

Federal Management Regulation

Pt. 102-77

not limited to, enlarging toilet stalls, installing grab bars and accessible faucet controls, and insulating pipes under lavatories;

(d) Making public telephones serving the altered area accessible, including, but not limited to, placing telephones at an accessible height, and installing amplification devices and TTYs;

(e) Making drinking fountains serving the altered area accessible; and

(f) Making parking spaces serving the altered area accessible.

§102-76.80 What is required if the costs of alterations to provide an accessible path of travel to an altered area containing a primary function are disproportionate to the costs of the overall alterations for facilities subject to the standards in §102-76.65(a)?

For facilities subject to the standards in §102-76.65(a), if the costs of alterations to provide an accessible path of travel to an altered area containing a primary function are disproportionate to the costs of the overall alterations, the path of travel must be made accessible to the extent possible without exceeding 20 percent of the costs of the alterations to the primary function area. Priority should be given to those elements that will provide the greatest access in the following order:

(a) An accessible route and an accessible entrance;

(b) At least one accessible restroom for each sex or a single unisex restroom;

(c) Accessible telephones;

(d) Accessible drinking fountains; and

(e) Accessible parking spaces.

§102-76.85 What is a primary function area for purposes of providing an accessible route in leased facilities subject to the standards in §102-76.65(a)?

For purposes of providing an accessible route in leased facilities subject to the standards in §102-76.65(a), a primary function area is an area that contains a major activity for which the leased facility is intended. Primary function areas include areas where services are provided to customers or the public, and offices and other work areas in which the activities of the

Federal agency using the leased facility are carried out.

§102-76.90 Who has the authority to waive or modify the standards in §102-76.65(a)?

The Administrator of General Services has the authority to waive or modify the standards in §102-76.65(a) on a case-by-case basis if the agency head or GSA department head submits a request for waiver or modification and the Administrator determines that the waiver or modification is clearly necessary.

§102-76.95 What recordkeeping responsibilities do Federal agencies have?

(a) The head of each Federal agency must ensure that documentation is maintained on each contract, grant or loan for the design, construction or alteration of a facility and on each lease for a facility subject to the standards in §102-76.65(a) containing one of the following statements:

(1) The standards have been or will be incorporated in the design, the construction or the alteration.

(2) The grant or loan has been or will be made subject to a requirement that the standards will be incorporated in the design, the construction or the alteration.

(3) The leased facility meets the standards, or has been or will be altered to meet the standards.

(4) The standards have been waived or modified by the Administrator of General Services, and a copy of the waiver or modification is included with the statement.

(b) If a determination is made that a facility is not subject to the standards in §102-76.65(a) because the Architectural Barriers Act does not apply to the facility, the head of the Federal agency must ensure that documentation is maintained to justify the determination.

PART 102-77—ART-IN-ARCHITECTURE

Subpart A—General Provisions

Sec.

102-77.5 What is the scope of this part?

§ 102-77.5

102-77.10 What basic Art-in-Architecture policy governs Federal agencies?

Subpart B—Art-in-Architecture

102-77.15 Who funds the Art-in-Architecture efforts?

102-77.20 With whom should Federal agencies collaborate when commissioning and selecting art for Federal buildings?

102-77.25 Do Federal agencies have responsibilities to provide national visibility for Art-in-Architecture?

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Subpart A—General Provisions

§ 102-77.5 What is the scope of this part?

The real property policies contained in this part apply to Federal agencies, including GSA's Public Buildings Service (PBS), operating under, or subject to, the authorities of the Administrator of General Services.

§ 102-77.10 What basic Art-in-Architecture policy governs Federal agencies?

Federal agencies must incorporate fine arts as an integral part of the total building concept when designing new Federal buildings, and when making substantial repairs and alterations to existing Federal buildings, as appropriate. The selected fine arts, including painting, sculpture, and artistic work in other media, must reflect the national cultural heritage and emphasize the work of living American artists.

Subpart B—Art-in-Architecture

§ 102-77.15 Who funds the Art-in-Architecture efforts?

To the extent not prohibited by law, Federal agencies must fund the Art-in-Architecture efforts by allocating a portion of the estimated cost of constructing or purchasing new Federal buildings, or of completing major repairs and alterations of existing buildings. Funding for qualifying projects, including new construction, building purchases, other building acquisition, or prospectus-level repair and alteration projects, must be in a range de-

41 CFR Ch. 102 (7-1-11 Edition)

termined by the Administrator of General Services.

§ 102-77.20 With whom should Federal agencies collaborate with when commissioning and selecting art for Federal buildings?

To the maximum extent practicable, Federal agencies should seek the support and involvement of local citizens in selecting appropriate artwork. Federal agencies should collaborate with the artist and community to produce works of art that reflect the cultural, intellectual, and historic interests and values of a community. In addition, Federal agencies should work collaboratively with the architect of the building and art professionals, when commissioning and selecting art for Federal buildings. Federal agencies should commission artwork that is diverse in style and media.

§ 102-77.25 Do Federal agencies have responsibilities to provide national visibility for Art-in-Architecture?

Yes, Federal agencies should provide Art-in-Architecture that receives appropriate national and local visibility to facilitate participation by a large and diverse group of artists representing a wide variety of types of artwork.

PART 102-78—HISTORIC PRESERVATION

Subpart A—General Provisions

Sec.

102-78.5 What is the scope of this part?

102-78.10 What basic historic preservation policy governs Federal agencies?

Subpart B—Historic Preservation

102-78.15 What are historic properties?

102-78.20 Are Federal agencies required to identify historic properties?

102-78.25 What is an undertaking?

102-78.30 Who are consulting parties?

102-78.35 Are Federal agencies required to involve consulting parties in their historic preservation activities?

102-78.40 What responsibilities do Federal agencies have when an undertaking adversely affects an historic or cultural property?

102-78.45 What are Federal agencies' responsibilities concerning nomination of properties to the National Register?