

Construction Safety and Health (hereinafter referred to as the "Advisory Committee") consisting of nine members appointed, without regard to the civil service laws, by the Secretary. The Secretary shall appoint one such member as Chairman. Three members of the Advisory Committee shall be persons representative of contractors to whom this section applies, three members shall be persons representative of employees primarily in the building trades and construction industry engaged in carrying out contracts to which this section applies, and three public representatives who shall be selected on the basis of their professional and technical competence and experience in the construction health and safety field.

(2) The Advisory Committee shall advise the Secretary in the formulation of construction safety and health standards and other regulations, and with respect to policy matters arising in the administration of this section. The Secretary may appoint such special advisory and technical experts or consultants as may be necessary to carry out the functions of the Advisory Committee.

(3) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding \$100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 for persons in the Government service employed intermittently.

**(f) Safety programs: promotion; prevention of injuries through reports, data, and consultations with employers**

The Secretary shall provide for the establishment and supervision of programs for the education and training of employers and employees in the recognition, avoidance, and prevention of unsafe working conditions in employments covered by this subchapter, and to collect such reports and data and to consult with and advise employers as to the best means of preventing injuries.

(Pub. L. 87-581, title I, §107, as added Pub. L. 91-54, §1, Aug. 9, 1969, 83 Stat. 96; amended Pub. L. 103-355, title IV, §4104(c)(2), Oct. 13, 1994, 108 Stat. 3342.)

REFERENCES IN TEXT

Reorganization Plan Numbered 14 of 1950, referred to in subsec. (a), is Reorg. Plan No. 14 of 1950, eff. May 24, 1950, 15 F.R. 3176, 64 Stat. 1267, which is set out in the Appendix to Title 5, Government Organization and Employees.

The civil service laws, referred to in subsec. (e)(1), are set forth in Title 5. See, particularly, section 3301 et seq. of Title 5.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-355 inserted "(other than a contract referred to in section 329(c) of this title)" after "It shall be a condition of each contract".

EFFECTIVE DATE 1994 AMENDMENT

For effective date and applicability of amendment by Pub. L. 103-355, see section 10001 of Pub. L. 103-355, set

out as a note under section 251 of Title 41, Public Contracts.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees 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 committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 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 title 49 section 24312.

**§ 334. Contractor certification or contract clause in acquisition of commercial items**

(a) No certification by a contractor, and no contract clause, may be required in the case of a contract for the acquisition of commercial items in order to implement a prohibition or requirement in this subchapter.

(b) In subsection (a) of this section, the term "commercial item" has the meaning given such term in section 403(12) of Title 41.

(Pub. L. 87-581, title I, §108, as added Pub. L. 103-355, title VIII, §8301(b), Oct. 13, 1994, 108 Stat. 3396.)

EFFECTIVE DATE

For effective date and applicability of section, see section 10001 of Pub. L. 103-355, set out as an Effective Date of 1994 Amendment note under section 251 of Title 41, Public Contracts.

**CHAPTER 6—ACQUISITION OF SITES FOR AND CONSTRUCTION OF PUBLIC BUILDINGS**

Sec.

- 341 to 345a. Repealed or Omitted.
- 345b. Disposition of obsolete buildings and sites; purchase price.
- 345c. Conveyance or transfer of Federal property to States or political subdivisions.
  - (a) Widening of public highways, streets, or alleys; determination by executive agency head.
  - (b) "Executive agency" defined.
  - (c) Highway purposes.
- 346 to 355. Repealed or Transferred.
- 356. Lease purchase contracts.
  - (a) Authority to procure space; terms; limitation on amount.
  - (b) Utilization of existing property.
  - (c) Agreements to effectuate purposes; development and improvement of land.
  - (d) Contract provisions; limitations on amount of payments.
  - (e) Omitted.
  - (f) Utilization of funds for payments; conditions.
  - (g) Postal purposes.
  - (h) State and local taxes.
  - (i) Separability.

Sec.

- (j) Applicability of other sections.
- 356a. Exercise of lease purchase contract authority.
- (a) Southwestern portion of District of Columbia; conformance to Redevelopment Act; terms of contracts.
- (b) Authority to exchange lands.
- (c) Demolition of temporary buildings.
- (d) Authority to negotiate purchase contracts.
357. Effect on Federal construction programs.

**§§ 341 to 342a. Repealed. Pub. L. 86-249, § 17(19), (20), Sept. 9, 1959, 73 Stat. 486**

Section 341, act May 25, 1926, ch. 380, § 1, 44 Stat. 630, authorized acquisition of sites and construction of public buildings. See section 601 et seq. of this title.

Section 342, act May 25, 1926, ch. 380, § 2, 44 Stat. 631, related to work of preparing designs and other drawings, estimates, specifications, and awarding of contracts, and supervision of work authorized under sections 341, 342, 344, 345, 346, and 347 of this title.

Section 342a, act Dec. 22, 1927, ch. 5, 45 Stat. 32, related to manner of payment for outside professional services wherein period of performance extended beyond fiscal year in which contract for services was entered into.

SAVINGS PROVISION

Section 17 of Pub. L. 86-249 provided in part that sections 23, 24, 32, 33, 59, 254, 259, 260, 262 to 265, 267, 268, 274 to 276, 277, 278, 282, 297 to 298, 298c, 341 to 342a, 344, 345, 346 to 350a, and 352 to 354 of this title are repealed except as to their application to any project referred to in section 613 of this title.

**§ 343. Omitted**

CODIFICATION

Section, act May 25, 1926, ch. 380, § 3, 44 Stat. 632, authorized Secretary of the Treasury to carry into effect provisions of existing law authorizing acquisition of land for sites and construction of public buildings in certain enumerated cities and provided an additional appropriation law.

**§§ 344, 345. Repealed. Pub. L. 86-249, § 17(19), Sept. 9, 1959, 73 Stat. 486**

Section 344, act May 25, 1926, ch. 380, § 4, 44 Stat. 632, provided for submission of estimates to Bureau of the Budget, basis of allocation, availability of moneys essential to letting contracts, and required report to Congress.

Section 345, acts May 25, 1926, ch. 380, § 5, 44 Stat. 633; June 16, 1949, ch. 218, title IV, §§ 402, 403, 63 Stat. 199; Sept. 2, 1958, Pub. L. 85-886, § 4, 72 Stat. 1710, related to spacing of public buildings and to exchange of sites.

SAVINGS PROVISION

Sections repealed except as to their application to any project referred to in section 613 of this title, see section 17 of Pub. L. 86-249, set out as a note under section 341 of this title.

**§ 345a. Omitted**

CODIFICATION

Section, acts May 25, 1926, ch. 380, § 5, 44 Stat. 633; Feb. 16, 1931, ch. 203, § 1, 46 Stat. 1164, provided appropriations for public-building program.

**§ 345b. Disposition of obsolete buildings and sites; purchase price**

In order to suitably dispose of certain Federal buildings and the sites thereof under the control

of the Administrator of General Services, which have been supplanted by new structures, and for which the Administrator of General Services has determined there is no further Federal need, he is authorized, in his discretion, if he deems it to be in the best interests of the Government, to sell such buildings and sites or parts of sites to States, counties, municipalities, or other duly constituted political subdivisions of States for public use upon such terms, pursuant to such rules and regulations promulgated by him, as he deems proper, and to convey the same by the usual quitclaim deed, and he may enter into long-term contracts for the payment of the purchase price in such installments as he deems fair and reasonable and may furthermore waive any requirements for interest charges on deferred payment: *Provided*, That the total purchase price shall in no case be less than 50 per centum of the appraised value of the land, the appraisal to be made by the Administrator of General Services: *Provided further*, That the proceeds of the sales shall be deposited in the Treasury as miscellaneous receipts.

(Aug. 26, 1935, ch. 684, § 1, 49 Stat. 800; 1939 Reorg. Plan No. I, §§ 301, 303, eff. July 1, 1939, 4 F.R. 2729, 53 Stat. 1426, 1427; June 30, 1949, ch. 288, title I, § 103(a), 63 Stat. 380; Pub. L. 86-608, July 7, 1960, 74 Stat. 363.)

AMENDMENTS

1960—Pub. L. 86-608 struck out provisions which empowered Administrator, in event portions of any Federal building sites under his control are desired by municipalities by reason of any duly authorized, comprehensive street-widening program, to deed to such municipalities, without cost, such areas needed for street uses as may be dedicated without jeopardy to Federal interest. See section 345c of this title.

TRANSFER OF FUNCTIONS

Functions of Federal Works Agency and of all agencies thereof, together with functions of Federal Works Administrator transferred to Administrator of General Services by section 103(a) of act June 30, 1949, which is classified to section 753(a) of this title. Federal Works Agency and office of Federal Works Administrator abolished by section 103(b) of act June 30, 1949.

By Reorg. Plan No. I of 1939, Public Buildings Branch of Procurement Division of Treasury Department transferred to Public Buildings Administration, Federal Works Agency, and functions of Secretary of the Treasury relating to Public Buildings Branch of Procurement Division and to selection of location and sites for public buildings transferred to Federal Works Administrator.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Transfer of functions by act June 30, 1949, effective July 1, 1949, see section 605 of act June 30, 1949, set out as an Effective Date note under section 471 of this title.

**§ 345c. Conveyance or transfer of Federal property to States or political subdivisions**

**(a) Widening of public highways, streets, or alleys; determination by executive agency head**

Whenever a State or political subdivision of a State makes application therefor in connection with an authorized widening of a public highway, street, or alley, the head of the executive agency having control over the affected real property of the United States may convey or