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(k) Rent or charter;

(l) Contract for full services (i.e., aircraft plus crew and related aviation services) from a commercial source; or

(m) Inter-service support agreements with other executive agencies for aircraft and services.

§ 102–33.65 What is the process for acquiring Government aircraft?

Acquiring aircraft generally follows a three-step process; planning, budgeting, and contracting, as described in §§ 102–33.70 through 102–33.105.

PLANNING TO ACQUIRE GOVERNMENT AIRCRAFT

§ 102–33.70 What directives must we follow when planning to acquire Government aircraft?

When planning to acquire aircraft, you must follow the requirements in—

(a) 31 U.S. Code Section 1343, ''Buying and Leasing Passenger Motor Vehicles and Aircraft'';

(b) OMB Circular A–126, ''Improving the Management and Use of Government Aircraft,'' revised May 22, 1992;

(c) OMB Circular A–11, Part 7, ''Planning, Budgeting, Acquisition, and Management of Capital Assets,'' revised June 2002;

(d) OMB Circular A–76, ''Performance of Commercial Activities,'' revised June 14, 1999; and

(e) OMB Circular A–94, ''Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs,'' revised January 22, 2002.

NOTE TO § 102–33.70: OMB Circulars are available from *http://www.whitehouse.gov/omb*.

§ 102–33.75 What other guidance is available to us in planning to acquire Government aircraft?

You can find guidance for acquisition planning in the ''ICAP Fleet Modernization Planning Guide,'' which is available from GSA, Aircraft Management Policy Division (MTA), 1800 F Street, NW., Washington, DC 20405, and in OMB's ''Capital Programming Guide,'' which is a supplement to OMB Circular A–11.

OMB CIRCULAR A–76

§ 102–33.80 Must we comply with OMB Circular A–76 before we acquire Government aircraft?

Yes, before you acquire Government aircraft, you must comply with OMB Circular A–76 to assure that the private sector cannot provide Government aircraft or related aviation services more cost-effectively than you can provide Federal aircraft and related services (see particularly the Circular's Revised Supplemental Handbook's Appendix 6, Aviation Competitions).

§ 102–33.85 Where should we send our OMB Circular A–76 Cost-Comparison Studies?

You should forward copies of the completed A–76 Cost-Comparison studies to OMB upon request or as required by OMB Circular A–11 to justify aircraft purchases and to GSA, Aircraft Management Policy Division (MTA), 1800 F Street, NW., Washington, DC 20405, upon completion of a study.

THE PROCESS FOR BUDGETING TO ACQUIRE GOVERNMENT AIRCRAFT

§ 102–33.90 What is the process for budgeting to acquire a Federal aircraft (including a Federal aircraft transferred from another executive agency)?

(a) The process for budgeting to acquire a Federal aircraft or to accept a Federal aircraft transferred from another executive agency requires that you have specific authority from Congress in your appropriation, as called for in 31 U.S.C. 1343, to—

(1) Purchase, lease-purchase, or lease a Federal aircraft and to operate and maintain it; or

(2) Accept a Federal aircraft transferred from another executive agency and to operate and maintain it.

(b) For complete information on budgeting to own Government aircraft (i.e., large purchase of a capital asset), see OMB Circular A–11, Part 7, and the ''Capital Programming Guide,'' Supplement to Part 7, Appendix 7.