

§ 581. General authority of Administrator of General Services

How Current is This?

[(a) Repealed. Pub. L. 107-296, title XVII, § 1706(a)(1), Nov. 25, 2002, 116 Stat. 2316.]

(b) Personnel and Equipment.— The Administrator of General Services may—

(1) employ and pay personnel at per diem rates approved by the Administrator, not exceeding rates currently paid by private industry for similar services in the place where the services are performed; and

(2) purchase, repair, and clean uniforms for civilian employees of the General Services Administration who are required by law or regulation to wear uniform clothing.

(c) Acquisition and Management of Property.—

(1) Real estate.— The Administrator may acquire, by purchase, condemnation, or otherwise, real estate and interests in real estate.

(2) Ground rent.— The Administrator may pay ground rent for buildings owned by the Federal Government or occupied by federal agencies, and pay the rent in advance if required by law or if the Administrator determines that advance payment is in the public interest.

(3) Rent and repairs under a lease.— The Administrator may pay rent and make repairs, alterations, and improvements under the terms of a lease entered into by, or transferred to, the Administration for the housing of a federal agency.

(4) Repairs that are economically advantageous.— The Administrator may repair, alter, or improve rented premises if the Administrator determines that doing so is advantageous to the Government in terms of economy, efficiency, or national security. The Administrator's determination must—

(A) set forth the circumstances that make the repair, alteration, or improvement advantageous; and

(B) show that the total cost (rental, repair, alteration, and improvement) for the expected life of the lease is less than the cost of alternative space not needing repair, alteration, or improvement.

(5) Insurance proceeds for defense industrial reserve.— At the direction of the Secretary of Defense, the Administrator may use insurance proceeds received for damage to property that is part of the Defense Industrial Reserve to repair or restore the property.

(6) Maintenance contracts.— The Administrator may enter into a contract, for a period not exceeding five years, for the inspection, maintenance, and repair of fixed equipment in a federally owned building.

(d) Lease of Federal Building Sites.—

(1) In general.— The Administrator may lease a federal building site or addition, including any improvements, until the site is needed for construction purposes. The lease must be for fair rental value and on other terms and conditions the Administrator considers to be in the public interest pursuant to section 545 of this title.

(2) Negotiation without advertising.— A lease under this subsection may be negotiated without public advertising for bids if—

(A) the lessee is—

(i) the former owner from whom the Government acquired the property; or

(ii) the former owner's tenant in possession; and

(B) the lease is negotiated incident to or in connection with the acquisition of the property.

(3) Deposit of rent.— Rent received under this subsection may be deposited into the Federal Buildings Fund.

(e) Assistance to the Inaugural Committee.— The Administrator may provide direct assistance and special services for the Inaugural Committee (as defined in section 501 of title 36) during an

inaugural period in connection with Presidential inaugural operations and functions. Assistance and services under this subsection may include—

(1) employment of personal services without regard to chapters 33 and 51 and subchapter III of chapter 53 of title 5;

(2) providing Government-owned and leased space for personnel and parking;

(3) paying overtime to guard and custodial forces;

(4) erecting and removing stands and platforms;

(5) providing and operating first-aid stations;

(6) providing furniture and equipment; and

(7) providing other incidental services in the discretion of the Administrator.

(f) Utilities for Defense Industrial Reserve and Surplus Property.— The Administrator may—

(1) provide utilities and services, if the utilities and services are not provided by other sources, to a person, firm, or corporation occupying or using a plant or portion of a plant that constitutes—

(A) any part of the Defense Industrial Reserve pursuant to section 2535 of title 10; or

(B) surplus real property; and

(2) credit an amount received for providing utilities and services under this subsection to an applicable appropriation of the Administration.

(g) Obtaining Payments.— The Administrator may—

(1) obtain payments, through advances or otherwise, for services, space, quarters, maintenance, repair, or other facilities furnished, on a reimbursable basis, to a federal agency, a mixed-ownership Government corporation (as defined in chapter 91 of title 31), or the District of Columbia; and

(2) credit the payments to the applicable appropriation of the Administration.

(h) Cooperative Use of Public Buildings.—

(1) **Leasing space for commercial and other purposes.**— The Administrator may lease space on a major pedestrian access level, courtyard, or rooftop of a public building to a person, firm, or organization engaged in commercial, cultural, educational, or recreational activity (as defined in section 3306 (a) of this title). The Administrator shall establish a rental rate for leased space equivalent to the prevailing commercial rate for comparable space devoted to a similar purpose in the vicinity of the public building. The lease may be negotiated without competitive bids, but shall contain terms and conditions and be negotiated pursuant to procedures that the Administrator considers necessary to promote competition and to protect the public interest.

(2) **Occasional use of space for non-commercial purposes.**— The Administrator may make available, on occasion, or lease at a rate and on terms and conditions that the Administrator considers to be in the public interest, an auditorium, meeting room, courtyard, rooftop, or lobby of a public building to a person, firm, or organization engaged in cultural, educational, or recreational activity (as defined in section 3306 (a) of this title) that will not disrupt the operation of the building.

(3) **Deposit and credit of amounts received.**— The Administrator may deposit into the Federal Buildings Fund an amount received under a lease or rental executed pursuant to paragraph (1) or (2). The amount shall be credited to the appropriation from the Fund applicable to the operation of the building.

(4) **Furnishing utilities and maintenance.**— The Administrator may furnish utilities, maintenance, repair, and other services to a person, firm, or organization leasing space pursuant to paragraph (1) or (2). The services may be provided during and outside of regular working hours of federal agencies.