

**§ 728. Rules and regulations**

The Secretary of the Treasury shall have power, with the approval of the President, to make such rules and regulations as may be necessary for the execution of the functions vested in him by this chapter, and may for such purpose require persons making shipment of valuables or making claims for replacement to make such declarations or to furnish him with such other information as he may deem necessary.

(July 8, 1937, ch. 444, § 6, 50 Stat. 480.)

CODIFICATION

Section was formerly classified to section 134e of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

DELEGATION OF FUNCTIONS

For delegation to Secretary of the Treasury of authority vested in President by this section, see section 2(a) of Ex. Ord. No. 10289, eff. Sept. 17, 1951, 16 F.R. 9409, set out as a note under section 301 of Title 3, The President.

**§ 729. Definitions**

For the purposes of this chapter—

(a) The term “valuables” means any articles or things or representatives of value in which the United States has any interest, or in connection with which it has any obligation or responsibility, direct or indirect, and which are declared to be valuables within the meaning of this chapter by the Secretary of the Treasury. No articles or things shall be declared to be valuables by the Secretary of the Treasury unless he determines that replacement thereof in accordance with the procedure established herein, in the event of loss, destruction, or damage in the course of shipment, would be in the public interest. The term “United States” as used in this subsection and in section 725 of this title means the United States, its executive departments, independent establishments, and agencies, including wholly owned corporations, and officers and employees of any of the foregoing while acting in their official capacity.

(b) The term “shipment” means the transportation, or the effecting of transportation, of valuables, without limitation as to the means or facilities used or by which the transportation, is effected or the person to whom it is made, and includes, but is not limited to, shipments made to any executive department, independent establishment, agency, wholly or partly owned corporation, officer, or employee of the United States, or any person acting on his or its behalf or at his or its direction;

(c) The term “wholly owned corporation” means any corporation, regardless of the law or laws under which it is incorporated, the capital of which is entirely owned, directly or indirectly, by the United States, and includes the duly authorized officers, employees, and agents thereof;

(d) The term “replacement” means payment, reimbursement, replacement, or duplication or the expenses incident thereto.

(July 8, 1937, ch. 444, § 7, 50 Stat. 480; Aug. 10, 1939, ch. 665, § 3, 53 Stat. 1359.)

CODIFICATION

Section was formerly classified to section 134f of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1939—Subsec. (a). Act Aug. 10, 1939, amended definition of “valuables”.

**CHAPTER 16—GENERAL SERVICES ADMINISTRATION**

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| 753.  | Transfer of affairs of Federal Works Agency; abolition of agencies.  |
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| 761.  | Consumer Information Center Fund, General Services Administration.   |
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- Sec. (b) Specific requirement.  
(c) Congressional oversight.
- 762b. Additional requirements.  
(a) Support for research.  
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- 762d. TDD installation by Congress.

## CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 472, 473 of this title.

**§ 751. General Services Administration****(a) Establishment**

There is established an agency in the executive branch of the Government which shall be known as the General Services Administration.

**(b) Administrator of General Services; appointment**

There shall be at the head of the General Services Administration an Administrator of General Services who shall be appointed by the President by and with the advice and consent of the Senate, and perform his functions subject to the direction and control of the President.

**(c) Deputy Administrator of General Services; appointment; duties**

There shall be in the General Services Administration a Deputy Administrator of General Services who shall be appointed by the Administrator of General Services. The Deputy Administrator shall perform such functions as the Administrator shall designate and shall be Acting Administrator of General Services during the absence or disability of the Administrator and, unless the President shall designate another officer of the Government, in the event of a vacancy in the office of Administrator.

**(d), (e) Omitted****(f) Authority to prescribe regulations**

The Administrator shall have authority to prescribe regulations to carry out this Act.

(June 30, 1949, ch. 288, title I, §101, 63 Stat. 379; Oct. 18, 1986, Pub. L. 99-500, §101(m) [title VIII, §832], 100 Stat. 1783-308, 1783-345, and Oct. 30, 1986, Pub. L. 99-591, §101(m) [title VIII, §832], 100 Stat. 3341-308, 3341-345.)

## REFERENCES IN TEXT

This Act, referred to in subsec. (f), is act June 30, 1949, ch. 288, 63 Stat. 377, as amended, known as the Federal Property and Administrative Services Act of 1949. For complete classification of this Act to the Code, see Short Title note set out under section 471 of this title and Tables.

## CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500. Subsec. (d) of this section, which related to performance of functions until appointment of the Administrator, is omitted.

Subsec. (e) of this section, which authorized the President to fix rates of compensation for the Administrator, the Deputy Administrator, and the heads and assistant heads of the principal organizations of the General Services Administration pending the effective date of other provisions of law fixing the rates of compensation of such officers, is omitted.

Section was formerly classified to section 630 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378. Prior thereto, section was classified to section 211 of Title 41, Public Contracts.

## AMENDMENTS

1986—Subsec. (f). Pub. L. 99-500 and Pub. L. 99-591 added subsec. (f).

## EFFECTIVE DATE

Chapter effective July 1, 1949, see section 605 of act June 30, 1949, set out as a note under section 471 of this title.

## COMPENSATION OF ADMINISTRATOR AND DEPUTY ADMINISTRATOR

Annual rate of basic compensation of Administrator and Deputy Administrator, see sections 5314 and 5315 of Title 5, Government Organization and Employees.

## DEFINITIONS

The definitions in section 472 of this title apply to this chapter.

## EMERGENCY PREPAREDNESS FUNCTIONS

For assignment of certain emergency preparedness functions to the Administrator of General Services, see Parts 1, 2, and 18 of Ex. Ord. No. 12656, Nov. 18, 1988, 53 F.R. 47491, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

**§ 752. Transfer of functions****(a) Bureau of Federal Supply**

The functions of (1) the Bureau of Federal Supply in the Department of the Treasury, (2) the Director of the Bureau of Federal Supply, (3) the personnel of such Bureau, and (4) the Secretary of the Treasury, relating to the Bureau of Federal Supply, are transferred to the Administrator. The records property, personnel, obligations, and commitments of the Bureau of Federal Supply, together with such additional records, property, and personnel of the Department of the Treasury as the Director of the Office of Management and Budget shall determine to relate primarily to functions transferred by this section or vested in the Administrator by titles II, III, and VI, of this Act, are hereby transferred to the General Service Administration. The Bureau of Federal Supply and the office of Director of the Bureau of Federal Supply are abolished.

**(b) Office of Contract Settlement**

The functions of the Director of Contract Settlement and of the Office of Contract Settlement, transferred to the Secretary of the Treasury by Reorganization Plan Numbered 1 of 1947, are transferred to the Administrator and shall be performed by him or, subject to his direction and control, by such officers and agencies of the General Services Administration as he may designate. The Contract Settlement Act Advisory Board created by section 105 of title 41 and the Appeal Board established under section 113(d) of title 41 are transferred from the Department of the Treasury to the General Services Administration, but the functions of these Boards shall be performed by them, respectively, under conditions and limitations prescribed by law. There shall also be transferred to the General Services

Administration such records, property, personnel, obligations, commitments, and unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the Treasury Department as the Director of the Office of Management and Budget shall determine to relate primarily to the functions transferred by the provisions of this subsection.

**(c) Retention by Treasury Department of certain functions of Bureau of Federal Supply**

Any other provision of this section notwithstanding, there may be retained in the Department of the Treasury any function referred to in subsection (a) of this section which the Director of the Office of Management and Budget shall, within ten days after July 1, 1949, determine to be essential to the orderly administration of the affairs of the agencies of such Department, other than the Bureau of Federal Supply, together with such records, property, personnel, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds, available or to be made available, of said Department, as said Director shall determine.

(June 30, 1949, ch. 288, title I, §102, 63 Stat. 380; Sept. 5, 1950, ch. 849, §6(a), 64 Stat. 583; 1970 Reorg. Plan No. 2, §102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085.)

REFERENCES IN TEXT

This Act, referred to in subsec. (a), is act June 30, 1949, ch. 288, 63 Stat. 377, as amended, known as the Federal Property and Administrative Services Act of 1949. For complete classification of this Act, including titles II, III, and VI thereof, to the Code, see Short Title note set out under section 471 of this title and Tables.

Reorganization Plan Numbered 1 of 1947, referred to in subsec. (b), is Reorg. Plan No. 1 of 1947, 12 F.R. 4534, 61 Stat. 952, which is set out in the Appendix to Title 5, Government Organization and Employees.

CODIFICATION

Section was formerly classified to section 630a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378. Prior thereto, section was classified to section 212 of Title 41, Public Contracts.

AMENDMENTS

1950—Subsec. (a). Act Sept. 5, 1950, substituted reference to title VI for reference to title V.

TRANSFER OF FUNCTIONS

Functions vested by law (including reorganization plan) in Bureau of the Budget or Director of Bureau of the Budget transferred to President of the United States by section 101 of Reorg. Plan No. 2 of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of Reorg. Plan No. 2 of 1970, redesignated Bureau of the Budget as Office of Management and Budget.

DEFINITIONS

The definitions in section 472 of this title apply to this chapter.

TERMINATION OF ADVISORY BOARDS

Advisory boards in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a board established by the President or an officer of the Federal

Government, such board is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a board established by the Congress, its duration is otherwise provided by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776 set out in the Appendix to Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 756 of this title.

**§ 753. Transfer of affairs of Federal Works Agency; abolition of agencies**

(a) All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator, of the Commissioner of Public Buildings, and of the Commissioner of Public Roads, are transferred to the Administrator of General Services. There are transferred to the General Services Administration the Public Roads Administration, which shall hereafter be known as the Bureau of Public Roads, and all records, property, personnel, obligations, and commitments of the Federal Works Agency, including those of all agencies of the Federal Works Agency.

(b) There are hereby abolished the Federal Works Agency, the Public Buildings Administration, the office of Federal Works Administrator, the office of Commissioner of Public Buildings, and the office of Assistant Federal Works Administrator.

(June 30, 1949, ch. 288, title I, §103, 63 Stat. 380.)

CODIFICATION

Section was formerly classified to section 630b of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378. Prior thereto, section was classified to section 213 of Title 41, Public Contracts.

TRANSFER OF FUNCTIONS

Bureau of Public Roads transferred to Department of Commerce to be administered by Commissioner of Public Roads subject to direction and control of Secretary of Commerce under provisions of Reorg. Plan No. 7 of 1949, §1, eff. Aug. 19, 1949, 14 F.R. 5228, 63 Stat. 1070, set out in the Appendix to Title 5, Government Organization and Employees, and thereafter transferred to Department of Transportation by Pub. L. 89-670, Oct. 15, 1966, 80 Stat. 931, and its functions assigned to Federal Highway Administration. See section 104 of Title 49, Transportation.

DEFINITIONS

The definitions in section 472 of this title apply to this chapter.

LEASE AND ASSIGNMENT OF BUILDING SPACE; MANAGEMENT; EXCEPTIONS

All functions with respect to acquiring space in buildings by lease, all functions with respect to assigning and reassigning space in buildings for use by agencies (including both space acquired by lease and space in Government-owned buildings), and all functions with respect to the operation, maintenance, and custody of office buildings owned by the Government and of office buildings or parts thereof acquired by lease, including those post-office buildings which, as determined by the Director of the Office of Management and Budget, are not used predominantly for post-office purposes, were with certain exceptions, transferred from the respective agencies to the Administrator of General Services by sections 1 and 2 of Reorg. Plan No. 18 of 1950, eff.

July 1, 1950, 15 F.R. 3177, 64 Stat. 1270, set out in note under section 490 of this title. For delegation of such transferred functions to other personnel of the General Services Administration, or to the heads and personnel of other agencies, and for transfer of personnel, property, records, and funds, see sections 3 and 4 of such Plan.

#### PUBLIC WORKS DEFENSE, FUNCTIONS RELATING TO

All functions, except as herein described, of the Administrator of General Services under sections 1531 to 1535 of Title 42, The Public Health and Welfare, relating to defense of public works, which, by this section, were transferred to such Administrator from the Federal Works Agency and the Federal Works Administrator, were transferred to the Housing and Home Finance Administrator by section 1 of Reorg. Plan No. 17 of 1950, eff. May 24, 1950, 15 F.R. 3177, 64 Stat. 1269, set out in Appendix to Title 5, Government Organization and Employees, together with any other function of the Administrator of General Services or of the General Services Administration as is incidental to or necessary for the carrying out of the provisions of such sections. Section 2 of such Plan excepted from the transfer, functions with respect to the holding, management, and disposition of securities received prior to the effective date of such Plan (May 24, 1950) by the General Services Administration or its predecessor agency (Federal Works Agency) by reason of the disposal of property constructed or otherwise acquired under such sections 1531 to 1535 of title 42, and functions with respect to litigation, and the liquidation of claims, arising out of the acquisition of land or the construction of the facilities under such sections. Section 4 of such Plan provided for transfer of records, property, personnel, and funds. All the functions, powers and duties of the Housing and Home Finance Agency were subsequently transferred to the Secretary of Housing and Urban Development by Pub. L. 89-174, § 5, Sept. 9, 1965, 79 Stat. 669. See section 3534 of Title 42.

#### WAR MOBILIZATION AND RECONVERSION ACT, FUNCTIONS UNDER

All functions of the Administrator of General Services under title V of the War Mobilization and Reconversion Act of 1944, section 1671 of Appendix to Title 50, War and National Defense, which, by this section, were transferred to such Administrator from the Federal Works Agency and the Federal Works Administrator, were transferred to the Housing and Home Finance Administrator by § 1 of Reorg. Plan No. 17 of 1950, eff. May 24, 1950, 15 F.R. 3177, 64 Stat. 1269, set out in Appendix to Title 5, Government Organization and Employees, together with so much of any other function of the Administrator of General Services or of the General Services Administration as is incidental to or necessary for the carrying out of the provisions of said title V of such act. Section 4 of such Plan provided for transfer of records, property, personnel and funds. All the functions, powers and duties of the Housing and Home Finance Agency were subsequently transferred to the Secretary of Housing and Urban Development by Pub. L. 89-174, § 5, Sept. 9, 1965, 79 Stat. 669. See section 3534 of Title 42, The Public Health and Welfare.

#### WATER POLLUTION CONTROL ACT, FUNCTIONS UNDER

Functions of Administrator of General Services under Water Pollution Control Act [see section 1251 et seq. of Title 33, Navigation and Navigable Waters], which, by this section, were transferred to such Administrator from Federal Works Agency and Federal Works Administrator, were transferred to Federal Security Administrator by section 1 of Reorg. Plan No. 16 of 1950, eff. May 24, 1950, 15 F.R. 3176, 64 Stat. 1268, set out in Appendix to Title 5, Government Organization and Employees, together with so much of any other function of Administrator of General Services or of the General Services Administration as is incidental to or necessary for carrying out of provisions of such Act. Sec-

tion 3 of such Plan provided for transfer of records, property, personnel, and funds. Federal Security Agency abolished by section 8 of Reorg. Plan No. 1 of 1953, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631, set out as a note in the Appendix to Title 5, and all duties and functions of Federal Security Agency and Administrator of Federal Security Agency transferred to Secretary of Department of Health, Education, and Welfare by section 5 of Reorg. Plan No. 1 of 1953, set out in Appendix to Title 5. Secretary and Department of Health, Education, and Welfare redesignated Secretary and Department of Health and Human Services, respectively, by 20 U.S.C. 3508.

#### § 754. Redistribution of Administrator's functions

The Administrator is authorized, in his discretion, in order to provide for the effective accomplishment of the functions transferred to or vested in him by this Act, and from time to time, to regroup, transfer, and distribute any such functions within the General Services Administration. The Administrator is authorized to transfer the funds necessary to accomplish said functions and report such transfers of funds to the Director of the Office of Management and Budget.

(June 30, 1949, ch. 288, title I, § 106, 63 Stat. 381; 1970 Reorg. Plan No. 2, § 102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085.)

#### REFERENCES IN TEXT

This Act, referred to in text, is act June 30, 1949, ch. 288, 63 Stat. 377, as amended, known as the Federal Property and Administrative Services Act of 1949. For complete classification of this Act to the Code, see Short Title note set out under section 471 of this title and Tables.

#### CODIFICATION

Section was formerly classified to section 630d of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378. Prior thereto, section was classified to section 216 of Title 41, Public Contracts.

#### TRANSFER OF FUNCTIONS

Functions vested by law (including reorganization plan) in Bureau of the Budget or Director of Bureau of the Budget transferred to President of the United States by section 101 of Reorg. Plan No. 2 of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of Reorg. Plan No. 2 of 1970, redesignated Bureau of the Budget as Office of Management and Budget.

#### DEFINITIONS

The definitions in section 472 of this title apply to this chapter.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 486 of this title.

#### § 755. Transfer of funds

(a) All unexpended balances of appropriations, allocations, or other funds available or to be made available, for the use of the Bureau of Federal Supply, the War Assets Administration, the Federal Works Agency, and the National Archives Establishment, and so much of the other unexpended balances of appropriations, allocations, or other funds of the Department of the Treasury, available or to be made available, as

the Director of the Office of Management and Budget shall determine to relate primarily to functions transferred to or vested in the Administrator by the provisions of this Act, shall be transferred to the General Services Administration for use in connection with the functions to which such balances relate respectively.

(b) When other functions are transferred to the General Services Administration from any Federal agency, under section 481(a)(2) or (3) of this title, or otherwise under this Act, there shall be transferred such records, property, personnel, appropriations, allocations, and other funds of such agency to the General Services Administration as the Director of the Office of Management and Budget shall determine to relate primarily to the functions so transferred.

(June 30, 1949, ch. 288, title I, §107, 63 Stat. 382; 1970 Reorg. Plan No. 2, §102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085.)

#### REFERENCES IN TEXT

This Act, referred to in text, is act June 30, 1949, ch. 288, 63 Stat. 377, as amended, known as the Federal Property and Administrative Services Act of 1949. For complete classification of this Act to the Code, see Short Title note set out under section 471 of this title and Tables.

#### CODIFICATION

Section was formerly classified to section 630e of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378. Prior thereto, section was classified to section 217 of Title 41, Public Contracts.

#### TRANSFER OF FUNCTIONS

For transfer of functions and abolition of Bureau of Federal Supply, see section 752 of this title.

For transfer of functions of War Assets Administration to General Services Administration, see section 105 of act June 30, 1949, ch. 288, 63 Stat. 381.

For transfer of functions and abolition of Federal Works Agency, see section 753 of this title.

Functions vested by law (including reorganization plan) in Bureau of the Budget or Director of Bureau of the Budget transferred to President of the United States by section 101 of Reorg. Plan No. 2 of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of Reorg. Plan No. 2 of 1970, redesignated Bureau of the Budget as Office of Management and Budget.

#### DEFINITIONS

The definitions in section 472 of this title apply to this chapter.

#### TRANSFER OF RECORDS, FACILITIES, ETC.

Section 4 of Ex. Ord. No. 10579, Dec. 1, 1954, 19 F.R. 7925, set out as a note under section 486 of this title, provided for transfer of records, facilities personnel, and appropriations by Director of Bureau of the Budget [now Director of Office of Management and Budget] to Administrator of General Services for purpose of inter-agency motor-vehicle pools and systems.

### § 755a. Transfer of unobligated GSA funds; major equipment acquisitions

For fiscal year 1993 and thereafter, at no later than the end of the fifth fiscal year after the fiscal year for which funds are appropriated or otherwise made available, unobligated balances

of operating expenses and salaries and expenses appropriations available to GSA during such fiscal year may be transferred and merged into the "Major equipment acquisitions and development activity" of the Salaries and Expenses, General Management and Administration appropriation account for agency-wide acquisition of capital equipment, automated data processing systems, and for financial management and management information systems needed to implement the Chief Financial Officers Act, Public Law 101-576, and any other laws or regulations. The unobligated balances transferred shall remain available until expended: *Provided*, That any proposed use of these transferred funds in fiscal year 1993 and thereafter shall only be made after advance approval by the Committees on Appropriations of the House and Senate.

(Pub. L. 103-123, title IV, §5, Oct. 28, 1993, 107 Stat. 1246.)

#### REFERENCES IN TEXT

The Chief Financial Officers Act, referred to in text, probably means the Chief Financial Officers Act of 1990, Pub. L. 101-576, Nov. 15, 1990, 104 Stat. 2838. For complete classification of this Act to the Code, see Short Title of 1990 Amendment note set out under section 501 of Title 31, Money and Finance, and Tables.

#### CODIFICATION

Section was enacted as part of the Independent Agencies Appropriations Act, 1994, and as part of the Treasury, Postal Service, and General Government Appropriations Act, 1994, and not as part of the Federal Property and Administrative Services Act of 1949, part of which comprises this chapter.

### § 756. General Supply Fund

#### (a) Creation and composition of Fund; availability; overhead costs

There is authorized to be set aside in the Treasury a special fund which shall be known as the General Supply Fund. Such fund shall be composed of the assets of the general supply fund (including any surplus therein) created by section 3 of the Act of February 27, 1929 (45 Stat. 1342; 41 U.S.C. 7c), and transferred to the Administrator by section 752 of this title, and sums as may be appropriated thereto and the value, as determined by the Administrator, of inventories of personal property from time to time transferred to the Administrator by other executive agencies under authority of section 481(a)(2) of this title to the extent that payment is not made or credit allowed therefor, and the fund shall assume all of the liabilities, obligations, and commitments of the general supply fund created by such Act of February 27, 1929. The General Supply Fund shall be available for use by or under the direction and control of the Administrator (1) for procuring personal property (including the purchase from or through the Public Printer, for warehouse issue, of standard forms, blankbook work, standard specifications, and other printed material in common use by Federal agencies not available through the Superintendent of Documents) and nonpersonal services for the use of Federal agencies in the proper discharge of their responsibilities, (2) for paying the purchase price, transportation of personal property and services, and the cost of per-

sonal services employed directly in the repair, rehabilitation, and conversion of personal property, and (3) for paying other direct costs of, and indirect costs that are reasonably related to, contracting, procurement, inspection, storage, management, distribution, and accountability of property and nonpersonal services provided by the General Services Administration or by special order through such Administration.

**(b) Payments by requisitioning agencies; fixing of prices; advance of funds**

Payment by requisitioning agencies shall be at prices fixed by the Administrator. Such prices shall be fixed at levels so as to recover so far as practicable the applicable purchase price, the transportation cost, inventory losses, the cost of personal services employed directly in the repair, rehabilitation, and conversion of personal property, and the cost of amortization and repair of equipment utilized for lease or rent to executive agencies. Such prices shall also include an additional charge to recover properly allocable costs payable by the General Supply Fund under subsection (a)(3) of this section with respect to the supplies or services concerned. Requisitioning agencies shall pay by advance of funds in all cases where it is determined by the Administrator that there is insufficient capital otherwise available in the General Supply Fund. Advances of funds also may be made by agreement between the requisitioning agencies and the Administrator. Where an advance of funds is not made, the General Services Administration shall be reimbursed promptly out of funds of the requisitioning agency in accordance with accounting procedures approved by the Comptroller General: *Provided*, That in any case where payment shall not have been made by the requisitioning agency within forty-five days after the date of billing by the Administrator or the date on which an actual liability for personal property or services is incurred by the Administrator, whichever is the later, reimbursement may be obtained by the Administrator by the issuance of transfer and counterwarrants, or other lawful transfer documents, supported by itemized invoices.

**(c) Credits to Fund**

The General Supply Fund shall be credited with all reimbursements, advances of funds, and refunds or recoveries relating to personal property or services procured through the fund, including the net proceeds of disposal of surplus personal property procured through the fund and receipts from carriers and others for loss of, or damage to, personal property procured through the fund; and the same are reappropriated for the purposes of the fund.

**(d) Repealed. Pub. L. 87-600, § 1(c), Aug. 24, 1962, 76 Stat. 401**

**(e) Audit; surplus; report to Congress**

(1) As of September 30 of each year, there shall be covered into the United States Treasury as miscellaneous receipts any surplus in the General Supply Fund, all assets, liabilities, and prior losses considered, above the amounts transferred or appropriated to establish and maintain said fund.

(2) The Comptroller General shall make audits of the General Supply Fund in accordance with the provisions of chapter 35 of title 31 and make reports on the results thereof.

**(f) Additional uses of Fund**

Subject to the requirements of subsections (a) to (e) of this section, the General Supply Fund also may be used for the procurement of personal property and nonpersonal services authorized to be acquired by mixed-ownership Government corporations, or by the municipal government of the District of Columbia, or by a requisitioning non-Federal agency when the function of a Federal agency authorized to procure for it is transferred to the General Services Administration.

**(g) Material tests; fees; disposition of fees**

Whenever any producer or vendor shall tender any article or commodity for sale or lease to the General Services Administration or to any procurement authority acting under the direction and control of the Administrator pursuant to this Act, the Administrator is authorized in his discretion, with the consent of such producer or vendor, to cause to be conducted, in such manner as the Administrator shall specify, such tests as he shall prescribe either to determine whether such article or commodity conforms to prescribed specifications and standards, or to aid in the development of contemplated specifications and standards. When the Administrator determines that the making of such tests will serve predominantly the interest of such producer or vendor, he shall charge such producer or vendor a fee which shall be fixed by the Administrator in such amount as will recover the cost of conducting such tests, including all components of such costs, determined in accordance with accepted accounting principles. When the Administrator determines that the making of such tests will not serve predominantly the interest of such producer or vendor, he shall charge such producer or vendor such fee as he shall determine to be reasonable for the furnishing of such testing service. All such fees collected by the Administrator may be deposited in the general supply fund to be used for any purpose authorized by subsection (a) of this section.

(June 30, 1949, ch. 288, title I, § 109, 63 Stat. 382; Sept. 5, 1950, ch. 849, §§ 1, 2(a), (b), 3, 64 Stat. 578, 579; July 12, 1952, ch. 703, § 1(c)-(e), 66 Stat. 593; July 5, 1960, Pub. L. 86-591, 74 Stat. 330; Oct. 4, 1961, Pub. L. 87-372, 75 Stat. 802; Aug. 24, 1962, Pub. L. 87-600, 76 Stat. 401; Jan. 2, 1975, Pub. L. 93-604, title VII, § 701, 88 Stat. 1963; Apr. 21, 1976, Pub. L. 94-273, § 2(19), 90 Stat. 375; Dec. 22, 1987, Pub. L. 100-202, § 101(m) [title VI, § 619(a), (b)], 101 Stat. 1329-390, 1329-427.)

REFERENCES IN TEXT

Act of February 27, 1929, referred to in subsec. (a), is act Feb. 27, 1929, ch. 354, 45 Stat. 1341, as amended, which enacted section 289 of this title and sections 7a to 7c, and 7d of Title 41, Public Contracts. Sections 7a to 7c, and 7d of Title 41 were repealed by act June 30, 1949, ch. 288, title VI, § 602(a)(29)-(31), 63 Stat. 401, renumbered Sept. 5, 1950, ch. 849, § 6(a), (b), 64 Stat. 583. For complete classification of this Act to the Code, see Tables.

This Act, referred to in subsec. (g), is act June 30, 1949, ch. 288, 63 Stat. 377, as amended, known as the

Federal Property and Administrative Services Act of 1949. For complete classification of this Act to the Code, see Short Title note set out under section 471 of this title and Tables.

#### CODIFICATION

In subsec. (e)(2), “chapter 35 of title 31” substituted for “the Accounting and Auditing Act of 1950 [31 U.S.C. 65 et seq.]” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Section was formerly classified to section 630g of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378. Prior thereto, section was classified to section 219 of Title 41, Public Contracts.

#### AMENDMENTS

1987—Subsec. (a). Pub. L. 100-202, §101(m) [title VI, §619(a)], added cl. (3).

Subsec. (b). Pub. L. 100-202, §101(m) [title VI, §619(b)], inserted provision requiring that prices also include an additional charge to recover properly allocable costs payable by the General Supply Fund.

1976—Subsec. (e)(1). Pub. L. 94-273 substituted “September” for “June”.

1975—Subsec. (e). Pub. L. 93-604 substantially reenacted existing provisions and substituted requirement that the audit of the General Supply Fund shall be made in accordance with the Accounting and Auditing Act of 1950 for requirement that the audit shall be made as of June 30, and struck out requirement that the Comptroller General shall report to the Congress annually the results of the audit, together with such recommendations as he may have regarding the status and operations of the fund.

1962—Subsec. (a). Pub. L. 87-600, §1(a), (d), substituted “transportation of personal property and services” for “transportation to first storage point of supplies and services”.

Subsec. (b). Pub. L. 87-600, §1(b), (d), struck out “to first storage point” after “the transportation cost”, and requirement that until July 1, 1950, prices were to be fixed in accordance with law and regulations applicable on July 1, 1949, to prices fixed by the Director of the Bureau of Federal Supply, and substituted “actual liability for personal property” for “actual liability for supplies”.

Subsec. (c). Pub. L. 87-600, §1(d), substituted “personal property” for “supplies” wherever appearing.

Subsec. (d). Pub. L. 87-600, §1(c), struck out subsec. (d) which authorized the establishment of a special deposit account for use by the chief, or any regional, disbursing officer, chargeable with payments properly chargeable to the fund.

Subsec. (f). Pub. L. 87-600, §1(d), substituted “personal property” for “supplies”.

1961—Subsec. (a). Pub. L. 87-372 struck out \$150,000,000 capital limitation of General Supply Fund.

1960—Subsec. (g). Pub. L. 86-591 authorized Administrator to cause tests to be conducted to aid in development of contemplated specifications and standards.

1952—Subsec. (a). Act July 12, 1952, §1(c), (d), inserted “and the value, as determined by the Administrator, of inventories of personal property from time to time transferred to the Administrator by other executive agencies under authority of section 201(a)(2) to the extent that payment is not made or credit allowed thereto” in second sentence after “thereto”, and increased General Supply Fund capital from \$75,000,000 to \$150,000,000.

Subsec. (f). Act July 12, 1952, §1(e), struck out proviso relating to prices charged by the Administrator to cover overhead.

1950—Subsec. (a). Act Sept. 5, 1950, §§1, 2(a), provided for purchases from or through the Public Printer, for warehouse issue, of standard forms, etc. in common use by Federal agencies which are not available through

the Superintendent of Documents, and to eliminate the surcharge on the general supply fund transactions and to charge requisitioning agencies with the purchase price, etc. and cost of personal services employed directly in the repair, rehabilitation, and conversion of personal property.

Subsec. (b). Act Sept. 5, 1950, §§2(b), 3(a), fixed the applicable standard for pricing general supply fund commodities, and to reimburse the General Services Administration, where an advance of funds is not made out of funds of the requisitioning agency in accordance with accounting procedures approved by the Comptroller General.

Subsec. (g). Act Sept. 5, 1950, §3(b), added subsec. (g).

#### EFFECTIVE DATE OF 1987 AMENDMENT

Section 101(m) [title VI, §619(d)] of Pub. L. 100-202 provided that: “The amendments made by this Act [probably means amendments made by section 101(m) [title VI, §619] of Pub. L. 100-202, amending this section] shall take effect not later than April 1, 1988.”

#### EFFECTIVE DATE OF 1950 AMENDMENT

Section 2(c) of act Sept. 5, 1950, provided that: “The amendments made by this section [amending this section] shall be effective on the date, not earlier than July 1, 1950, on which the Administrator of General Services shall determine that appropriated funds adequate to effectuate the purposes of such amendments have been made available.”

#### DEFINITIONS

The definitions in section 472 of this title apply to this chapter.

#### PLAN FOR IMPLEMENTATION OF AMENDMENTS

Section 101(m) [title VI, §619(c)] of Pub. L. 100-202 provided that: “Not later than February 15, 1988, the Administrator of General Services shall submit to the appropriate committees of the Congress a plan for the implementation of the amendments made by this Act [probably means amendments made by section 101(m) [title VI, §619] of Pub. L. 100-202, amending this section]. Such plan shall (1) fully describe and explain the accounting system (including the pricing and cost allocation methodology for supplies and services) to be used for such implementation, and (2) contain a schedule for completing actions necessary for such implementation.”

#### ADDITIONAL INCREASES IN GENERAL SUPPLY FUND

Provisions increasing the capital of the General Supply Fund were contained in the following appropriation acts:

June 5, 1981, Pub. L. 97-12, title I, 95 Stat. 75—\$222,300,000.

July 25, 1979, Pub. L. 96-38, title I, 93 Stat. 124—\$10,000,000.

May 29, 1967, Pub. L. 90-21, title I, 81 Stat. 33—\$45,000,000.

Dec. 19, 1963, Pub. L. 88-215, title I, 77 Stat. 434—\$30,000,000.

May 17, 1963, Pub. L. 88-25, title I, 77 Stat. 26—\$25,000,000.

Oct. 3, 1962, Pub. L. 87-741, title I, 76 Stat. 725—\$13,500,000.

July 25, 1962, Pub. L. 87-545, title I, 76 Stat. 212—\$7,500,000.

Aug. 17, 1961, Pub. L. 87-141, title I, 75 Stat. 351—\$6,000,000.

Mar. 31, 1961, Pub. L. 87-14, title I, 75 Stat. 25—\$20,000,000.

May 20, 1959, Pub. L. 86-30, title I, 73 Stat. 43—\$15,000,000.

Aug. 28, 1958, Pub. L. 85-844, title I, 72 Stat. 1068—\$6,250,000.

June 29, 1957, Pub. L. 85-69, title I, 71 Stat. 231—\$12,500,000.

July 27, 1956, ch. 748, Ch. VI, 70 Stat. 686—\$8,000,000.

June 27, 1956, ch. 452, title I, 70 Stat. 344—\$10,000,000.  
 Sept. 27, 1950, ch. 1052, Ch. VIII, 64 Stat. 1056—\$30,000,000.  
 Sept. 6, 1950, ch. 896, Ch. VIII, title I, 64 Stat. 706—\$4,000,000.  
 June 30, 1949, ch. 286, title I, 63 Stat. 364—\$479,803.93.  
 June 14, 1948, ch. 466, title I, 62 Stat. 416—\$1,500,000.  
 Apr. 1, 1944, ch. 152, title I, 58 Stat. 162—\$1,000,000.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 483, 485, 491, 756b of this title; title 42 section 7588.

**§ 756a. Retention of surplus generated from operation of General Supply Fund**

The Administrator of the General Services Administration is authorized on and after June 5, 1981, to retain from any surplus generated from the operation of the General Supply Fund such sums as may be necessary to maintain a sufficient level of inventory of personal property to meet the needs of the Federal agencies.

(Pub. L. 97-12, title I, ch. XII, June 5, 1981, 95 Stat. 75.)

CODIFICATION

Section was enacted as part of the Supplemental Appropriations and Rescission Act, 1981, and not as part of the Federal Property and Administrative Services Act of 1949, part of which comprises this chapter.

**§ 756b. Periodic reimbursement for cost of equipment purchased for Congressional use; computation**

(a) Notwithstanding any other provision of law, the Administrator of General Services is authorized to accept periodic reimbursement from the Senate and from the House of Representatives for the cost of any equipment purchased for the Senate or the House of Representatives, respectively, with funds from the General Supply Fund established under section 756 of this title. The amount of each such periodic reimbursement shall be computed by amortizing the total cost of each item of equipment over the useful life of the equipment, as determined by the Administrator, in consultation with the Sergeant at Arms and Doorkeeper of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate.

(b) Subsection (a) of this section applies to reimbursements to the General Supply Fund for any equipment purchased for the Senate or the House of Representatives before, on, or after October 18, 1986.

(Pub. L. 99-500, §151, Oct. 18, 1986, 100 Stat. 1783-352, and Pub. L. 99-591, §151, Oct. 30, 1986, 100 Stat. 3341-355; Pub. L. 100-202, §101(i) [title I, §4], Dec. 22, 1987, 101 Stat. 1329-290, 1329-294; Pub. L. 104-186, title II, §221(15), Aug. 20, 1996, 110 Stat. 1750.)

CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500. Section was enacted as part of the Legislative Branch Appropriations Act, 1988, and not as part of the Federal Property and Administrative Services Act of 1949, part of which comprises this chapter.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

1987—Subsec. (a). Pub. L. 100-202 struck out “during fiscal year 1987” after “is authorized” in first sentence.

**§ 757. Information Technology Fund**

**(a) Establishment; content; costs and capital requirements**

(1) There is established on the books of the Treasury and<sup>1</sup> Information Technology Fund (hereinafter referred to as the “Fund”), which shall be available without fiscal year limitation. There are authorized to be appropriated to the Fund such sums as may be required. For purposes of subsection (b) of this section, the Fund shall consist of—

(A) the capital and assets of the Federal telecommunications fund established under this section (as in effect on December 31, 1986), which are in such fund on January 1, 1987;

(B) the capital and assets which are in the automatic data processing fund established under section 759<sup>2</sup> of this title (as in effect on December 31, 1986) which are in such fund on January 1, 1987; and

(C) the supplies and equipment transferred to the Administrator under sections 759<sup>2</sup> and 486(f) of this title, subject to any liabilities assumed with respect to such supplies and equipment.

(2) The Administrator shall determine the cost and capital requirements of the Fund for each fiscal year and shall submit plans concerning such requirements and such other information as may be requested for the review and approval of the Director of the Office of Management and Budget. Any change to the cost and capital requirements of the Fund for a fiscal year shall be made in the same manner as provided by this section for the initial fiscal year determination. If approved by the Director, the Administrator shall establish rates to be charged agencies provided, or to be provided, information technology resources through the Fund consistent with such approvals. Such cost and capital requirements may include funds—

(A) needed for the purchase (if the Administrator has determined that purchase is the least costly alternative<sup>3</sup> of information processing and transmission equipment, software, systems, and operating facilities necessary for the provision of such services;

(B) resulting from operations of the Fund, including the net proceeds of disposal of excess or surplus personal property and receipts from carriers and others for loss or damage to property; and

(C) which are appropriated, authorized to be transferred, or otherwise made available to the Fund.

These plans fulfill the requirements of sections 1512 and 1513 of title 31.

**(b) Function and availability of Fund**

The Fund shall—

(1) assume all of the liabilities, obligations, and commitments of the funds described in

<sup>1</sup> So in original. Probably should be “an”.

<sup>2</sup> See References in Text note below.

<sup>3</sup> So in original. Probably should be followed by a closing parenthesis.

subparagraphs (A) and (B) of subsection (a)(1) of this section; and

(2) be available for expenses, including personal services and other costs, and for procurement (by lease, purchase, transfer, or otherwise) for efficiently providing information technology resources to Federal agencies and for the efficient management, coordination, operation, and utilization of such resources.

**(c) Contract authority**

(1) In the operation of the Fund, the Administrator is authorized to enter into multiyear contracts for the provision of information technology hardware, software, or services for periods not in excess of five years, if—

(A) funds are available and adequate for payment of the costs of such contract for the first fiscal year and any costs of cancellation or termination;

(B) such contract is awarded on a fully competitive basis; and

(C) the Administrator determines that—

(i) the need for the information technology hardware, software, or services being provided will continue over the period of the contract;

(ii) the use of the multiyear contract will yield substantial cost savings when compared with other methods of providing the necessary resources; and

(iii) such a method of contracting will not exclude small business participation.

(2) Any cancellation costs incurred with respect to a contract entered into under this subsection shall be paid from currently available funds in the Fund.

(3) This subsection shall not be construed to limit the authority of the Administrator to procure equipment and services under section 481 of this title.

**(d) Transfer of uncommitted balances**

Following the close of each fiscal year, the uncommitted balance of any funds remaining in the Fund, after making provision for anticipated operating needs as determined by the Office of Management and Budget, shall be transferred to the general fund of the Treasury as miscellaneous receipts.

**(e) Annual report**

A report on the operation of the Fund shall be made annually by the Administrator to the Director of the Office of Management and Budget. Such report shall identify any proposed increases to the capital of the Fund and shall include a report on information processing equipment inventory, utilization, and acquisition.

**(f) Information technology resources**

For purposes of this section, the term “information technology resources” includes any service or equipment which had been acquired or provided under this section or section 759<sup>4</sup> of this title, including other information processing and transmission equipment, software, systems, operating facilities, supplies, and services

related thereto, and maintenance and repair thereof.

(June 30, 1949, ch. 288, title I, §110, as added Oct. 23, 1962, Pub. L. 87-847, 76 Stat. 1117; amended Oct. 18, 1986, Pub. L. 99-500, §101(m) [title VIII, §821(a)(1)], 100 Stat. 1783-308, 1783-340, and Oct. 30, 1986, Pub. L. 99-591, §101(m) [title VIII, §821(a)(1)], 100 Stat. 3341-308, 3341-340; Nov. 3, 1989, Pub. L. 101-136, title IV, §25, 103 Stat. 808.)

REFERENCES IN TEXT

Section 759 of this title, referred to in subsecs. (a)(1)(B), (C) and (f), was repealed by Pub. L. 104-106, div. E, title LI, §5101, Feb. 10, 1996, 110 Stat. 680.

CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500. Section was formerly classified to section 630g-1 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1989—Subsec. (a)(2). Pub. L. 101-136 inserted at end “These plans fulfill the requirements of sections 1512 and 1513 of title 31.”

1986—Pub. L. 99-500 and Pub. L. 99-591 amended section generally, substituting provisions relating to the Information Technology Fund for former provisions relating to the Federal telecommunications fund.

EFFECTIVE DATE OF 1986 AMENDMENT

Section 101(m) [title VIII, §833] of Pub. L. 99-500 and Pub. L. 99-591 provided that: “This title and the amendments made by this title [amending this section, sections 751 and 759 of this title, and sections 3501 to 3507, 3511, 3514, and 3520 of Title 44, Public Printing and Documents, enacting provisions set out as notes under sections 101 and 3503 of Title 44, amending provisions set out as a note under section 3503 of Title 44, and repealing provisions set out as a note under section 759 of this title] shall take effect on the date of enactment of this Act [Oct. 18, 1986], except as provided in section 813(b) [set out as a note under section 3503 of Title 44] and except that the provisions of section 821 and the amendments made by such section [amending this section and section 759 of this title, section 3504 of Title 44, and provisions set out as a note under section 3503 of Title 44] shall take effect on January 1, 1987.”

DEFINITIONS

The definitions in section 472 of this title apply to this chapter.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 44 section 3504.

**§ 758. Personnel**

**(a) Appointment and compensation**

The Administrator is authorized, subject to the civil-service and classification laws, to appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of titles I, II, III, V, and VI of this Act.

**(b) Temporary employment of experts or consultants; stenographic reporting services**

To such extent as he finds necessary to carry out the provisions of titles I, II, III, V, and VI of this Act, the Administrator is authorized to procure the temporary (not in excess of one year) or intermittent services of experts or consultants or organizations thereof, including stenographic reporting services, by contract or appointment,

<sup>4</sup> See References in Text note below.

and in such cases such service shall be without regard to the civil-service and classification laws, and except in the case of stenographic reporting services by organizations, without regard to section 5 of title 41.

**(c) Utilization of personnel of other Federal agencies**

Notwithstanding the provisions of section 973 of title 10 or of any other provision of law, the Administrator in carrying out the functions imposed upon him by this Act is authorized to utilize in his agency the services of officials, officers, and other personnel in other executive agencies, including personnel of the armed services, with the consent of the head of the agency concerned.

(June 30, 1949, ch. 288, title II, §208, 63 Stat. 391; Sept. 5, 1950, ch. 849, §7(b), (c), 64 Stat. 590.)

REFERENCES IN TEXT

The civil-service laws, referred to in subsecs. (a) and (b), are set forth in Title 5, Government Organization and Employees. See, particularly, section 3301 et seq. of Title 5.

The classification laws, referred to in subsecs. (a) and (b), are classified generally to chapter 51 (§5101 et seq.) and to subchapter III (§5331 et seq.) of chapter 53 of Title 5.

This Act, referred to in text, is act June 30, 1949, ch. 288, 63 Stat. 377, as amended, known as the Federal Property and Administrative Services Act of 1949. For complete classification of this Act, including titles I, II, III, V and VI thereof, see Short Title note set out under section 471 of this title and Tables.

CODIFICATION

In subsec. (c), "section 973 of title 10" substituted for "sections 3544 and 8544 of title 10" on authority of Pub. L. 90-235, §4(a)(5), (6), Jan. 2, 1968, 81 Stat. 759. Previously, "sections 3544 and 8544 of title 10" had been substituted for "section 1222 of the Revised Statutes (10 U.S.C. 576)" on authority of act Aug. 10, 1956, ch. 1041, §49(b), 70A Stat. 640, the first section of which enacted Title 10, Armed Forces.

Section was formerly classified to section 630h of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

Section was also formerly classified to section 238 of Title 41, Public Contracts.

AMENDMENTS

1950—Subsecs. (a), (b). Act Sept. 5, 1950, substituted "V, and VI of this Act" for "and V of this Act".

TRANSFER OF FUNCTIONS

Functions, powers, and duties of Office of Audits and Office of Investigations in General Services Administration transferred to Office of Inspector General in General Services Administration by section 9(a)(1)(K) of the Inspector General Act of 1978, Pub. L. 95-452, set out in the Appendix to Title 5, Government Organization and Employees, section 2 of which established such Office of Inspector General.

DEFINITIONS

The definitions in section 472 of this title apply to this chapter.

CROSS REFERENCES

Employment of experts and consultants generally, see section 3109 of Title 5, Government Organization and Employees.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 752 of this title.

**§ 759. Repealed. Pub. L. 104-106, div. E, title LI, § 5101, Feb. 10, 1996, 110 Stat. 680**

Section, act June 30, 1949, ch. 288, title I, §111, as added Oct. 30, 1965, Pub. L. 89-306, 79 Stat. 1127; amended 1970 Reorg. Plan No. 2, §102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085; July 18, 1984, Pub. L. 98-369, div. B, title VII, §2713(a), 98 Stat. 1182; Nov. 8, 1985, Pub. L. 99-145, title IX, §961(c), title XIII, §1304(c)(1), 99 Stat. 703, 742; Oct. 18, 1986, Pub. L. 99-500, §101(m) [title VIII, §§821(b)(1), 822-825], 100 Stat. 1783-308, 1783-342 to 1783-344, and Oct. 30, 1986, Pub. L. 99-591, §101(m) [title VIII, §§821(b)(1), 822-825], 100 Stat. 3341-308, 3341-342 to 3341-344; Jan. 8, 1988, Pub. L. 100-235, §4, 101 Stat. 1728; Oct. 29, 1992, Pub. L. 102-572, title IX, §902(b)(1), 106 Stat. 4516; Oct. 13, 1994, Pub. L. 103-355, title I, §§1431-1439, title X, §10005(f)(3), 108 Stat. 3291-3295, 3409, related to procurement, maintenance, operation, and utilization of automatic data processing equipment and provided that section be cited as the "Brooks Automatic Data Processing Act".

EFFECTIVE DATE OF REPEAL

Repeal effective 180 days after Feb. 10, 1996, see section 5701 of Pub. L. 104-106, set out as an Effective Date note under section 1401 of this title.

**§ 760. Federal information centers**

**(a) Establishment**

The Administrator is authorized to establish within the General Services Administration a nationwide network of Federal information centers for the purpose of providing the public with information about the programs and procedures of the Federal Government and for other appropriate and related purposes.

**(b) Rules and regulations**

The Administrator is authorized to prescribe such rules and regulations as may be necessary to the functioning of the Federal information centers.

**(c) Authorization of appropriations**

There is hereby authorized to be appropriated \$7,000,000 for the fiscal year ending September 30, 1980, and such sums as may be necessary for each succeeding fiscal year for carrying out the purposes of this section.

(June 30, 1949, ch. 288, title I, §112, as added Oct. 20, 1978, Pub. L. 95-491, §2(a), 92 Stat. 1641.)

SHORT TITLE OF 1978 AMENDMENT

Pub. L. 95-491, §1, Oct. 20, 1978, 92 Stat. 1641, provided: "That this Act [enacting this section] may be cited as the 'Federal Information Centers Act'."

**§ 761. Consumer Information Center Fund, General Services Administration**

Notwithstanding any other provision of law, there is hereby established in the Treasury of the United States a Consumer Information Center Fund, General Services Administration, for the purpose of disseminating Federal Government consumer information to the public and for other related purposes. There shall be deposited into the fund for fiscal year 1983 and subsequent fiscal years: (A) Appropriations from the general funds of the Treasury for Consumer Information Center activities; (B) User fees from the public; (C) Reimbursements from other Federal agencies for costs of distributing publications; and (D) Any other income incident to

Consumer Information Center activities. Monies deposited into the fund shall be available for expenditure for Consumer Information Center activities in such amounts as are specified in appropriation Acts. Any unobligated balances at the end of the fiscal year shall remain in the fund and shall be available for authorization in appropriation Acts for subsequent fiscal years. This fund shall assume all the liabilities, obligations, and commitments of the said Consumer Information Center account. The revenues and collections deposited into the fund shall be available for necessary expenses of Consumer Information Center activities in the amount of \$5,415,000 during fiscal year 1983. Administrative expenses of the Consumer Information Center in fiscal year 1983 shall not exceed \$1,382,000. For the purposes of the fund, administrative expenses shall be defined as those expenses previously paid from appropriations to the Consumer Information Center. Revenues and collections accruing to this fund during fiscal year 1983 in excess of \$6,797,000 shall remain in the fund and shall not be available for expenditure except as authorized in appropriation Acts.

(Pub. L. 98-63, title I, §101, July 30, 1983, 97 Stat. 321.)

#### CODIFICATION

Section was enacted as part of the Supplemental Appropriations Act, 1983, and not as part of the Federal Property and Administrative Services Act of 1949, a part of which comprises this chapter.

#### § 761a. Consumer Information Center Fund; acceptance and expenditure of gifts

Notwithstanding any other provision of law, the Consumer Information Center may accept and deposit to this account, during fiscal year 1997 and hereafter, gifts for the purpose of defraying its costs of printing, publishing, and distributing consumer information and educational materials and undertaking other consumer information activities; may expend those gifts for those purposes, in addition to amounts appropriated or otherwise made available; and the balance shall remain available for expenditure for such purpose.

(Pub. L. 104-204, title III, Sept. 26, 1996, 110 Stat. 2916.)

#### CODIFICATION

Section was enacted as part of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997, and not as part of the Federal Property and Administrative Services Act of 1949, part of which comprises this chapter.

#### § 762. Definitions

As used in sections 762 to 762d of this title—

(1) The term “TDD” means a Telecommunications Device for the Deaf, a machine which employs graphic communications in the transmission of coded signals through the nationwide telecommunications system.

(2) The term “Federal agency” has the meaning given such term by section 472(b) of this title.

(Pub. L. 100-542, §2, Oct. 28, 1988, 102 Stat. 2721.)

#### SHORT TITLE

Section 1 of Pub. L. 100-542 provided that: “This Act [enacting this section and sections 762a to 762d of this title] may be cited as the ‘Telecommunications Accessibility Enhancement Act of 1988’.”

#### § 762a. Federal telecommunications system requirements

##### (a) Accessibility of telecommunications systems

The Administrator of General Services, after consultation with the Architectural and Transportation Barriers Compliance Board, the Interagency Committee on Computer Support of Handicapped Employees, the Federal Communications Commission, and affected Federal agencies, shall, by regulation, take such actions in accordance with this section as may be necessary to assure that the Federal telecommunications system is fully accessible to hearing-impaired and speech-impaired individuals, including Federal employees, for communications with and within Federal agencies.

##### (b) Specific requirement

In carrying out subsection (a) of this section, the Administrator shall—

(1) provide for the continuation of the existing Federal relay system for users of TDD’s;

(2) within 90 days after October 28, 1988, expand such relay system by employing at least one additional operator;

(3) within 180 days after October 28, 1988—

(A) conduct, as part of the rulemaking proceeding required by subsection (a) of this section, an analysis of modifications to the Federal telecommunications system that the Administrator, in his discretion, determines to be necessary to achieve the objectives of subsection (a) of this section; and

(B) submit a report on the results of such analysis to each House of the Congress;

(4) within 180 days after completion of such analysis, prescribe the regulations required by subsection (a) of this section;

(5) assemble, publish, and maintain a directory of TDD and other devices used by Federal agencies to comply with such regulations, and publish, in Federal agency directories, access numbers of TDD’s and such other devices; and

(6) after consultation with the Architectural and Transportation Barriers Compliance Board, adopt the design of a standard logo to signify the presence of a TDD or other device used by a Federal agency to comply with such regulations.

##### (c) Congressional oversight

The Administrator shall not prescribe the regulation required by subsection (a) of this section before the end of the 90-day period beginning on the date the Administrator submits the report required by subsection (b)(3)(B) of this section.

(Pub. L. 100-542, §3, Oct. 28, 1988, 102 Stat. 2721.)

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 762, 762b of this title.

#### § 762b. Additional requirements

##### (a) Support for research

The Administrator shall, in consultation with the Federal Communications Commission, seek

to promote research by Federal agencies, State agencies, and private entities to reduce the cost and improve the capabilities of telecommunications devices and systems that provide accessibility to hearing-impaired and speech-impaired individuals.

**(b) Planning to assimilate technological developments**

The Administrator, in planning future alterations to and modifications of the Federal telecommunications system, shall take into account results of the analysis required by section 762a(b)(3) of this title and any technological improvements in telecommunications devices and systems that provide accessibility to hearing-impaired and speech-impaired individuals.

(Pub. L. 100-542, § 4, Oct. 28, 1988, 102 Stat. 2722.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 762 of this title.

**§ 762c. Inquiry regarding interstate TDD relay system**

The Federal Communications Commission shall, within 9 months after October 28, 1988, complete its existing inquiry regarding an interstate relay system for users of TDD's.

(Pub. L. 100-542, § 5, Oct. 28, 1988, 102 Stat. 2722.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 762 of this title.

**§ 762d. TDD installation by Congress**

As soon as practicable, each House of the Congress shall establish a policy under which Members of the House of Representatives and the Senate, as the case may be, may obtain TDD's for use in communicating with hearing-impaired and speech-impaired individuals, and for the use of hearing-impaired and speech-impaired employees.

(Pub. L. 100-542, § 6, Oct. 28, 1988, 102 Stat. 2722.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 762 of this title.

**CHAPTER 17—ALASKA COMMUNICATIONS DISPOSAL**

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SUBCHAPTER I—GENERAL PROVISIONS

**§ 771. Definitions**

In this chapter—

(1) "Transfer" means the conveyance by the United States of any element of ownership, including but not restricted to any estate or interest in property, and franchise rights, by sale, exchange, lease, easement, or permit, for cash, credit, or other property with or without warranty.

(2) "Long-lines communication facilities" means the transmission systems connecting points inside the State with each other and with points outside the State by radio or wire, and includes all kinds of property and rights-of-way necessary to accomplish this interconnection.

(3) "Agency concerned" means any department, agency, wholly owned corporation, or instrumentality of the United States.

(Pub. L. 90-135, title I, § 101, Nov. 14, 1967, 81 Stat. 441.)

SHORT TITLE

Section 1 of Pub. L. 90-135 provided: "That this Act [enacting this chapter] may be cited as the 'Alaska Communications Disposal Act'."

SUBCHAPTER II—TRANSFER OF GOVERNMENT-OWNED LONG-LINES COMMUNICATION FACILITIES IN AND TO ALASKA

**§ 781. Matters relative to transfer**

**(1) Authorization, Executive approval, adequate consideration, scope of transfer, qualification of transferee, necessary or appropriate actions and powers**

Subject to the provisions of section 782 of this title, and notwithstanding provisions of any other law, the Secretary of Defense or his designee, with the advice, assistance, and, in the case of any agency not under the jurisdiction of the Secretary of Defense, the consent of the agency concerned, and after approval of the President, is authorized to and shall transfer for adequate consideration any or all long-lines communication facilities in or to Alaska under the jurisdiction of the Federal Government to any person qualifying under the provisions of section 782 of this title, and may take such action and exercise such powers as may be necessary or appropriate to effectuate the purposes of this chapter.