

istrator has established detailed specification requirements for the building;

(2) may acquire a leasehold interest in the building only by the use of competitive procedures required by sections 3105, 3301, and 3303 to 3305 of title 41;

(3) shall include in the solicitation for any lease requiring a prospectus under section 3307 an evaluation factor considering the extent to which the offeror will promote energy efficiency and the use of renewable energy;

(4) shall inspect every building during construction to establish that the specifications established for the building are complied with;

(5) on completion of the building, shall evaluate the building to determine the extent of failure to comply with the specifications referred to in clause (1); and

(6) shall ensure that any contract entered into for the building shall contain provisions permitting a reduction of rent during any period when the building is not in compliance with the specifications.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1164; Pub. L. 110–140, title III, §323(d), Dec. 19, 2007, 121 Stat. 1591; Pub. L. 111–350, §5(l)(18), Jan. 4, 2011, 124 Stat. 3852.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3310	40:618.	Pub. L. 86–249, §20, as added Pub. L. 100–678, §5, Nov. 17, 1988, 102 Stat. 4050.

AMENDMENTS

2011—Par. (2). Pub. L. 111–350 substituted “sections 3105, 3301, and 3303 to 3305 of title 41” for “section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253)”.

2007—Pars. (3) to (6). Pub. L. 110–140 added par. (3) and redesignated former pars. (3) to (5) as (4) to (6), respectively.

EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 110–140 effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110–140, set out as an Effective Date note under section 1824 of Title 2, The Congress.

§ 3311. State administration of criminal and health and safety laws

When the Administrator of General Services considers it desirable, the Administrator may assign to a State or a territory or possession of the United States any part of the authority of the Federal Government to administer criminal laws and health and safety laws with respect to land or an interest in land under the control of the Administrator and located in the State, territory, or possession. Assignment of authority under this section may be accomplished by filing with the chief executive officer of the State, territory, or possession a notice of assignment to take effect on acceptance, or in another manner as may be prescribed by the laws of the State, territory, or possession in which the land or interest is located.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1164.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3311	40:617.	Pub. L. 86–249, §19, as added Pub. L. 100–678, §5, Nov. 17, 1988, 102 Stat. 4050.

The words “Notwithstanding any other provision of law” and “commonwealth” are omitted as unnecessary.

§ 3312. Compliance with nationally recognized codes

(a) APPLICATION.—

(1) IN GENERAL.—This section applies to any project for construction or alteration of a building for which amounts are first appropriated for a fiscal year beginning after September 30, 1989.

(2) NATIONAL SECURITY WAIVER.—This section does not apply to a building for which the Administrator of General Services or the head of the federal agency authorized to construct or alter the building decides that the application of this section to the building would adversely affect national security. A decision under this subsection is not subject to administrative or judicial review.

(b) BUILDING CODES.—Each building constructed or altered by the General Services Administration or any other federal agency shall be constructed or altered, to the maximum extent feasible as determined by the Administrator or the head of the federal agency, in compliance with one of the nationally recognized model building codes and with other applicable nationally recognized codes, including electrical codes, fire and life safety codes, and plumbing codes, as the Administrator decides is appropriate. In carrying out this subsection, the Administrator or the head of the federal agency shall use the latest edition of the nationally recognized codes.

(c) ZONING LAWS.—Each building constructed or altered by the Administration or any other federal agency shall be constructed or altered only after consideration of all requirements (except procedural requirements) of the following laws of a State or a political subdivision of a State, which would apply to the building if it were not a building constructed or altered by a federal agency:

(1) Zoning laws.

(2) Laws relating to landscaping, open space, minimum distance of a building from the property line, maximum height of a building, historic preservation, esthetic qualities of a building, and other similar laws.

(d) COOPERATION WITH STATE AND LOCAL OFFICIALS.—

(1) STATE AND LOCAL GOVERNMENT CONSULTATION, REVIEW, AND INSPECTIONS.—To meet the requirements of subsections (b) and (c), the Administrator or the head of the federal agency authorized to construct or alter the building—

(A) in preparing plans for the building, shall consult with appropriate officials of the State or political subdivision of a State, or both, in which the building will be located;