

## REFERENCES IN TEXT

The Buy American Act, referred to in subsec. (g), is title III of act Mar. 3, 1933, ch. 212, 47 Stat. 1520, which was classified generally to sections 10a, 10b, and 10c of former Title 41, Public Contracts, and was substantially repealed and restated in chapter 83 (§8301 et seq.) of Title 41, Public Contracts, by Pub. L. 111-350, §§3, 7(b), Jan. 4, 2011, 124 Stat. 3677, 3855. For complete classification of this Act to the Code, see Short Title of 1933 Act note set out under section 101 of Title 41 and Tables. For disposition of sections of former Title 41, see Disposition Table preceding section 101 of Title 41.

The date of enactment of this subsection, referred to in subsec. (h), is the date of enactment of Pub. L. 110-140, which was approved Dec. 19, 2007.

## PRIOR PROVISIONS

A prior section 3313 was renumbered section 3314 of this title.

## EFFECTIVE DATE

Section effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110-140, set out as a note under section 1824 of Title 2, The Congress.

## § 3314. Delegation

(a) WHEN ALLOWED.—The carrying out of the duties and powers of the Administrator of General Services under this chapter, in accordance with standards the Administrator prescribes—

(1) shall, except for the authority contained in section 3305(b) of this title, be delegated on request to the appropriate executive agency when the estimated cost of the project does not exceed \$100,000; and

(2) may be delegated to the appropriate executive agency when the Administrator determines that delegation will promote efficiency and economy.

(b) NO EXEMPTION FROM OTHER PROVISIONS OF CHAPTER.—Delegation under subsection (a) does not exempt the person to whom the delegation is made, or the carrying out of the delegated duty or power, from any other provision of this chapter.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1166, §3313; Pub. L. 109-304, §17(g)(3), Oct. 6, 2006, 120 Stat. 1709; renumbered §3314, Pub. L. 110-140, title III, §323(c)(1)(A), Dec. 19, 2007, 121 Stat. 1590.)

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3313(a) .....	40:614 (1st sentence).	Pub. L. 86-249, §15, Sept. 9, 1959, 73 Stat. 483.
3313(b) .....	40:614 (last sentence).	

In subsection (a), before clause (1), the words “duties and powers” are substituted for “responsibilities and authorities” for consistency in the revised title and with other titles of the United States Code.

## PRIOR PROVISIONS

A prior section 3314 was renumbered section 3315 of this title.

## AMENDMENTS

2007—Pub. L. 110-140 renumbered section 3313 of this title as this section.

2006—Subsec. (a). Pub. L. 109-304 substituted “The” for “Except for the authority contained in section 3305(b) of this title, the” in introductory provisions and

“shall, except for the authority contained in section 3305(b) of this title,” for “shall” in par. (1).

## 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.

## § 3315. Report to Congress

(a) REQUEST BY EITHER HOUSE OF CONGRESS OR ANY COMMITTEE.—Within a reasonable time after a request of either House of Congress or any committee of Congress, the Administrator of General Services shall submit a report showing the location, space, cost, and status of each public building the construction, alteration, or acquisition of which—

(1) is to be under authority of this chapter; and

(2) was uncompleted as of the date of the request, or as of another date the request may designate.

(b) REQUEST OF COMMITTEE ON PUBLIC WORKS AND ENVIRONMENT OR COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—The Administrator and the United States Postal Service shall make building project surveys requested by resolution by the Committee on Environment and Public Works of the Senate or the Committee on Transportation and Infrastructure of the House of Representatives, and within a reasonable time shall make a report on the survey to Congress. The report shall contain all other information required to be included in a prospectus of the proposed public building project under section 3307(b) of this title.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1166, §3314; renumbered §3315, Pub. L. 110-140, title III, §323(c)(1)(A), Dec. 19, 2007, 121 Stat. 1590.)

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3314(a) .....	40:610(a).	Pub. L. 86-249, §11, Sept. 9, 1959, 73 Stat. 481; Pub. L. 96-470, title II, §211, Oct. 19, 1980, 94 Stat. 2246; Pub. L. 103-437, §14(b)(2), Nov. 2, 1994, 108 Stat. 4591.
3314(b) .....	40:610(b).	

In subsection (b), the words “United States Postal Service” are substituted for “Postmaster General” in section 11(b) of the Public Buildings Act of 1959 (Public Law 86-249, 73 Stat. 481) because of section 4(a) of the Postal Reorganization Act (Public Law 91-375, 84 Stat. 773). The words “Transportation and Infrastructure” are substituted for “Public Works and Transportation” in section 11(b) because of section 1(a)(9) of the Act of June 3, 1995 (Public Law 104-14, 2:21 note prec.).

## PRIOR PROVISIONS

A prior section 3315 was renumbered section 3316 of this title.

## AMENDMENTS

2007—Pub. L. 110-140 renumbered section 3314 of this title as this section.

## 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.

**§ 3316. Certain authority not affected**

This chapter does not limit or repeal the authority conferred by law on the United States Postal Service.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1167, § 3315; renumbered § 3316, Pub. L. 110-140, title III, § 323(c)(1)(A), Dec. 19, 2007, 121 Stat. 1590.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3315 .....	40:615.	Pub. L. 86-249, §16, Sept. 9, 1959, 73 Stat. 483; Pub. L. 91-375, §6(m)(3), Aug. 12, 1970, 84 Stat. 782.

The text of 40:615(1) is omitted as obsolete.

AMENDMENTS

2007—Pub. L. 110-140 renumbered section 3315 of this title as this section.

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.

**CHAPTER 35—NON-FEDERAL PUBLIC WORKS**

- Sec. 3501. Definitions.
- 3502. Planned public works.
- 3503. Revolving fund.
- 3504. Surveys of public works planning.
- 3505. Forgiveness of outstanding advances.

**§ 3501. Definitions**

In this chapter, the following definitions apply:

- (1) PUBLIC AGENCY.—The term “public agency” means a State or a public agency or political subdivision of a State.
- (2) PUBLIC WORKS.—The term “public works” includes any public works other than housing.
- (3) STATE.—The term “State” means a State of the United States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, the Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, Palau, and any territory or possession of the United States.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1167.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3501 .....	40:460.	Aug. 2, 1954, ch. 649, title VII, §703, 68 Stat. 641; Pub. L. 90-19, §10(d), May 25, 1967, 81 Stat. 22; Pub. L. 93-383, title IV, §401(c), Aug. 22, 1974, 88 Stat. 691.

In this section, the text of 40:460(2) is omitted as unnecessary because the complete name of the Secretary of Housing and Urban Development is used the first time the term appears in a section.

In clause (1), the words “or public agencies” are omitted as unnecessary because of 1:1.

In clause (3), the words “Guam, the Virgin Islands” are added to clarify that the provisions of the source law apply to those jurisdictions. The words “the Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, Palau” are substituted for

“the Trust Territory of the Pacific Islands” because of the termination of the Trust Territory of the Pacific Islands. See 48:1681 note prec.

**§ 3502. Planned public works**

(a) ADVANCES TO ENSURE PLANNING.—Notwithstanding section 3324(a) and (b) of title 31, the Secretary of Housing and Urban Development may make advances to public agencies and Indian tribes—

- (1) to encourage public agencies and Indian tribes to maintain at all times a current and adequate reserve of planned public works the construction of which can rapidly be commenced, particularly when the national or local economic situation makes that action desirable; and
- (2) to help attain maximum economy and efficiency in the planning and construction of public works.

(b) USES OF ADVANCES.—A public agency or Indian tribe shall use an advance under subsection (a) to aid in financing the cost of feasibility studies, engineering and architectural surveys, designs, plans, working drawings, specifications, or other action preliminary to and in preparation for the construction of public works, and for construction in connection with the development of a medical center, a general plan for the development of the center.

(c) NO FUTURE COMMITMENT.—An advance under subsection (a) does not commit the Congress to appropriate amounts to assist in financing the construction of any public works planned with the aid of that advance. Outstanding advances to public agencies and Indian tribes in a State shall not exceed 12.5 percent of the aggregate then authorized to be appropriated to the revolving fund established under section 3503 of this title.

(d) REQUIREMENTS FOR ADVANCES.—An advance shall not be made under subsection (a) for an individual project (including a regional, metropolitan, or other areawide project) unless—

- (1) the project is planned to be constructed within or over a reasonable period of time considering the nature of the project;
- (2) the project conforms to an overall state, local, or regional plan approved by a competent state, local, or regional authority; and
- (3) the public agency or Indian tribe formally contracts with the Federal Government to complete the plan preparation promptly and to repay part or all of the advance when due.

(e) REGULATIONS.—The Secretary may prescribe regulations to carry out this chapter.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1167.)