” means the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Secretary of Homeland Security, and the Administrator of the National Aeronautics and Space Administration.

(Added and amended Pub. L. 116-283, div. A, title XVIII, §1806(a)(1), (6), Jan. 1, 2021, 134 Stat. 4152, 4153.)

Editorial Notes

CODIFICATION

The text of par. (1) of section 2302 of this title, which was transferred to this section and amended by Pub. L. 116-283, §1806(a)(6), was based on act Aug. 10, 1956, ch. 1041, 70A Stat. 127; Pub. L. 85-568, title III, §301(b), July 29, 1958, 72 Stat. 432; 96-513, title V, §511(74), Dec. 12, 1980, 94 Stat. 2926; Pub. L. 98-369, div. B, title VII, §2722(a), July 18, 1984, 98 Stat. 1186; Pub. L. 100-26, §7(k)(2), Apr. 21, 1987, 101 Stat. 284; Pub. L. 107-296, title XVII, §1704(b)(1), Nov. 25, 2002, 116 Stat. 2314.

AMENDMENTS

2021—Pub. L. 116-283, §1806(a)(6), transferred par. (1) of section 2302 of this title to this section, realigned margin, struck out par. (1) designation at beginning, and substituted “In this part, the term” for “The term”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section and amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as an Effective Date of 2021 Amendment note preceding section 3001 of this title.

§ 3005. [Reserved]

(Added Pub. L. 116-283, div. A, title XVIII, §1806(a)(1), Jan. 1, 2021, 134 Stat. 4152; amended Pub. L. 117-81, div. A, title XVII, §1701(i)(1)(C), Dec. 27, 2021, 135 Stat. 2141.)

Editorial Notes

AMENDMENTS

2021—Pub. L. 117-81, §1701(i)(1)(C), amended Pub. L. 116-283, §1806(a)(1), which enacted this section, by adding section 3005 designation and heading “[Reserved]”

and striking out former section 3005 heading and catchline “Service chief concerned”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment made to Pub. L. 116-283 by Pub. L. 117-81, resulting in omission of this section, applicable as if included in the enactment of title XVIII of Pub. L. 116-283 as enacted, see section 1701(a)(2) of Pub. L. 117-81, set out in a note preceding section 3001 of this title and Effective Date note below.

EFFECTIVE DATE

Section effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as an Effective Date of 2021 Amendment note preceding section 3001 of this title.

§ 3006. Acquisition workforce

For the definition of the term “acquisition workforce” for the purposes of this part, see section 101(a)(18) of this title.

(Added Pub. L. 116-283, div. A, title XVIII, § 1806(a)(1), Jan. 1, 2021, 134 Stat. 4152.)

Editorial Notes

PRIOR PROVISIONS

A prior section 3010 was renumbered section 7011 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as an Effective Date of 2021 Amendment note preceding section 3001 of this title.

SUBCHAPTER II—DEFINITIONS APPLICABLE TO PROCUREMENT GENERALLY

Sec.	
3011.	Definitions incorporated from title 41.
3012.	Competitive procedures.
3013.	Technical data.
3014.	Nontraditional defense contractor.
3015.	Simplified acquisition threshold.
3016.	Chapter 137 legacy provisions.

§ 3011. Definitions incorporated from title 41

In any chapter 137 legacy provision, the following terms have the meanings provided such terms in chapter 1 of title 41:

- (1) The term “procurement”.
- (2) The term “procurement system”.
- (3) The term “standards”.
- (4) The term “full and open competition”.
- (5) The term “responsible source”.
- (6) The term “item”.
- (7) The term “item of supply”.
- (8) The term “supplies”.
- (9) The term “commercial product”.
- (10) The term “commercial service”.
- (11) The term “nondevelopmental item”.
- (12) The term “commercial component”.
- (13) The term “component”.

(Added and amended Pub. L. 116-283, div. A, title XVIII, § 1806(b)(1), (2), Jan. 1, 2021, 134 Stat. 4153.)

Editorial Notes

CODIFICATION

The text of par. (3) of section 2302 of this title, which was transferred to this section and amended by Pub. L.

116-283, § 1806(b)(2), was based on Pub. L. 103-355, title I, § 1502(1), Oct. 13, 1994, 108 Stat. 3296; Pub. L. 104-106, div. D, title XLIII, § 4321(b)(3), Feb. 10, 1996, 110 Stat. 672; Pub. L. 111-350, § 5(b)(8), Jan. 4, 2011, 124 Stat. 3842; Pub. L. 115-232, div. A, title VIII, § 836(c)(1), Aug. 13, 2018, 132 Stat. 1864.

PRIOR PROVISIONS

A prior section 3011 was renumbered section 7011 of this title.

Another prior section 3011 was renumbered section 7012 of this title.

AMENDMENTS

2021—Pub. L. 116-283, § 1806(b)(2), transferred par. (3) of section 2302 of this title to this section, realigned margin, struck out par. (3) designation at beginning, substituted “In any chapter 137 legacy provision, the following” for “The following” in introductory provisions, and redesignated subpars. (A) to (M) as pars. (1) to (13), respectively.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section and amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as an Effective Date of 2021 Amendment note preceding section 3001 of this title.

§ 3012. Competitive procedures

In this part, the term “competitive procedures” means procedures under which the head of an agency enters into a contract pursuant to full and open competition. Such term also includes—

(1) procurement of architectural or engineering services conducted in accordance with chapter 11 of title 40;

(2) the competitive selection for award of science and technology proposals resulting from a general solicitation and the peer review or scientific review (as appropriate) of such proposals;

(3) the procedures established by the Administrator of General Services for the multiple award schedule program of the General Services Administration if—

(A) participation in the program has been open to all responsible sources; and

(B) orders and contracts under such program result in the lowest overall cost alternative to meet the needs of the United States;

(4) procurements conducted in furtherance of section 15 of the Small Business Act (15 U.S.C. 644) as long as all responsible business concerns that are entitled to submit offers for such procurements are permitted to compete; and

(5) a competitive selection of research proposals resulting from a general solicitation and peer review or scientific review (as appropriate) solicited pursuant to section 9 of the Small Business Act (15 U.S.C. 638).

(Added and amended Pub. L. 116-283, div. A, title XVIII, § 1806(b)(1), (3), Jan. 1, 2021, 134 Stat. 4153.)

Editorial Notes

CODIFICATION

The text of par. (2) of section 2302 of this title, which was transferred to this section and amended by Pub. L.