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SUBCHAPTER I—PROCUREMENT AND WAREHOUSING

§ 501. Services for executive agencies

(a) AUTHORITY OF ADMINISTRATOR OF GENERAL SERVICES.—

(1) IN GENERAL.—The Administrator of General Services shall take action under this subchapter for an executive agency—

(A) to the extent that the Administrator of General Services determines that the action is advantageous to the Federal Government in terms of economy, efficiency, or service; and

(B) with due regard to the program activities of the agency.

(2) EXEMPTION FOR DEFENSE.—The Secretary of Defense may exempt the Department of Defense from an action taken by the Administrator of General Services under this subchapter, unless the President directs otherwise, whenever the Secretary determines that an exemption is in the best interests of national security.

(b) PROCUREMENT AND SUPPLY.—

(1) FUNCTIONS.—

(A) IN GENERAL.—The Administrator of General Services shall procure and supply personal property and nonpersonal services for executive agencies to use in the proper discharge of their responsibilities, and perform functions related to procurement and supply including contracting, inspection, storage, issue, property identification and classification, transportation and traffic management, management of public utility services, and repairing and converting.

(B) PUBLIC UTILITY CONTRACTS.—A contract for public utility services may be made for a period of not more than 10 years.

(2) POLICIES AND METHODS.—

(A) IN GENERAL.—The Administrator of General Services shall prescribe policies and methods for executive agencies regarding the procurement and supply of personal property and nonpersonal services and related functions.

(B) CONTROLLING REGULATION.—Policies and methods prescribed by the Administrator of General Services under this paragraph are subject to regulations prescribed by the Administrator for Federal Procurement Policy under division B (except sections 1704 and 2303) of subtitle I of title 41.

(c) REPRESENTATION.—For transportation and other public utility services used by executive agencies, the Administrator of General Services shall represent the agencies—

(1) in negotiations with carriers and other public utilities; and

(2) in proceedings involving carriers or other public utilities before federal and state regulatory bodies.

(d) FACILITIES.—The Administrator of General Services shall operate, for executive agencies, warehouses, supply centers, repair shops, fuel yards, and other similar facilities. After consultation with the executive agencies affected, the Administrator of General Services shall consolidate, take over, or arrange for executive agencies to operate the facilities.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1079; Pub. L. 111–350, § 5(*l*)(6), Jan. 4, 2011, 124 Stat. 3851.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
501(a)	40:481(a) (words before cl. (1), last proviso).	June 30, 1949, ch. 288, title II, § 201(a), 63 Stat. 383; Pub. L. 93–400, § 15(1), Aug. 30, 1974, 88 Stat. 800; Pub. L. 96–83, § 10(a), Oct. 10, 1979, 93 Stat. 652; Pub. L. 98–191, §§ 8(d)(1), 9(a)(2), Dec. 1, 1983, 97 Stat. 1331.
501(b)	40:481(a)(1), (3).	
501(c)	40:481(a)(4).	
501(d)	40:481(a)(2).	

In subsection (a)(2), the words ''from time to time'' are omitted as unnecessary. The words ''Department of Defense'' are substituted for ''National Military Establishment'' in section 201(a) (last proviso) of the Federal Property and Administrative Services Act of 1949, because the Department of Defense was deemed to succeed the National Military Establishment under section 12(a) and (g) of the National Security Act Amendments of 1949 (ch. 412, 63 Stat. 591). The words ''or which may be taken'' are omitted as unnecessary.

In subsection (b)(2)(B), the words ''subject to regulations'' are substituted for ''subject to regulations and regulations'' in section 201(a)(1) of the Federal Property and Administrative Services Act of 1949 to correct an error resulting from an inconsistency between section 8(d)(1) and section 9(a)(2) of the Office of Federal Procurement Policy Act Amendments of 1983 (Public Law 98–191, 97 Stat. 1331).

AMENDMENTS

2011—Subsec. (b)(2)(B). Pub. L. 111–350 substituted ''division B (except sections 1704 and 2303) of subtitle I of title 41'' for ''the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)''.

§ 502. Services for other entities

(a) FEDERAL AGENCIES, MIXED-OWNERSHIP GOVERNMENT CORPORATIONS, AND THE DISTRICT OF COLUMBIA.—On request, the Administrator of General Services shall provide, to the extent practicable, any of the services specified in section 501 of this title to—

(1) a federal agency;

(2) a mixed-ownership Government corporation (as defined in section 9101 of title 31); or

(3) the District of Columbia.

(b) QUALIFIED NONPROFIT AGENCIES.—

(1) IN GENERAL.—On request, the Administrator may provide, to the extent practicable, any of the services specified in section 501 of this title to an agency that is—

(A)(i) a qualified nonprofit agency for the blind (as defined in section 8501(7) of title 41); or

(ii) a qualified nonprofit agency for other severely disabled (as defined in section 8501(6) of title 41); and

(B) providing a commodity or service to the Federal Government under chapter 85 of title 41.

(2) USE OF SERVICES.—A nonprofit agency receiving services under this subsection shall use the services directly in making or providing to the Government a commodity or service that has been determined by the Committee for Purchase From People Who Are Blind or Severely Disabled under section 8503 of title 41 to be suitable for procurement by the Government.

(c) USE OF CERTAIN SUPPLY SCHEDULES.—

(1) IN GENERAL.—The Administrator may provide for the use by State or local governments of Federal supply schedules of the General Services Administration for the following:

(A) Automated data processing equipment (including firmware), software, supplies, support equipment, and services (as contained in Federal supply classification code group 70).

(B) Alarm and signal systems, facility management systems, firefighting and rescue equipment, law enforcement and security equipment, marine craft and related equipment, special purpose clothing, and related services (as contained in Federal supply classification code group 84 or any amended or subsequent version of that Federal supply classification group).

(2) VOLUNTARY USE.—In any case of the use by a State or local government of a Federal supply schedule pursuant to paragraph (1), participation by a firm that sells to the Federal Government through the supply schedule shall be voluntary with respect to a sale to the State or local government through such supply schedule.

(3) DEFINITIONS.—In this subsection:

(A) The term ''State or local government'' includes any State, local, regional, or tribal government, or any instrumentality thereof (including any local educational agency or institution of higher education).

(B) The term ''tribal government'' means—

(i) the governing body of any Indian tribe, band, nation, or other organized group or community located in the continental United States (excluding the State of Alaska) that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, and

(ii) any Alaska Native regional or village corporation established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(C) The term ''local educational agency'' has the meaning given that term in section 8013 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713).

(D) The term ''institution of higher education'' has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(d) USE OF SUPPLY SCHEDULES FOR CERTAIN GOODS AND SERVICES.—

(1) IN GENERAL.—The Administrator may provide for the use by State or local governments of Federal supply schedules of the General Services Administration for goods or services that are to be used to facilitate recovery from a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), to facilitate disaster preparedness or response, or to facilitate recovery from terrorism or nuclear, biological, chemical, or radiological attack.

(2) DETERMINATION BY SECRETARY OF HOMELAND SECURITY.—The Secretary of Homeland Security shall determine which goods and services qualify as goods and services described in paragraph (1) before the Administrator provides for the use of the Federal supply schedule relating to such goods and services.

(3) VOLUNTARY USE.—In the case of the use by a State or local government of a Federal supply schedule pursuant to paragraph (1), participation by a firm that sells to the Federal Government through the supply schedule shall be voluntary with respect to a sale to the State or local government through such supply schedule.

(4) DEFINITIONS.—The definitions in subsection (c)(3) shall apply for purposes of this subsection.

(e) USE OF SUPPLY SCHEDULES BY THE RED CROSS AND OTHER QUALIFIED ORGANIZATIONS.—

(1) IN GENERAL.—The Administrator may provide for the use by the American National Red Cross and other qualified organizations of Federal supply schedules. Purchases under this authority by the American National Red Cross shall be used in furtherance of the purposes of the American National Red Cross set forth in section 300102 of title 36, United States Code. Purchases under this authority by other qualified organizations shall be used in furtherance of purposes determined to be appro-