HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
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.

AMENDMENTS

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

§ 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.

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.

[1] See References in Text note below.

(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.

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, as amended, 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 Title 40 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 the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.).

(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 ex-