assessment, tax, or other revenue or receipts.

(2) IN GENERAL.—The net proceeds of a disposition or transfer of property described in paragraph (1) shall be—

(A) credited to the applicable reimbursable fund or appropriation; or

(B) paid to the federal agency that determined the property to be excess.

(3) CALCULATION OF NET PROCEEDS.—For purposes of this subsection, the net proceeds of a disposition or transfer of property are the proceeds less all expenses incurred for the disposition or transfer, including care and handling.

(4) ALTERNATIVE CREDIT TO MISCELLANEOUS RECEIPTS.—If the agency that determined the property to be excess decides that it is uneconomical or impractical to ascertain the amount of net proceeds, the proceeds shall be credited to miscellaneous receipts.

(b) SPECIAL ACCOUNT FOR REFUNDS OR PAYMENTS FOR BREACH.—

(1) DEPOSITS.—A federal agency that disposes of surplus property under this chapter may deposit, in a special account in the Treasury, amounts of the proceeds of the dispositions that the agency decides are necessary to permit—

(A) appropriate refunds to purchasers for dispositions that are rescinded or that do not become final; and

(B) payments for breach of warranty.

(2) WITHDRAWALS.—A federal agency that deposits proceeds in a special account under paragraph (1) may withdraw amounts to be refunded or paid from the account without regard to the origin of the amounts withdrawn.

(c) CREDIT TO COST OF CONTRACTOR'S WORK.—If a contract made by an executive agency, or a subcontract under that contract, authorizes the proceeds of a sale of property in the custody of a contractor or subcontractor to be credited to the price or cost of work covered by the contract or subcontract, then the proceeds of the sale shall be credited in accordance with the contract or subcontract.

(d) ACCEPTANCE OF PROPERTY INSTEAD OF CASH.—An executive agency entitled to receive cash under a contract for the lease, sale, or other disposition of surplus property may accept property instead of cash if the President determines that the property is strategic or critical material. The property is valued at the prevailing market price when the cash payment becomes due.

(e) MANAGEMENT OF CREDIT, LEASES, AND PERMITS.—For a disposition of surplus property under this chapter, if credit has been extended, or if the disposition has been by lease or permit, the Administrator of General Services, in a manner and on terms the Administrator determines are in the best interest of the Federal Government—

(1) shall administer and manage the credit, lease, or permit, and any security for the credit, lease, or permit; and

(2) may enforce, adjust, and settle any right of the Government with respect to the credit, lease, or permit.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1107.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
574(a)	40:485(c).	June 30, 1949, ch. 288, title II, §204(c)–(g), formerly §204(b)–(f), 63 Stat. 389; redesignated §204(c)–(g), Aug. 31, 1954, ch. 1178, §1(a), 68 Stat. 1051; Pub. L. 96–41, §3(d), July 30, 1979, 93 Stat. 325.
574(b)	40:485(d).	
574(c)	40:485(e).	
574(d)	40:485(f).	
574(e)	40:485(g).	

In subsection (b)(1), the words ''in the Treasury'' are substituted for ''with the Treasurer of the United States'' because of section 1 of Reorganization Plan No. 26 of 1950 (eff. July 31, 1950, 64 Stat. 1280), restated as 31:321.

In subsection (e), the words ''or by War Assets Administration (or its predecessor agencies) under the Surplus Property Act of 1944'' are omitted because the War Assets Administration was abolished and its functions were transferred to the General Services Administration by section 105 of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 381).

Executive Documents

DELEGATION OF FUNCTIONS

Functions of President under subsec. (f) of section 485 of former Title 40, Public Buildings, Property, and Works (which was repealed and reenacted as subsec. (d) of this section by Pub. L. 107–217, §§1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1304), delegated to Secretary of Defense, see section 3 of Ex. Ord. No. 12626, Feb. 25, 1988, 53 F.R. 6114, set out as a note under section 98 of Title 50, War and National Defense.

SUBCHAPTER V—OPERATION OF BUILDINGS AND RELATED ACTIVITIES

§ 581. General authority of Administrator of General Services

[(a) Repealed. Pub. L. 107–296, title XVII, §1706(a)(1), Nov. 25, 2002, 116 Stat. 2316.]

(b) PERSONNEL AND EQUIPMENT.—The Administrator of General Services may—

(1) employ and pay personnel at per diem rates approved by the Administrator, not exceeding rates currently paid by private industry for similar services in the place where the services are performed; and

(2) purchase, repair, and clean uniforms for civilian employees of the General Services Administration who are required by law or regulation to wear uniform clothing.

(c) ACQUISITION AND MANAGEMENT OF PROPERTY.—

(1) REAL ESTATE.—The Administrator may acquire, by purchase, condemnation, or otherwise, real estate and interests in real estate.

(2) GROUND RENT.—The Administrator may pay ground rent for buildings owned by the Federal Government or occupied by federal agencies, and pay the rent in advance if required by law or if the Administrator determines that advance payment is in the public interest.

(3) RENT AND REPAIRS UNDER A LEASE.—The Administrator may pay rent and make repairs, alterations, and improvements under the

terms of a lease entered into by, or transferred to, the Administration for the housing of a federal agency.

(4) REPAIRS THAT ARE ECONOMICALLY ADVANTAGEOUS.—The Administrator may repair, alter, or improve rented premises if the Administrator determines that doing so is advantageous to the Government in terms of economy, efficiency, or national security. The Administrator's determination must—

(A) set forth the circumstances that make the repair, alteration, or improvement advantageous; and

(B) show that the total cost (rental, repair, alteration, and improvement) for the expected life of the lease is less than the cost of alternative space not needing repair, alteration, or improvement.

(5) INSURANCE PROCEEDS FOR DEFENSE INDUSTRIAL RESERVE.—At the direction of the Secretary of Defense, the Administrator may use insurance proceeds received for damage to property that is part of the Defense Industrial Reserve to repair or restore the property.

(6) MAINTENANCE CONTRACTS.—The Administrator may enter into a contract, for a period not exceeding five years, for the inspection, maintenance, and repair of fixed equipment in a federally owned building.

(d) LEASE OF FEDERAL BUILDING SITES.—

(1) IN GENERAL.—The Administrator may lease a federal building site or addition, including any improvements, until the site is needed for construction purposes. The lease must be for fair rental value and on other terms and conditions the Administrator considers to be in the public interest pursuant to section 545 of this title.

(2) NEGOTIATION WITHOUT ADVERTISING.—A lease under this subsection may be negotiated without public advertising for bids if—

(A) the lessee is—

(i) the former owner from whom the Government acquired the property; or

(ii) the former owner's tenant in possession; and

(B) the lease is negotiated incident to or in connection with the acquisition of the property.

(3) DEPOSIT OF RENT.—Rent received under this subsection may be deposited into the Federal Buildings Fund.

(e) ASSISTANCE TO THE INAUGURAL COMMITTEE.—The Administrator may provide direct assistance and special services for the Inaugural Committee (as defined in section 501 of title 36) during an inaugural period in connection with Presidential inaugural operations and functions. Assistance and services under this subsection may include—

(1) employment of personal services without regard to chapters 33 and 51 and subchapter III of chapter 53 of title 5;

(2) providing Government-owned and leased space for personnel and parking;

(3) paying overtime to guard and custodial forces;

(4) erecting and removing stands and platforms;

(5) providing and operating first-aid stations;

(6) providing furniture and equipment; and

(7) providing other incidental services in the discretion of the Administrator.

(f) UTILITIES FOR DEFENSE INDUSTRIAL RESERVE AND SURPLUS PROPERTY.—The Administrator may—

(1) provide utilities and services, if the utilities and services are not provided by other sources, to a person, firm, or corporation occupying or using a plant or portion of a plant that constitutes—

(A) any part of the Defense Industrial Reserve pursuant to section 4881 of title 10; or

(B) surplus real property; and

(2) credit an amount received for providing utilities and services under this subsection to an applicable appropriation of the Administration.

(g) OBTAINING PAYMENTS.—The Administrator may—

(1) obtain payments, through advances or otherwise, for services, space, quarters, maintenance, repair, or other facilities furnished, on a reimbursable basis, to a federal agency, a mixed-ownership Government corporation (as defined in chapter 91 of title 31), or the District of Columbia; and

(2) credit the payments to the applicable appropriation of the Administration.

(h) COOPERATIVE USE OF PUBLIC BUILDINGS.—

(1) LEASING SPACE FOR COMMERCIAL AND OTHER PURPOSES.—The Administrator may lease space on a major pedestrian access level, courtyard, or rooftop of a public building to a person, firm, or organization engaged in commercial, cultural, educational, or recreational activity (as defined in section 3306(a) of this title). The Administrator shall establish a rental rate for leased space equivalent to the prevailing commercial rate for comparable space devoted to a similar purpose in the vicinity of the public building. The lease may be negotiated without competitive bids, but shall contain terms and conditions and be negotiated pursuant to procedures that the Administrator considers necessary to promote competition and to protect the public interest.

(2) OCCASIONAL USE OF SPACE FOR NON-COMMERCIAL PURPOSES.—The Administrator may make available, on occasion, or lease at a rate and on terms and conditions that the Administrator considers to be in the public interest, an auditorium, meeting room, courtyard, rooftop, or lobby of a public building to a person, firm, or organization engaged in cultural, educational, or recreational activity (as defined in section 3306(a) of this title) that will not disrupt the operation of the building.

(3) DEPOSIT AND CREDIT OF AMOUNTS RECEIVED.—The Administrator may deposit into the Federal Buildings Fund an amount received under a lease or rental executed pursuant to paragraph (1) or (2). The amount shall be credited to the appropriation from the Fund applicable to the operation of the building.

(4) FURNISHING UTILITIES AND MAINTENANCE.—The Administrator may furnish utilities,

maintenance, repair, and other services to a person, firm, or organization leasing space pursuant to paragraph (1) or (2). The services may be provided during and outside of regular working hours of federal agencies.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1108; Pub. L. 107–296, title XVII, §1706(a), Nov. 25, 2002, 116 Stat. 2316; Pub. L. 109–284, §6(5), Sept. 27, 2006, 120 Stat. 1212; Pub. L. 117–81, div. A, title XVII, §1702(g)(2), Dec. 27, 2021, 135 Stat. 2158.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
581	40:490(a).	June 30, 1949, ch. 288, title II, §210(a), as added Sept. 5, 1950, ch. 849, §5(c), 64 Stat. 580; Pub. L. 85–886, §1, Sept. 2, 1958, 72 Stat. 1709; Pub. L. 89–276, Oct. 20, 1965, 79 Stat. 1010; Pub. L. 90–626, Oct. 22, 1968, 82 Stat. 1319; Pub. L. 94–541, title I, §104(a), Oct. 18, 1976, 90 Stat. 2506; Pub. L. 104–201, title VIII, §823, Sept. 23, 1996, 110 Stat. 2609; Pub. L. 104–316, title I, §120(b), Oct. 19, 1996, 110 Stat. 3836.

In this section, 40:490(a)(7) is omitted as obsolete because the pneumatic tube system referred to in the provision is no longer used or maintained and 40:490(a)(9) is omitted as obsolete because the relevant provisions of the Surplus Property Act of 1944 (50 App.:1611 et seq.) have been repealed.

In subsection (c)(3) and (4), the words ''without regard to the provisions of section 278a of this title'' and ''which on June 30, 1950, was specifically exempted by law from the requirements of said section'' (in 40:490(a)(5)), and the words ''without regard to the 25 per centum limitation of section 278a of this title'' and ''without reference to such limitation'' (in 40:490(a)(8)), respectively, are omitted as obsolete because 40:278a was repealed by section 7 of the Public Buildings Amendments of 1988 (Public Law 100–678, 40:278a).

In subsection (c)(5), the words ''Defense Industrial Reserve'' are substituted for ''National Industrial Reserve'' because the National Industrial Reserve Act was renamed the Defense Industrial Reserve Act by section 809 of the Department of Defense Appropriation Authorization Act, 1974 (Public Law 93–155, 87 Stat. 617), and transferred to 10:2535 by section 4235 of the Defense Conversion, Reinvestment and Transition Assistance Act of 1992, which was included as Division D in the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484, title XLII, 106 Stat. 2690).

In subsection (d)(3), the words ''Federal Buildings Fund'' are substituted for ''Buildings Management Fund'' because the fund established under 40:490(f)(1) is the Federal Buildings Fund and unexpended balances in the Buildings Management Fund were merged into the Federal Buildings Fund under 40:490(f)(3).

In subsection (e), before clause (1), the words ''section 501 of title 36'' are substituted for ''the Act of August 6, 1965, 70 Stat 1049'' in section 210(a)(15) of the Federal Property and Administrative Services Act of 1949 because of section 5(b) of the Act of August 12, 1998 (Public Law 105–225, 112 Stat. 1499), the first section of which enacted Title 36, United States Code. In clause (1), the words ''chapters 33 and 51 and subchapter III of chapter 53 of title 5'' are substituted for ''the civil service and classification laws'' because of section 7(b) of the Act of September 6, 1966 (Public Law 89–554, 80 Stat. 631), the first section of which enacted Title 5, United States Code.

In subsection (f)(1)(A), the words ''Defense Industrial Reserve pursuant to section 2535 of title 10'' are substituted for ''National Industrial Reserve pursuant to the National Industrial Reserve Act of 1948 [50 U.S.C. 451 et seq.]'' because the National Industrial Reserve Act was renamed the Defense Industrial Reserve Act by section 809 of the Department of Defense Appropriation Authorization Act, 1974 (Public Law 93–155, 87 Stat. 617), and transferred to 10:2535 by section 4235 of the Defense Conversion, Reinvestment and Transition Assistance Act of 1992, which was included as Division D in the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484, title XLII, 106 Stat. 2690).

In subsection (g)(1), the words ''mixed-ownership Government corporation'' are substituted for ''mixed-ownership corporation'' for consistency with chapter 91 of title 31. The words ''chapter 91 of title 31'' are substituted for ''the Government Corporation Control Act'' in section 210(a)(6) of the Federal Property and Administrative Services Act of 1949 because of section 4(b) of the Act of September 13, 1982 (Public Law 97–258, 96 Stat. 1067), the first section of which enacted Title 31, United States Code.

Editorial Notes

AMENDMENTS

2021—Subsec. (f)(1)(A). Pub. L. 117–81 substituted ''section 4881'' for ''section 2535''.

2006—Subsec. (b). Pub. L. 109–284 substituted ''The Administrator of General Services may—'' for ''The Administrator may—'' in introductory provisions.

2002—Subsec. (a). Pub. L. 107–296, §1706(a)(1), struck out subsec. (a) which read as follows: ''APPLICABILITY.—To the extent that the Administrator of General Services by law, other than this section, may maintain, operate, and protect buildings or property, including the construction, repair, preservation, demolition, furnishing, or equipping of buildings or property, the Administrator, in the discharge of these duties, may exercise authority granted under this section.''

Subsec. (b). Pub. L. 107–296, §1706(a)(2), in par. (1), inserted ''and'' at end, in par. (2), substituted a period for ''; and'' at end, and struck out par. (3) which read as follows: ''furnish arms and ammunition for the protection force the Administration maintains.''

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107–296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

FEDERAL BUILDINGS PERSONNEL TRAINING

Pub. L. 111–308, Dec. 14, 2010, 124 Stat. 3283, provided that:

''SECTION 1. SHORT TITLE.

''This Act may be cited as the 'Federal Buildings Personnel Training Act of 2010'.

''SEC. 2. TRAINING OF FEDERAL BUILDING PERSONNEL.

''(a) IDENTIFICATION OF CORE COMPETENCIES.—Not later than 18 months after the date of enactment of this Act [Dec. 14, 2010], and annually thereafter, the Administrator of General Services, in consultation with representatives of relevant professional societies, industry associations, and apprenticeship training providers, and after providing notice and an opportunity for comment, shall identify the core competencies necessary for Federal personnel performing building operations and maintenance, energy management, safety, and design functions to comply with requirements under Federal law. The core competencies identified shall include competencies relating to building operations and maintenance, energy management, sustainability, water efficiency, safety (including electrical safety), and building performance measures.

''(b) DESIGNATION OF RELEVANT COURSES, CERTIFICATIONS, DEGREES, LICENSES, AND REGISTRATIONS.—The

Administrator, in consultation with representatives of relevant professional societies, industry associations, and apprenticeship training providers, shall identify a course, certification, degree, license, or registration to demonstrate each core competency, and for ongoing training with respect to each core competency, identified for a category of personnel specified in subsection (a).

''(c) IDENTIFIED COMPETENCIES.—An individual shall demonstrate each core competency identified by the Administrator under subsection (a) for the category of personnel that includes such individual. An individual shall demonstrate each core competency through the means identified under subsection (b) not later than one year after the date on which such core competency is identified under subsection (a) or, if the date of hire of such individual occurs after the date of such identification, not later than one year after such date of hire. In the case of an individual hired for an employment period not to exceed one year, such individual shall demonstrate each core competency at the start of the employment period.

''(d) CONTINUING EDUCATION.—The Administrator, in consultation with representatives of relevant professional societies, industry associations, and apprenticeship training providers, shall develop or identify comprehensive continuing education courses to ensure the operation of Federal buildings in accordance with industry best practices and standards.

''(e) CURRICULUM WITH RESPECT TO FACILITY MANAGEMENT AND OPERATION OF HIGH-PERFORMANCE BUILDINGS.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Administrator, acting through the head of the Office of Federal High-Performance Green Buildings, and the Secretary of Energy, acting through the head of the Office of Commercial High-Performance Green Buildings, in consultation with the heads of other appropriate Federal departments and agencies and representatives of relevant professional societies, industry associations, and apprenticeship training providers, shall develop a recommended curriculum relating to facility management and the operation of high-performance buildings.

''(f) APPLICABILITY OF THIS SECTION TO FUNCTIONS PERFORMED UNDER CONTRACT.—Training requirements under this section shall apply to non-Federal personnel performing building operations and maintenance, energy management, safety, and design functions under a contract with a Federal department or agency. A contractor shall provide training to, and certify the demonstration of core competencies for, non-Federal personnel in a manner that is approved by the Administrator.''

Executive Documents

FACILITATING ACCESS TO FEDERAL PROPERTY FOR SITING OF MOBILE SERVICES ANTENNAS

Memorandum of President of the United States, Aug. 10, 1995, 60 F.R. 42023, provided:

Memorandum for the Heads of Departments and Agencies

Recent advancements in mobile telecommunications technology present an opportunity for the rapid construction of the Nation's wireless communications infrastructure. As a matter of policy, the Federal Government shall encourage the efficient and timely implementation of such new technologies and the concomitant infrastructure buildout as a means of stimulating economic growth and creating new jobs. The recent auctioning and impending licensing of radio frequencies for mobile personal communications services presents the Federal Government with the opportunity to foster new technologies and to encourage the development of communications infrastructure by making Federal property available for the siting of mobile services antennas.

Therefore, to the extent permitted by law, I hereby direct the Administrator of General Services, within 90 days, in consultation with the Secretaries of Agriculture, Interior, Defense, and the heads of such other agencies as the Administrator may determine, to develop procedures necessary to facilitate appropriate access to Federal property for the siting of mobile services antennas.

The procedures should be developed in accordance with the following:

1. (a) Upon request, and to the extent permitted by law and where practicable, executive departments and agencies shall make available Federal Government buildings and lands for the siting of mobile service antennas. This should be done in accordance with Federal, State, and local laws and regulations, and consistent with national security concerns (including minimizing mutual electromagnetic interactions), public health and safety concerns, environmental and aesthetic concerns, preservation of historic buildings and monuments, protection of natural and cultural resources, protection of national park and wilderness values, protection of National Wildlife Refuge systems, and subject to any Federal requirements promulgated by the agency managing the facility and the Federal Communications Commission, the Federal Aviation Administration, National Telecommunications and Information Administration, and other relevant departments and agencies.

(b) Antennas on Federal buildings or land may not contain any advertising.

(c) Federal property does not include lands held by the United States in trust for individual or Native American tribal governments.

(d) Agencies shall retain discretion to reject inappropriate siting requests, and assure adequate protection of public property and timely removal of equipment and structures at the end of service.

2. All procedures and mechanisms adopted regarding access to Federal property shall be clear and simple so as to facilitate the efficient and rapid buildout of the national wireless communications infrastructure.

3. Unless otherwise prohibited by or inconsistent with Federal law, agencies shall charge fees based on market value for siting antennas on Federal property, and may use competitive procedures if not all applicants can be accommodated.

This memorandum does not give the siting of mobile services antennas priority over other authorized uses of Federal buildings or land.

All independent regulatory commissions and agencies are requested to comply with the provisions of this memorandum.

This memorandum is not intended to create any right, benefit or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers, or any other person.

This memorandum shall be published in the Federal Register.

WILLIAM J. CLINTON.

§ 582. Management of buildings by Administrator of General Services

(a) REQUEST BY FEDERAL AGENCY OR INSTRUMENTALITY.—At the request of a federal agency, a mixed-ownership Government corporation (as defined in chapter 91 of title 31), or the District of Columbia, the Administrator of General Services may operate, maintain, and protect a building that is owned by the Federal Government (or, in the case of a wholly owned or mixed-ownership Government corporation, by the corporation) and occupied by the agency or instrumentality making the request.

(b) TRANSFER OF FUNCTIONS BY DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET.—

(1) IN GENERAL.—When the Director of the Office of Management and Budget determines

that it is in the interest of economy or efficiency, the Director shall transfer to the Administrator all functions vested in a federal agency with respect to the operation, maintenance, and custody of an office building owned by the Government or a wholly owned Government corporation, or an office building, or part of an office building, that is occupied by a federal agency under a lease.

(2) EXCEPTION FOR POST-OFFICE BUILDINGS.—A transfer of functions shall not be made under this subsection for a post-office building, unless the Director determines that the building is not used predominantly for post-office purposes. The Administrator may delegate functions with respect to a post-office building that are transferred to the Administrator under this subsection only to another officer or employee of the General Services Administration or to the Postmaster General.

(3) EXCEPTION FOR BUILDINGS IN A FOREIGN COUNTRY.—A transfer of functions shall not be made under this subsection for a building located in a foreign country.

(4) EXCEPTION FOR DEPARTMENT OF DEFENSE BUILDINGS.—A transfer of functions shall not be made under this subsection for a building located on the grounds of a facility of the Department of Defense (including a fort, camp, post, arsenal, navy yard, naval training station, airfield, proving ground, military supply depot, or school) unless and only to the extent that the Secretary of Defense has issued a permit for use by another agency.

(5) EXCEPTION FOR GROUPS OF SPECIAL PURPOSE BUILDINGS.—A transfer of functions shall not be made under this subsection for a building that the Director finds to be a part of a group of buildings that are—

(A) located in the same vicinity;

(B) used wholly or predominantly for the special purposes of the agency with custody of the buildings; and

(C) not generally suitable for use by another agency.

(6) EXCEPTION FOR CERTAIN GOVERNMENT BUILDINGS.—A transfer of functions shall not be made under this subsection for the Treasury Building, the Bureau of Engraving and Printing Building, the buildings occupied by the National Institute of Standards and Technology, and the buildings under the jurisdiction of the regents of the Smithsonian Institution.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1110.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
582(a)	40:490(b).	June 30, 1949, ch. 288, title II, §210(b), (d), as added Sept. 5, 1950, ch. 849, §5(c), 64 Stat. 581, 582; Pub. L. 100–418, title V, §5115(c), Aug. 23, 1988, 102 Stat. 1433.
582(b)	40:490(d).	

In subsection (a), the words ''mixed-ownership Government corporation'' are substituted for ''mixed-ownership corporation'' for consistency in the subsection and with chapter 91 of title 31. The words ''chapter 91 of title 31'' are substituted for ''the Government Corporation Control Act'' in section 210(b) of the Federal Property and Administrative Services Act of 1949, because of section 4(b) of the Act of September 13, 1982 (Public Law 97–258, 96 Stat. 1067), the first section of which enacted Title 31, United States Code.

In subsection (b), the words ''Director of the Office of Management and Budget'' are substituted for ''Director of the Bureau of the Budget'' in section 210(i) of the Federal Property and Administrative Services Act of 1949 because the office of Director of the Bureau of the Budget was redesignated the Director of the Office of Management and Budget by section 102(b) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085). Section 102 of Reorganization Plan No. 2 of 1970, was repealed by section 5(b) of the Act of September 13, 1982 (Public Law 97–258, 96 Stat. 1085), the first section of which enacted Title 31, United States Code, but the successor provision, 31:502, continued the designation as Director of the Office of Management and Budget.

§ 583. Construction of buildings

(a) AUTHORITY.—At the request of a federal agency, a mixed-ownership Government corporation (as defined in chapter 91 of title 31), or the District of Columbia, the Administrator of General Services may—

(1) acquire land for a building or project authorized by Congress;

(2) make or cause to be made (under contract or otherwise) surveys and test borings and prepare plans and specifications for a building or project prior to the Attorney General's approval of the title to the site; and

(3) contract for, and supervise, the construction, development, and equipping of a building or project.

(b) TRANSFER OF AMOUNTS.—An amount available to a federal agency or instrumentality for a building or project may be transferred, in advance, to the General Services Administration for purposes the Administrator determines are necessary, including payment of salaries and expenses for preparing plans and specifications and for field supervision.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1111.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
583	40:490(c).	June 30, 1949, ch. 288, title II, §210(c), as added Sept. 5, 1950, ch. 849, §5(c), 64 Stat. 582.

In subsection (a), the words ''mixed-ownership Government corporation'' are substituted for ''mixed-ownership corporation'' for consistency in the subsection and with chapter 91 of title 31. The words ''chapter 91 of title 31'' are substituted for ''the Government Corporation Control Act'' in section 210(c) of the Federal Property and Administrative Services Act of 1949 because of section 4(b) of the Act of September 13, 1982 (Public Law 97–258, 96 Stat. 1067), the first section of which enacted Title 31, United States Code.

In subsection (b), the words ''salaries and expenses for preparing plans and specifications and for field supervision'' are substituted for ''salaries and expenses of personnel engaged in the preparation of plans and specifications or in field supervision, and for general office expenses to be incurred in the rendition of any such service'' to eliminate unnecessary words.

§ 584. Assignment and reassignment of space

(a) AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), the Administrator of General Services may assign or reassign space for an executive agency in any Federal Government-owned or leased building.

(2) REQUIREMENTS.—The Administrator's authority under paragraph (1) may be exercised only—

(A) in accordance with policies and directives the President prescribes under section 121(a) of this title;

(B) after consultation with the head of the executive agency affected; and

(C) on a determination by the Administrator that the assignment or reassignment is advantageous to the Government in terms of economy, efficiency, or national security.

(b) PRIORITY FOR PUBLIC ACCESS.—In assigning space on a major pedestrian access level (other than space leased under section 581(h)(1) or (2) of this title), the Administrator shall, where practicable, give priority to federal activities requiring regular contact with the public. If the space is not available, the Administrator shall provide space with maximum ease of access to building entrances.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1112.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
584	40:490(e).	June 30, 1949, ch. 288, title II, §210(e), as added Sept. 5, 1950, ch. 849, §5(c), 64 Stat. 582; Pub. L. 94–541, title I, §104(b), Oct. 18, 1976, 90 Stat. 2506.

Executive Documents

EX. ORD. NO. 12411. GOVERNMENT WORK SPACE MANAGEMENT REFORMS

Ex. Ord. No. 12411, Mar. 29, 1983, 48 F.R. 13391, provided:

By the authority vested in me as President by the Constitution and laws of the United States of America, including Section 486 of Title 40 of the United States Code [now 40 U.S.C. 121], in order to institute fundamental changes in the manner in which Federal work space is managed to ensure its efficient utilization, it is hereby ordered as follows:

SECTION 1. In order to make the Federal use of work space (including office space, warehouses and special purpose space, whether federally owned, leased or controlled) and related furnishings more effective in support of agency missions, minimize the acquisition of government resources, and reduce the administrative costs of the Federal government, the heads of all Federal Executive agencies shall:

(a) Establish programs to reduce the amount of work space, used or held, to that amount which is essential for known agency missions;

(b) Produce and maintain a total inventory of work space and related furnishings and declare excess to the Administrator of General Services all such holdings that are not necessary to satisfy existing or known and verified planned programs;

(c) Ensure that the amount of office space used by each employee of the agency, or others using agency-controlled space, is held to the minimum necessary to accomplish the task that must be performed;

(d) Manage the furniture, equipment, decoration, drapes, carpeting, plants and other accoutrements so that the use of all furnishings by the agency reflects a judicious employment of public moneys;

(e) Consider, in making decisions concerning the use, acquisition, or disposal of work space and related furnishings, the effects of its actions on costs incurred by other Federal agencies;

(f) Report all vacant work space retained for future Federal uses to the Administrator of General Services so that it may be made available for the temporary use of other Federal agencies, to the extent consistent with national defense requirements;

(g) Establish a work space management plan to meet the provisions of this Order, including specification of the goals to be achieved and actions to be taken by the agency in order to improve its utilization of all work space and related furnishings; and

(h) Establish information systems, implement inventory controls and conduct surveys, in accordance with procedures established by the Administrator of General Services, so that a government-wide reporting system may be developed.

SEC. 2. The Administrator of General Services is delegated authority, to the extent not prohibited by other laws, to conduct surveys, establish agency-wide objectives for work space use for each Executive agency, and establish procedures, guidelines and regulations to be followed by the agencies in developing the work space planning, information and reporting systems required by this Order.

RONALD REAGAN.

§ 585. Lease agreements

(a) IN GENERAL.—

(1) AUTHORITY.—The Administrator of General Services may enter into a lease agreement with a person, copartnership, corporation, or other public or private entity for the accommodation of a federal agency in a building (or improvement) which is in existence or being erected by the lessor to accommodate the federal agency. The Administrator may assign and reassign the leased space to a federal agency.

(2) TERMS.—A lease agreement under this subsection shall be on terms the Administrator considers to be in the interest of the Federal Government and necessary for the accommodation of the federal agency. However, the lease agreement may not bind the Government for more than 20 years and the obligation of amounts for a lease under this subsection is limited to the current fiscal year for which payments are due without regard to section 1341(a)(1)(B) of title 31.

(b) SUBLEASE.—

(1) APPLICATION.—This subsection applies to rent received if the Administrator—

(A) determines that an unexpired portion of a lease of space to the Government is surplus property; and

(B) disposes of the property by sublease.

(2) USE OF RENT.—Notwithstanding section 571(a) of this title, the Administrator may deposit rent received into the Federal Buildings Fund. The Administrator may defray from the fund any costs necessary to provide services to the Government's lessee and to pay the rent (not otherwise provided for) on the lease of the space to the Government.

(c) AMOUNTS FOR RENT AVAILABLE FOR LEASE OF BUILDINGS ON GOVERNMENT LAND.—Amounts made available to the General Services Administration for the payment of rent may be used to lease space, for a period of not more than 30

years, in buildings erected on land owned by the Government.

(d) Any bargain-price option to purchase at less than fair market value contained in any lease agreement entered into on or after January 1, 2021, pursuant to this section may be exercised only to the extent specifically provided for in subsequent appropriation Acts or other Acts of Congress.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1112; Pub. L. 117–257, § 1, Dec. 21, 2022, 136 Stat. 2371.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
585(a)	40:490(h)(1).	June 30, 1949, ch. 288, title II, § 210(h)(1), as added Pub. L. 85–493, § 1, July 2, 1958, 72 Stat. 294; Pub. L. 86–249, § 12(e), formerly § 12(d), Sept. 9, 1959, 73 Stat. 482; redesignated § 12(e), Pub. L. 94–541, title I, § 103(3) (related to § 12(e)), Oct. 18, 1976, 90 Stat. 2506.
	40:490e.	Pub. L. 101–136, title IV, § 22, Nov. 3, 1989, 103 Stat. 807.
585(b)	40:490(h)(2).	June 30, 1949, ch. 288, title II, § 210(h)(2), as added Pub. L. 85–493, § 1, July 2, 1958, 72 Stat. 294.
585(c)	40:490d.	Pub. L. 101–136, title IV, § 5, Nov. 3, 1989, 103 Stat. 802.

In subsection (b)(2), the words ''Federal Buildings Fund'' are substituted for ''buildings management fund'' because the fund established under 40:490(f)(1) is the Federal Buildings Fund and unexpended balances in the Buildings Management Fund were merged into the Federal Buildings Fund under 40:490(f)(3).

Editorial Notes

AMENDMENTS

2022—Subsec. (d). Pub. L. 117–257 added subsec. (d).

Statutory Notes and Related Subsidiaries

SECURE FEDERAL LEASES FROM ESPIONAGE AND SUSPICIOUS ENTANGLEMENTS

Pub. L. 116–276, Dec. 31, 2020, 134 Stat. 3362, provided that:

''SECTION 1. SHORT TITLE; FINDINGS.

''(a) SHORT TITLE.—This Act may be cited as the 'Secure Federal Leases from Espionage And Suspicious Entanglements Act' or the 'Secure Federal LEASEs Act'.

''(b) FINDINGS.—Congress finds that—

''(1) the Government Accountability Office has reported that the Federal Government often leases high-security space from private sector landlords;

''(2) the General Services Administration collects highest-level and immediate ownership information through the System for Award Management, but it is not currently required to collect beneficial ownership information and lacks an adequate system for doing so;

''(3) the General Services Administration and Federal agencies with leasing authority may not know if foreign owners have a stake in the buildings leased by the agencies, either through foreign-incorporated legal entities or through ownership in United States-incorporated legal entities, even when the leased space is used for classified operations or to store sensitive data; and

''(4) according to a report of the Government Accountability Office, dated January 2017, that examined the risks of foreign ownership of Government-leased real estate, 'leasing space in foreign-owned buildings could present security risks such as espionage and unauthorized cyber and physical access'.

''SEC. 2. DEFINITIONS.

''In this Act:

''(1) BENEFICIAL OWNER.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'beneficial owner' means, with respect to a covered entity, each natural person who, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise—

''(i) exercises control over the covered entity; or

''(ii) has a substantial interest in or receives substantial economic benefits from the assets of the covered entity.

''(B) EXCEPTIONS.—The term 'beneficial owner' does not include, with respect to a covered entity—

''(i) a minor child;

''(ii) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

''(iii) a person acting solely as an employee of the covered entity and whose control over or economic benefits from the covered entity derives solely from the employment status of the person;

''(iv) a person whose only interest in the covered entity is through a right of inheritance, unless the person also meets the requirements of subparagraph (A); or

''(v) a creditor of the covered entity, unless the creditor also meets the requirements of subparagraph (A).

''(C) ANTI-ABUSE RULE.—The exceptions under subparagraph (B) shall not apply if used for the purpose of evading, circumventing, or abusing the requirements of this Act.

''(2) CONTROL.—The term 'control' means, with respect to a covered entity—

''(A) having the authority or ability to determine how a covered entity is utilized; or

''(B) having some decision-making power for the use of a covered entity.

''(3) COVERED ENTITY.—The term 'covered entity' means—

''(A) a person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group; or

''(B) any governmental entity or instrumentality of a government.

''(4) EXECUTIVE AGENCY.—The term 'Executive agency' has the meaning given the term in section 105 of title 5, United States Code.

''(5) FEDERAL AGENCY.—The term 'Federal agency' means any Executive agency or any establishment in the legislative or judicial branch of the Government.

''(6) FEDERAL LESSEE.—The term 'Federal lessee'—

''(A) means the Administrator of General Services, the Architect of the Capitol, or the head of any Federal agency, other than the Department of Defense, that has independent statutory leasing authority; and

''(B) does not include the head of an element of the intelligence community.

''(7) FEDERAL TENANT.—The term 'Federal tenant'—

''(A) means a Federal agency that is occupying or will occupy a high-security leased space for which a lease agreement has been secured on behalf of the Federal agency; and

''(B) does not include an element of the intelligence community.

''(8) FOREIGN ENTITY.—The term 'foreign entity' means a covered entity that is headquartered or incorporated in a country that is not the United States.

''(9) FOREIGN PERSON.—The term 'foreign person' means an individual who is not a United States person.

''(10) HIGH-SECURITY LEASED SPACE.—The term 'high-security leased space' means a space leased by a Federal lessee that—

''(A) will be occupied by Federal employees for nonmilitary activities; and

''(B) has a facility security level of III, IV, or V, as determined by the Federal tenant in consultation with the Interagency Security Committee, the Department of Homeland Security, and the General Services Administration.

''(11) HIGHEST-LEVEL OWNER.—The term 'highest-level owner' means the entity that owns or controls an immediate owner of the offeror of a lease, or that owns or controls 1 or more entities that control an immediate owner of the offeror.

''(12) IMMEDIATE OWNER.—The term 'immediate owner' means an entity, other than the offeror of a lease, that has direct control of the offeror, including ownership or interlocking management, identity of interests among family members, shared facilities and equipment, and the common use of employees.

''(13) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(14) SUBSTANTIAL ECONOMIC BENEFITS.—The term 'substantial economic benefits' means, with respect to a natural person described in paragraph (1)(A)(ii), having an entitlement to the funds or assets of a covered entity that, as a practical matter, enables the person, directly or indirectly, to control, manage, or direct the covered entity.

''(15) UNITED STATES PERSON.—The term 'United States person' means an individual who—

''(A) is a citizen of the United States; or

''(B) is an alien lawfully admitted for permanent residence in the United States.

''(16) WIDELY HELD.—The term 'widely held' means a fund that has not less than 100 natural persons as direct or indirect investors.

''SEC. 3. DISCLOSURE OF OWNERSHIP OF HIGH-SECURITY SPACE LEASED FOR FEDERAL AGENCIES.

''(a) REQUIRED DISCLOSURES.—Before entering into a lease agreement with a covered entity or approving a novation agreement with a covered entity involving a change of ownership under a lease that will be used for high-security leased space, a Federal lessee shall require the covered entity to identify and disclose whether the immediate or highest-level owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign entity, including the country associated with the ownership entity.

''(b) NOTIFICATION.—If a disclosure is made under subsection (a), the Federal lessee shall notify the Federal tenant of the building or other improvement that will be used for high-security space in writing, and consult with the Federal tenant, regarding security concerns and necessary mitigation measures, if any, prior to award of the lease or approval of the novation agreement.

''(c) TIMING.—

''(1) IN GENERAL.—A Federal lessee shall require a covered entity to provide the information described in subsection (a) when first submitting a proposal in response to a solicitation for offers issued by the Federal lessee.

''(2) UPDATES.—A Federal lessee shall require a covered entity to submit an update of the information described in subsection (a) annually, beginning on the date that is 1 year after the date on which the Federal tenant began occupancy, with information including—

''(A) the list of immediate or highest-level owners of the covered entity during the preceding 1-year period of Federal occupancy; or

''(B) the information required to be provided relating to each such immediate or highest-level owner.

''SEC. 4. IMMEDIATE, HIGHEST-LEVEL, AND BENEFICIAL OWNERS.

''(a) PLAN.—The General Services Administration, in coordination with the Office of Management and Budget, shall develop a Government-wide plan for agencies (as such term is defined in section 551 of title 5, United States Code) for identifying all immediate, highest-level, or beneficial owners of high-security leased spaces before entering into a lease agreement with a covered entity for the accommodation of a Federal tenant in a high-security leased space.

''(b) REQUIREMENTS.—

''(1) CONTENTS.—The plan described in subsection (a) shall include a process for collecting and utilizing the following information on each immediate, highest-level, or beneficial owner of a high-security leased space:

''(A) Name.

''(B) Current residential or business street address.

''(C) An identifying number or document that verifies identity as a United States person, foreign person, or foreign entity.

''(2) Disclosures and notifications.—The plan described in subsection (a) shall—

''(A) require the disclosure of any immediate, highest-level, or beneficial owner that is a foreign person;

''(B) require that, if the Federal lessee is assigning the building or other improvement that will be used for high-security space to a Federal tenant, the Federal tenant shall be notified of the disclosure described in subparagraph (A); and

''(C) exclude collecting ownership information on widely held pooled-investment vehicles, mutual funds, trusts, or other pooled-investment vehicles.

''(c) REPORT AND IMPLEMENTATION.—The General Services Administration shall—

''(1) not later than 1 year after the date of enactment of this Act [Dec. 31, 2020], submit the plan described in subsection (a) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives;

''(2) not later than 2 years after the date of enactment of this Act, implement the plan described in subsection (a); and

''(3) not later than 1 year after the implementation of the plan described in subsection (a), and each year thereafter for 9 years, submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the status of the implementation of the plan, including the number of disclosures made under subsection (b)(2).

''SEC. 5. OTHER SECURITY AGREEMENTS FOR LEASED SPACE.

''A lease agreement between a Federal lessee and a covered entity for the accommodation of a Federal agency in a building or other improvement that will be used for high-security leased space shall include language that provides that—

''(1) the covered entity and any member of the property management company who may be responsible for oversight or maintenance of the high-security leased space shall not—

''(A) maintain access to the high-security leased space; or

''(B) have access to the high-security leased space without prior approval from the Federal tenant;

''(2) access to the high-security leased space or any property or information located within that space will only be granted by the Federal tenant if the Federal tenant determines that the access is clearly consistent with the mission and responsibilities of the Federal tenant; and

''(3) the Federal lessee shall have written procedures in place, signed by the Federal lessee and the covered entity, governing access to the high-security leased space in case of emergencies that may damage the leased property.

''SEC. 6. AGENCY NOTIFICATIONS.

''Not later than 60 days after the date of enactment of this Act [Dec. 31, 2020], the Administrator of General

Services, in consultation with the Office of Management and Budget, shall provide notification to relevant Executive branch agencies with independent leasing authorities of the requirements of this Act.

''SEC. 7. APPLICABILITY.

''Except where otherwise provided, this Act shall apply with respect to any lease or novation agreement entered into on or after the date that is 6 months after the date of enactment of this Act.''

LEASE OF BUILDING SPACE BY WHOLLY OWNED GOVERNMENT CORPORATIONS

Act July 30, 1947, ch. 358, title III, §306, 61 Stat. 584, provided in part that: ''Wholly owned Government corporations requiring space in office buildings at the seat of government shall occupy only such space as may be allotted in accordance with the provisions of such Act of March 1, 1919, as amended [ch. 86, §10, 40 Stat. 1269] ([former] 40 U.S.C. 1), and shall pay such rental thereon as may be determined by the Federal Works Administrator [Administrator of General Services], such rental to include all cost of maintenance, upkeep, and repair.''

§ 586. Charges for space and services

(a) DEFINITION.—In this section, ''space and services'' means space, services, quarters, maintenance, repair, and other facilities.

(b) CHARGES BY ADMINISTRATOR OF GENERAL SERVICES.—

(1) IN GENERAL.—The Administrator of General Services shall impose a charge for furnishing space and services.

(2) RATES.—The Administrator shall, from time to time, determine the rates to be charged for furnishing space and services and shall prescribe regulations providing for the rates. The rates shall approximate commercial charges for comparable space and services. However, for a building for which the Administrator is responsible for alterations only (as the term ''alter'' is defined in section 3301(a) of this title), the rates shall be fixed to recover only the approximate cost incurred in providing alterations.

(3) EXEMPTIONS.—The Administrator may exempt anyone from the charges required by this subsection when the Administrator determines that charges would be infeasible or impractical. To the extent an exemption is granted, appropriations to the General Services Administration are authorized to reimburse the Federal Buildings Fund for any loss of revenue.

(c) CHARGES BY EXECUTIVE AGENCIES.—

(1) IN GENERAL.—An executive agency, other than the Administration, may impose a charge for furnishing space and services at rates approved by the Administrator.

(2) CREDITING AMOUNTS RECEIVED.—An amount an executive agency receives under this subsection shall be credited to the appropriation or fund initially charged for providing the space or service. However, amounts in excess of actual operating and maintenance costs shall be credited to miscellaneous receipts unless otherwise provided by law.

(d) RENT PAYMENTS FOR LEASE SPACE.—An agency may make rent payments to the Administration for lease space relating to expansion needs of the agency. Payment rates shall approximate commercial charges for comparable space as provided in subsection (b). Payments shall be deposited into the Federal Buildings Fund. The Administration may use amounts received under this subsection, in addition to amounts received as New Obligational Authority, in the Rental of Space activity of the Fund.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1113.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
586(a), (b) ...	40:490(j).	June 30, 1949, ch. 288, title II, §210(j), (k), as added Pub. L. 92–313, §4, June 16, 1972, 86 Stat. 219.
586(c)	40:490(k).	
586(d)	40:490f.	Pub. L. 102–393, title IV, §5, Oct. 6, 1992, 106 Stat. 1750.

In subsection (b)(3), the words ''Federal Buildings Fund'' are substituted for ''the fund'' for clarity and to execute the probable intent of Congress. Sections 3 and 4 of the Public Buildings Amendments of 1972 (Public Law 92–313, 86 Stat. 218) added subsection (j) of 40:490 (in which the words ''the fund'' appear) and amended subsection (f) to create a fund into which ''charges made pursuant to subsection (j)'' are deposited (40:490(f)(1)(A)). That fund was subsequently named ''Federal Buildings Fund'' by section 153(1) of the Energy Policy Act of 1992 (Public Law 102–486, 106 Stat. 2851). If an exemption from charges is granted under 40:490(j), ''the fund'' that suffers the loss of revenue is the Federal Buildings Fund.

In subsection (d), the words ''on and after October 6, 1992'' are omitted as obsolete. The words ''subsection (b)'' are substituted for ''section 201(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(j))'' in section 5(a) of the Independent Agencies Appropriations Act, 1993, to reflect the probable intent of Congress. Section 201 of the Federal Property and Administrative Services Act of 1949 does not contain a subsection (j) and the intended reference was probably ''section 210(j)'', which is restated in this section. The text of 40:490f(b) is omitted as executed.

§ 587. Telecommuting and other alternative workplace arrangements

(a) DEFINITION.—In this section, the term ''telecommuting centers'' means flexiplace work telecommuting centers.

(b) TELECOMMUTING CENTERS ESTABLISHED BY ADMINISTRATOR OF GENERAL SERVICES.—

(1) ESTABLISHMENT.—The Administrator of General Services may acquire space for, establish, and equip telecommuting centers for use in accordance with this subsection.

(2) USE.—A telecommuting center may be used by employees of federal agencies, state and local governments, and the private sector. The Administrator shall give federal employees priority in using a telecommuting center. The Administrator may make a telecommuting center available for use by others to the extent it is not fully utilized by federal employees.

(3) USER FEES.—The Administrator shall charge a user fee for the use of a telecommuting center. The amount of the user fee shall approximate commercial charges for comparable space and services. However, the user fee may not be less than necessary to pay the cost of establishing and operating the telecommuting center, including the reasonable cost of renovation and replacement of furniture, fixtures, and equipment.

(4) DEPOSIT AND USE OF FEES.—The Administrator may—

(A) deposit user fees into the Federal Buildings Fund and use the fees to pay costs incurred in establishing and operating the telecommuting center; and

(B) accept and retain income received by the General Services Administration, from federal agencies and non-federal sources, to defray costs directly associated with the functions of telecommuting centers.

(c) DEVELOPMENT OF ALTERNATIVE WORKPLACE ARRANGEMENTS BY EXECUTIVE AGENCIES AND OTHERS.—

(1) DEFINITION.—In this subsection, the term ''alternative workplace arrangements'' includes telecommuting, hoteling, virtual offices, and other distributive work arrangements.

(2) CONSIDERATION BY EXECUTIVE AGENCIES.—In considering whether to acquire space, quarters, buildings, or other facilities for use by employees, the head of an executive agency shall consider whether needs can be met using alternative workplace arrangements.

(3) GUIDANCE FROM ADMINISTRATOR.—The Administrator may provide guidance, assistance, and oversight to any person regarding the establishment and operation of alternative workplace arrangements.

(d) AMOUNTS AVAILABLE FOR FLEXIPLACE WORK TELECOMMUTING PROGRAMS.—

(1) DEFINITION.—In this subsection, the term ''flexiplace work telecommuting program'' means a program under which employees of a department or agency set out in paragraph (2) are permitted to perform all or a portion of their duties at a telecommuting center established under this section or other federal law.

(2) MINIMUM FUNDING.—For each of the following departments and agencies, in each fiscal year at least $50,000 of amounts made available for salaries and expenses is available only for carrying out a flexiplace work telecommuting program:

(A) Department of Agriculture.
(B) Department of Commerce.
(C) Department of Defense.
(D) Department of Education.
(E) Department of Energy.
(F) Department of Health and Human Services.
(G) Department of Housing and Urban Development.
(H) Department of the Interior.
(I) Department of Justice.
(J) Department of Labor.
(K) Department of State.
(L) Department of Transportation.
(M) Department of the Treasury.
(N) Department of Veterans Affairs.
(O) Environmental Protection Agency.
(P) General Services Administration.
(Q) Office of Personnel Management.
(R) Small Business Administration.
(S) Social Security Administration.
(T) United States Postal Service.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1113.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
587(a), (b)(1)–(4)(A).	40:490(*l*)(1)–(3).	June 30, 1949, ch. 288, title II, § 210(*l*), as added Pub. L. 104–208, div. A, title I, § 101(f) [title IV, § 407(a)], Sept. 30, 1996, 110 Stat. 3009–337.
587(b)(4)(B)	40:490h.	Pub. L. 104–52, title IV, § 5, Nov. 19, 1995, 109 Stat. 486.
587(c)(1)	40:490(*l*)(4) (words after 3d comma).	
587(c)(2)	40:490(*l*)(5).	
587(c)(3)	40:490(*l*)(4) (words before 3d comma).	
587(d)	40:490 note.	Pub. L. 105–277, div A, § 101(h) [title VI, § 630], Oct. 21, 1998, 112 Stat. 2681–522.

§ 588. Movement and supply of office furniture

(a) DEFINITION.—In this section, the term ''controlled space'' means a substantial and identifiable segment of space (such as a building, floor, or wing) in a location that the Administrator of General Services controls for purposes of assignment of space.

(b) APPLICATION.—This section applies if an agency (or unit of the agency), moves from one controlled space to another, whether in the same or a different location.

(c) MOVING EXISTING FURNITURE.—The furniture and furnishings used by an agency (or organizational unit of the agency) shall be moved only if the Administrator determines, after consultation with the head of the agency and with due regard for the program activities of the agency, that it would not be more economical and efficient to make suitable replacements available in the new controlled space.

(d) PROVIDING REPLACEMENT FURNITURE.—In the absence of a determination under subsection (c), suitable furniture and furnishings for the new controlled space shall be provided from stocks under the control of the moving agency or from stocks available to the Administrator, whichever the Administrator determines to be more economical and efficient. However, the same or similar items may not be provided from both sources.

(e) CONTROL OF REPLACEMENT FURNITURE.—If furniture and furnishings for a new controlled space are provided from stocks available to the Administrator, the items being provided remain in the control of the Administrator.

(f) CONTROL OF FURNITURE NOT MOVED.—

(1) IN GENERAL.—If furniture and furnishings for a new controlled space are provided from stocks available to the Administrator, the furniture and furnishings that were previously used by the moving agency (or unit of the agency) pass to the control of the Administrator.

(2) REIMBURSEMENT.—

(A) IN GENERAL.—Furniture and furnishings passing to the control of the Administrator under this section pass without reimbursement.

(B) EXCEPTION FOR TRUST FUND.—If furniture and furnishings that were purchased from a trust fund pass to the control of the Administrator under this section, the Administrator shall reimburse the trust fund for the fair market value of the furniture and furnishings.

(3) REVOLVING OR WORKING CAPITAL FUND.—If furniture and furnishings are carried as assets of a revolving or working capital fund at the time they pass to the control of the Administrator under this section, the net book value of the furniture and furnishings shall be written off and the capital of the fund is diminished by the amount of the write-off.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1115.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
588	40:490(g).	June 30, 1949, ch. 288, title II, §210(g), as added Sept. 1, 1954, ch. 1211, §3, 68 Stat. 1129.

In subsection (f)(2), the reimbursement requirement in 40:490(g) (last sentence) is set out as an exception to a general ''without reimbursement'' rule in 40:490(g) (3d sentence) to harmonize an inconsistency in the source law.

§ 589. Installation, repair, and replacement of sidewalks

(a) IN GENERAL.—An executive agency may install, repair, and replace sidewalks around buildings, installations, property, or grounds that are—

(1) under the agency's control;

(2) owned by the Federal Government; and

(3) located in a State, the District of Columbia, Puerto Rico, or a territory or possession of the United States.

(b) REIMBURSEMENT.—Subsection (a) may be carried out by—

(1) reimbursement to a State or political subdivision of a State, the District of Columbia, Puerto Rico, or a territory or possession of the United States; or

(2) a means other than reimbursement.

(c) REGULATIONS.—Subsection (a) shall be carried out in accordance with regulations the Administrator of General Services prescribes with the approval of the Director of the Office of Management and Budget.

(d) USE OF AMOUNTS.—Amounts appropriated to an executive agency for installation, repair, and maintenance, generally, are available to carry out this section.

(e) LIABILITY.—This section does not increase or enlarge the tort liability of the Government for injuries to individuals or damages to property.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1116.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
589	40:490(i).	June 30, 1949, ch. 288, title II, §210(i), as added Pub. L. 89–344, Nov. 8, 1965, 79 Stat. 1304.

In subsections (a) and (b), the words ''territory or'' are added for consistency in the revised title and with other titles of the United States Code.

In subsection (c), the words ''Director of the Office of Management and Budget'' are substituted for ''Director of the Bureau of the Budget'' in section 210(i) of the Federal Property and Administrative Services Act of 1949 because the office of Director of the Bureau of the Budget was redesignated the Director of the Office of Management and Budget by section 102(b) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085). Section 102 of Reorganization Plan No. 2 of 1970, was repealed by section 5(b) of the Act of September 13, 1982 (Public Law 97–258, 96 Stat. 1085), the first section of which enacted Title 31, United States Code, but the successor provision, 31:502, continued the designation as Director of the Office of Management and Budget.

In subsection (e), the words ''beyond such liability presently existing by virtue of any other law'' are omitted as unnecessary.

§ 590. Child care

(a) GUIDANCE, ASSISTANCE, AND OVERSIGHT.—Through the General Services Administration's licensing agreements, the Administrator of General Services shall provide guidance, assistance, and oversight to federal agencies for the development of child care centers to provide economical and effective child care for federal workers.

(b) ALLOTMENT OF SPACE IN FEDERAL BUILDINGS.—

(1) DEFINITIONS.—In this subsection, the following definitions apply:

(A) CHILD CARE PROVIDER.—The term ''child care provider'' means an individual or entity that provides or proposes to provide child care services for federal employees.

(B) ALLOTMENT OFFICER.—The term ''allotment officer'' means an officer or agency of the Federal Government charged with the allotment of space in federal buildings.

(2) ALLOTMENT.—A child care provider may be allotted space in a federal building by an allotment officer if—

(A) the child care provider applies to the allotment officer in the community or district in which child care services are to be provided;

(B) the space is available; and

(C) the allotment officer determines that—

(i) the space will be used to provide child care services to children of whom at least 50 percent have one parent or guardian employed by the Government; and

(ii) the child care provider will give priority to federal employees for available child care services in the space.

(c) PAYMENT FOR SPACE AND SERVICES.—

(1) DEFINITION.—For purposes of this subsection, the term ''services'' includes the providing of lighting, heating, cooling, electricity, office furniture, office machines and equipment, classroom furnishings and equipment, kitchen appliances, playground equipment, telephone service (including installation of lines and equipment and other expenses associated with telephone services), and security systems (including installation and other expenses associated with security systems), including replacement equipment, as needed.

(2) NO CHARGE.—Space allotted under subsection (b) may be provided without charge for rent or services.

(3) REIMBURSEMENT FOR COSTS.—For space allotted under subsection (b), if there is an agreement for the payment of costs associated with providing space or services, neither title

31, nor any other law, prohibits or restricts payment by reimbursement to the miscellaneous receipts or other appropriate account of the Treasury.

(d) PAYMENT OF OTHER COSTS.—If an agency has a child care facility in its space, or is a sponsoring agency for a child care facility in other federal or leased space, the agency or the Administration may—

(1) pay accreditation fees, including renewal fees, for the child care facility to be accredited by a nationally recognized early-childhood professional organization;

(2) pay travel and per diem expenses for representatives of the child care facility to attend the annual Administration child care conference; and

(3) enter into a consortium with one or more private entities under which the private entities assist in defraying costs associated with the salaries and benefits for personnel providing services at the facility.

(e) REIMBURSEMENT FOR EMPLOYEE TRAINING.—Notwithstanding section 1345 of title 31, an agency, department, or instrumentality of the Government that provides or proposes to provide child care services for federal employees may reimburse a federal employee or any individual employed to provide child care services for travel, transportation, and subsistence expenses incurred for training classes, conferences, or other meetings in connection with providing the services. A per diem allowance made under this subsection may not exceed the rate specified in regulations prescribed under section 5707 of title 5.

(f) CRIMINAL HISTORY BACKGROUND CHECKS.—

(1) DEFINITION.—In this subsection, the term ''executive facility'' means a facility owned or leased by an office or entity within the executive branch of the Government. The term includes a facility owned or leased by the General Services Administration on behalf of an office or entity within the judicial branch of the Government.

(2) IN GENERAL.—All workers in a child care center located in an executive facility shall undergo a criminal history background check as defined in section 231 of the Crime Control Act of 1990 (42 U.S.C. 13041).[1]

(3) NONAPPLICATION TO LEGISLATIVE BRANCH FACILITIES.—This subsection does not apply to a facility owned by or leased on behalf of an office or entity within the legislative branch of the Government.

(g) APPROPRIATED AMOUNTS FOR AFFORDABLE CHILD CARE.—

(1) DEFINITION.—For purposes of this subsection, the term ''Executive agency'' has the meaning given that term in section 105 of title 5, but does not include the Government Accountability Office.

(2) IN GENERAL.—In accordance with regulations the Office of Personnel Management prescribes, an Executive agency that provides or proposes to provide child care services for federal employees may use appropriated amounts that are otherwise available for salaries and expenses to provide child care in a federal or leased facility, or through contract, for civilian employees of the agency.

(3) AFFORDABILITY.—Amounts used pursuant to paragraph (2) shall be applied to improve the affordability of child care for lower income federal employees using or seeking to use the child care services.

(4) ADVANCES.—Notwithstanding section 3324 of title 31, amounts may be paid in advance to licensed or regulated child care providers for services to be rendered during an agreed period.

(5) NOTIFICATION.—No amounts made available by law may be used to implement this subsection without advance notice to the Committees on Appropriations of the House of Representatives and the Senate.

(6) APPLICATION TO HOUSE OF REPRESENTATIVES.—This subsection shall apply with respect to the House of Representatives in the same manner as it applies to an Executive agency, except that—

(A) the authority granted to the Office of Personnel Management shall be exercised with respect to the House of Representatives by the Speaker of the House of Representatives in accordance with regulations promulgated by the Committee on House Administration; and

(B) amounts may be made available to implement this subsection with respect to the House of Representatives without advance notice to the Committee on Appropriations of the Senate.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1116; Pub. L. 108–271, § 8(b), July 7, 2004, 118 Stat. 814; Pub. L. 117–328, div. I, title I, § 117(a), Dec. 29, 2022, 136 Stat. 4924.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
590(a)	40:490b(c).	Pub. L. 100–202, § 101(m) [title VI, § 616(a)–(d)], Dec. 22, 1987, 101 Stat. 1329–423; Pub. L. 102–393, title V, § 528, Oct. 6, 1992, 106 Stat. 1760.
590(b)	40:490b(a).	
590(c)	40:490b(b)(1), (2), (4).	
590(d)	40:490b(b)(3). 40:490b(d).	
590(e)	40:490b note.	Pub. L. 105–277, div. A, § 101(h) [title VI, § 603], Oct. 21, 1998, 112 Stat. 2681–513.
590(f)	40:490b(e).	Pub. L. 100–202, § 101(m) [title VI, § 616(e)], as added Pub. L. 106–554, § 1[(]a)(3) [title VI, § 643], Dec. 21, 2000, 114 Stat. 2763A–169.
590(g)	40:490b–1.	Pub. L. 107–67, title VI, § 630, Nov. 12, 2001, 115 Stat. 552.

In subsection (a), the word ''provide'' is substituted for ''promote the provision of'' to eliminate unnecessary words.

In subsection (f)(2), the word ''workers'' is substituted for ''existing and newly hired workers'' to eliminate unnecessary words.

In subsection (g)(2), the word ''hereafter'' is omitted as unnecessary.

In subsection (g)(4), the words ''as appropriate'' are omitted as unnecessary.

In subsection (g)(5), the words ''in this or any other Act'' are omitted as unnecessary. The words ''of the House of Representatives and the Senate'' are added for consistency in the revised title.

[1] See References in Text note below.

Editorial Notes

REFERENCES IN TEXT

Section 231 of the Crime Control Act of 1990, referred to in subsec. (f)(2), is section 231 of Pub. L. 101–647, which was classified to section 13041 of Title 42, The Public Health and Welfare, prior to editorial reclassification as section 20351 of Title 34, Crime Control and Law Enforcement.

AMENDMENTS

2022—Subsec. (g)(6). Pub. L. 117–328 added par. (6).

2004—Subsec. (g)(1). Pub. L. 108–271 substituted ''Government Accountability Office'' for ''General Accounting Office''.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Pub. L. 117–328, div. I, title I, §117(b), Dec. 29, 2022, 136 Stat. 4924, provided that: ''The amendments made by this section [amending this section] shall apply with respect to fiscal year 2023 and each succeeding fiscal year.''

§ 591. Purchase of electricity

(a) GENERAL LIMITATION ON USE OF AMOUNTS.—A department, agency, or instrumentality of the Federal Government may not use amounts appropriated or made available by any law to purchase electricity in a manner inconsistent with state law governing the provision of electric utility service, including—

(1) state utility commission rulings; and

(2) electric utility franchises or service territories established under state statute, state regulation, or state-approved territorial agreements.

(b) EXCEPTIONS.—

(1) ENERGY SAVINGS.—This section does not preclude the head of a federal agency from entering into a contract under section 801 of the National Energy Conservation Policy Act (42 U.S.C. 8287).

(2) ENERGY SAVINGS FOR MILITARY INSTALLATIONS.—This section does not preclude the Secretary of a military department from—

(A) entering into a contract under section 2394[1] of title 10; or

(B) purchasing electricity from any provider if the Secretary finds that the utility having the applicable state-approved franchise (or other service authorization) is unwilling or unable to meet unusual standards of service reliability that are necessary for purposes of national defense.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1118.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
591	40:490 note.	Pub. L. 100–202, §101(b) [title VIII, §8093], Dec. 22, 1987, 101 Stat. 1329–79.

In subsection (b)(1), the words ''section 801 of the National Energy Conservation Policy Act (42 U.S.C. 8287)'' are substituted for ''42 U.S.C. 8287'' in section 8093 of the Department of Defense Appropriations Act, 1988 as the probable intent of Congress.

[1] See References in Text note below.

Editorial Notes

REFERENCES IN TEXT

Section 2394 of title 10, referred to in subsec. (b)(2)(A), was renumbered section 2922a of such title by Pub. L. 109–364, div. B, title XXVIII, §2851(b)(2), Oct. 17, 2006, 120 Stat. 2494.

§ 592. Federal Buildings Fund

(a) EXISTENCE.—There is in the Treasury a fund known as the Federal Buildings Fund.

(b) DEPOSITS.—

(1) IN GENERAL.—The following revenues and collections shall be deposited into the Fund:

(A) User charges under section 586(b) of this title, payable in advance or otherwise.

(B) Proceeds from the lease of federal building sites or additions under section 581(d) of this title.

(C) Receipts from carriers and others for loss of, or damage to, property belonging to the Fund.

(2) REIMBURSEMENTS FOR SPECIAL SERVICES.—This subchapter does not preclude the Administrator of General Services from providing special services, not included in the standard level user charge, on a reimbursable basis. The reimbursements may be credited to the Fund.

(3) TRANSFER OF SURPLUS AMOUNTS.—To prevent the accumulation of excessive surpluses in the Fund, in any fiscal year an amount specified in an appropriation law may be transferred out of the Fund and deposited as miscellaneous receipts in the Treasury.

(c) USES.—

(1) IN GENERAL.—Deposits in the Fund are available for real property management and related activities in the amounts specified in annual appropriation laws without regard to fiscal year limitations.

(2) SALARIES AND EXPENSES RELATED TO CONSTRUCTION PROJECTS OR PLANNING PROGRAMS.—Deposits in the Fund that are available pursuant to annual appropriation laws may be transferred and consolidated on the books of the Treasury into a special account in accordance with, and for the purposes specified in, section 3176 of this title.

(3) REPAYMENT OF GENERAL SERVICES ADMINISTRATION BORROWING FROM FEDERAL FINANCING BANK.—The Administrator, in accordance with rules and procedures that the Office of Management and Budget and the Secretary of the Treasury establish, may transfer from the Fund an amount necessary to repay the principal amount of a General Services Administration borrowing from the Federal Financing Bank, if the borrowing is a legal obligation of the Fund.

(4) BUILDINGS DEEMED FEDERALLY OWNED.—For purposes of amounts authorized to be expended from the Fund, the following are deemed to be federally owned buildings:

(A) A building constructed pursuant to the purchase contract authority of section 5 of the Public Buildings Amendments of 1972 (Public Law 92–313, 86 Stat. 219).

(B) A building occupied pursuant to an installment purchase contract.

(C) A building under the control of a department or agency, if alterations of the

building are required in connection with moving the department or agency from a former building that is, or will be, under the control of the Administration.

(d) ENERGY MANAGEMENT PROGRAMS.—

(1) RECEIVING CASH INCENTIVES.—The Administrator may receive amounts from rebates or other cash incentives related to energy savings and shall deposit the amounts in the Fund for use as provided in paragraph (4).

(2) RECEIVING GOODS OR SERVICES.—The Administrator may accept, from a utility, goods or services that enhance the energy efficiency of federal facilities.

(3) ASSIGNMENT OF ENERGY REBATES.—In the administration of real property that the Administrator leases and for which the Administrator pays utility costs, the Administrator may assign all or a portion of energy rebates to the lessor to underwrite the costs incurred in undertaking energy efficiency improvements in the real property if the payback period for the improvement is at least 2 years less than the remainder of the term of the lease.

(4) OBLIGATING AMOUNTS FOR ENERGY MANAGEMENT IMPROVEMENT PROGRAMS.—In addition to amounts appropriated for energy management improvement programs and without regard to subsection (c)(1), the Administrator may obligate for those programs—

(A) amounts received and deposited in the Fund under paragraph (1);

(B) goods and services received under paragraph (2); and

(C) amounts the Administrator determines are not needed for other authorized projects and that are otherwise available to implement energy efficiency programs.

(e) RECYCLING PROGRAMS.—

(1) RECEIVING AMOUNTS.—The Administrator may receive amounts from the sale of recycled materials and shall deposit the amounts in the Fund for use as provided in paragraph (2).

(2) OBLIGATING AMOUNTS FOR RECYCLING PROGRAMS.—In addition to amounts appropriated for such purposes and without regard to subsection (c)(1), the Administrator may obligate amounts received and deposited in the Fund under paragraph (1) for programs which—

(A) promote further source reduction and recycling programs; and

(B) encourage employees to participate in recycling programs by providing financing for child care.

(f) ADDITIONAL AUTHORITY RELATED TO ENERGY MANAGEMENT AND RECYCLING PROGRAMS.—The Fund may receive, in the form of rebates, cash incentives or otherwise, any revenues, collections, or other income related to energy savings or recycling efforts. Amounts received under this subsection remain in the Fund until expended and remain available for federal energy management improvement programs, recycling programs, or employee programs that are authorized by law or that the Administrator considers appropriate. The Administration may use amounts received under this subsection, in addition to amounts received as New Obligational Authority, in activities of the Fund as necessary.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1118.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
592(a)	40:490(f)(1) (related to establishment), (3), (4).	June 30, 1949, ch. 288, title II, §210(f), as added July 12, 1952, ch. 703, §1(*l*), 66 Stat. 594; Pub. L. 85–886, §3, Sept. 2, 1958, 72 Stat. 1709; Pub. L. 92–313, §3, June 16, 1972, 86 Stat. 218; Pub. L. 102–486, title I, §153, Oct. 24, 1992, 106 Stat. 2851.
592(b)(1)	40:490(f)(1) (related to deposits).	
592(b)(2)	40:490(f)(6).	
592(b)(3)	40:490(f)(5).	
592(c)(1)	40:490(f)(2).	
592(c)(2)	40:490a.	Pub. L. 94–91, title IV, §401, Aug. 9, 1975, 89 Stat. 452.
592(c)(3)	40:490a–1.	Pub. L. 101–136, title IV, §7, Nov. 3, 1989, 103 Stat. 803.
592(c)(4)	40:490i.	Pub. L. 105–277, div. A, §101(h) [title IV, 6th proviso on p. 2681–502], Oct. 21, 1998, 112 Stat. 2681–502.
592(d)	40:490(f)(7).	
592(e)	40:490(f)(8).	
592(f)	40:490g.	Pub. L. 102–393, title IV, §13, Oct. 6, 1992, 106 Stat. 1751.

In subsection (a), the words ''on such date as may be determined by the Administrator'' are omitted as obsolete. The text of 40:490(f)(3) and (4) is omitted as executed.

In subsection (b)(1)(B), the words ''federal building sites or additions'' are substituted for ''building sites'' for consistency with section 581(d) of the revised title.

In subsection (b)(3), the words ''To prevent the accumulation of excessive surpluses in the Fund'' and ''transferred out of the Fund'' are added for clarity. See House Report No. 92–989, dated April 14, 1972 (United States Code Congressional and Administrative News, 92d Congress, 2d Session, 1972, Vol. 2, pp. 2370, 2377).

In subsection (c)(4), the words ''amounts authorized to be expended from the Fund'' are substituted for ''this authorization, and hereafter'' to restate the provision as general and permanent law without reference to a single year's appropriation Act.

In subsection (f), the words ''during a fiscal year'' are omitted as unnecessary.

Editorial Notes

REFERENCES IN TEXT

Section 5 of the Public Buildings Amendments of 1972, referred to in subsec. (c)(4)(A), is section 5 of Pub. L. 92–313, June 16, 1972, 86 Stat. 219, which enacted section 602a of former Title 40, Public Buildings, Property, and Works, and was omitted from the Code in the revision and reenactment of this title by Pub. L. 107–217, §1, Aug. 21, 2002, 116 Stat. 1062.

§ 593. Protection for veterans preference employees

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) COVERED SERVICES.—The term ''covered services'' means any guard, elevator operator, messenger, or custodial services.

(2) SHELTERED WORKSHOP.—The term ''sheltered workshop'' means a sheltered workshop employing the severely handicapped under chapter 85 of title 41.

(b) IN GENERAL.—Except as provided in subsection (c), amounts made available to the General Services Administration pursuant to section 592 of this title may not be obligated or expended to procure covered services by contract if an employee who was a permanent veterans

preference employee of the Administration on November 19, 1995, would be terminated as a result.

(c) EXCEPTION.—Amounts made available to the Administration pursuant to section 592 of this title may be obligated and expended to procure covered services by contract with a sheltered workshop or, if sheltered workshops decline to contract for the provision of covered services, by competitive contract for a period of no longer than 5 years. When a competitive contract expires, or is terminated for any reason, the Administration shall again offer to procure the covered services by contract with a sheltered workshop before procuring the covered services by competitive contract.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1120; Pub. L. 109–284, §6(6), Sept. 27, 2006, 120 Stat. 1212; Pub. L. 111–350, §5(*l*)(11), Jan. 4, 2011, 124 Stat. 3852.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
593	40:490c.	Pub. L. 104–52, title V, §503, Nov. 19, 1995, 109 Stat. 491.

Editorial Notes

AMENDMENTS

2011—Subsec. (a)(2). Pub. L. 111–350 substituted ''chapter 85 of title 41'' for ''the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.)''.

2006—Subsec. (b). Pub. L. 109–284 substituted ''available to the General Services Administration'' for ''available to the Administration''.

SUBCHAPTER VI—MOTOR VEHICLE POOLS AND TRANSPORTATION SYSTEMS

§ 601. Purposes

In order to provide an economical and efficient system for transportation of Federal Government personnel and property consistent with section 101 of this title, the purposes of this subchapter are—

(1) to establish procedures to ensure safe operation of motor vehicles on Government business;

(2) to provide for proper identification of Government motor vehicles;

(3) to establish an effective means to limit the use of Government motor vehicles to official purposes;

(4) to reduce the number of Government-owned vehicles to the minimum necessary to transact public business; and

(5) to provide wherever practicable for centrally operated interagency pools or systems for local transportation of Government personnel and property.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1121.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
601	40:491(a).	June 30, 1949, ch. 288, title II, §211(a), as added Sept. 5, 1950, ch. 849, §5(c), 64 Stat. 583; Sept. 1, 1954, ch. 1211, §2, 68 Stat. 1126.

Statutory Notes and Related Subsidiaries

STRATEGIC ELECTRIC VEHICLE MANAGEMENT

Pub. L. 117–263, div. G, title LXXII, subtitle C, Dec. 23, 2022, 136 Stat. 3676, provided that:

''SEC. 7231. SHORT TITLE.

''This subtitle may be cited as the 'Strategic EV Management Act of 2022'.

''SEC. 7232. DEFINITIONS.

''In this subtitle:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of General Services.

''(2) AGENCY.—The term 'agency' has the meaning given the term in section 551 of title 5, United States Code.

''(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(B) the Committee on Oversight and Reform of the House of Representatives;

''(C) the Committee on Environment and Public Works of the Senate;

''(D) the Committee on Energy and Natural Resources of the Senate;

''(E) the Committee on Energy and Commerce of the House of Representatives;

''(F) the Committee on Appropriations of the Senate; and

''(G) the Committee on Appropriations of the House of Representatives.

''(4) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''SEC. 7233. STRATEGIC GUIDANCE.

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act [Dec. 23, 2022], the Administrator, in consultation with the Director, shall coordinate with the heads of agencies to develop a comprehensive, strategic plan for Federal electric vehicle fleet battery management.

''(b) CONTENTS.—The strategic plan required under subsection (a) shall—

''(1) maximize both cost and environmental efficiencies; and

''(2) incorporate—

''(A) guidelines for optimal charging practices that will maximize battery longevity and prevent premature degradation;

''(B) guidelines for reusing and recycling the batteries of retired vehicles;

''(C) guidelines for disposing electric vehicle batteries that cannot be reused or recycled; and

''(D) any other considerations determined appropriate by the Administrator and Director.

''(c) MODIFICATION.—The Administrator, in consultation with the Director, may periodically update the strategic plan required under subsection (a) as the Administrator and Director may determine necessary based on new information relating to electric vehicle batteries that becomes available.

''(d) CONSULTATION.—In developing the strategic plan required under subsection (a) the Administrator, in consultation with the Director, may consult with appropriate entities, including—

''(1) the Secretary of Energy;

''(2) the Administrator of the Environmental Protection Agency;

''(3) the Chair of the Council on Environmental Quality;

''(4) scientists who are studying electric vehicle batteries and reuse and recycling solutions;

''(5) laboratories, companies, colleges, universities, or start-ups engaged in battery use, reuse, and recycling research;

''(6) industries interested in electric vehicle battery reuse and recycling;

''(7) electric vehicle equipment manufacturers and recyclers; and