

nonuniformed special police have the power to enforce federal laws for the protection of individuals and property and to enforce regulations for that purpose that the Administrator or an official of the Administration authorized by the Administrator prescribes and publishes. The special police may make arrests without warrant for any offense committed on the property if the police have reasonable grounds to believe the offense constitutes a felony under the laws of the United States and that the individual to be arrested is guilty of that offense.

“(f) ADMINISTRATIVE.—The Administrator or an official of the Administration authorized by the Administrator may prescribe regulations necessary for the government of the property under their charge and control, and may annex to the regulations reasonable penalties, within the limits prescribed in subsection (g), that will ensure their enforcement. The regulations shall be posted and kept posted in a conspicuous place on the property.

“(g) PENALTIES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a person violating a regulation prescribed under subsection (f) shall be fined under title 18, imprisoned for not more than 30 days, or both.

“(2) EXCEPTION FOR MILITARY TRAFFIC REGULATION.—

“(A) DEFINITION.—For purposes of this paragraph, the term ‘military traffic regulation’ means a regulation for the control of vehicular or pedestrian traffic on military installations that the Secretary of Defense prescribes under subsection (f).

“(B) IN GENERAL.—A person violating a military traffic regulation shall be fined an amount not exceeding the amount of the maximum fine for a similar offense under the criminal or civil law of the State, district, territory, or possession of the United States where the military installation in which the violation occurred is located, imprisoned for not more than 30 days, or both.”

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the Federal Protective Service of the General Services Administration, including the functions of the Administrator of General Services relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(3), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

DELEGATION OF AUTHORITY

Pub. L. 107-296, title XVII, §1706(b)(2), Nov. 25, 2002, 116 Stat. 2318, provided that: “The Secretary may delegate authority for the protection of specific buildings to another Federal agency where, in the Secretary’s discretion, the Secretary determines it necessary for the protection of that building.”

[For definition of “Secretary” as used in section 1706(b)(2) of Pub. L. 107-296, set out above, see section 101(14) of Title 6, Domestic Security.]

FEDERAL PROTECTIVE SERVICE GUARD CONTRACTING REFORM

Pub. L. 110-356, Oct. 8, 2008, 122 Stat. 3996, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Federal Protective Service Guard Contracting Reform Act of 2008’.

“SEC. 2. FEDERAL PROTECTIVE SERVICE CONTRACTS.

“(a) PROHIBITION ON AWARD OF CONTRACTS TO ANY BUSINESS CONCERN OWNED, CONTROLLED, OR OPERATED BY AN INDIVIDUAL CONVICTED OF A FELONY.—

“(1) IN GENERAL.—The Secretary of Homeland Security, acting through the Assistant Secretary of U.S. Immigration and Customs Enforcement—

“(A) shall promulgate regulations establishing guidelines for the prohibition of contract awards for the provision of guard services under the contract security guard program of the Federal Protective Service to any business concern that is owned, controlled, or operated by an individual who has been convicted of a felony; and

“(B) may consider permanent or interim prohibitions when promulgating the regulations.

“(2) CONTENTS.—The regulations under this subsection shall—

“(A) identify which serious felonies may prohibit a contractor from being awarded a contract;

“(B) require contractors to provide information regarding any relevant felony convictions when submitting bids or proposals; and

“(C) provide guidelines for the contracting officer to assess present responsibility, mitigating factors, and the risk associated with the previous conviction, and allow the contracting officer to award a contract under certain circumstances.

“(b) REGULATIONS.—Not later than 6 months after the date of the enactment of this Act [Oct. 8, 2008], the Secretary shall issue regulations to carry out this section.

“SEC. 3. REPORT ON GOVERNMENT-WIDE APPLICABILITY.

“Not later than 18 months after the date of enactment of the [probably should be “this”] Act, the Administrator for Federal Procurement Policy shall submit a report on establishing similar guidelines government-wide to the Committee on Homeland Security and Governmental Affairs and the Committee on Oversight and Government Reform of the House of Representatives.”

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¹Section catchline amended by Pub. L. 111-8 without corresponding amendment of chapter analysis.

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SUBCHAPTER I—OVERSIGHT AND REGULATION OF PUBLIC BUILDINGS

§ 3101. Public buildings under control of Administrator of General Services

All public buildings outside of the District of Columbia and outside of military reservations purchased or erected out of any appropriation under the control of the Administrator of General Services, and the sites of the public buildings, are under the exclusive jurisdiction and control, and in the custody of, the Administrator. The Administrator may take possession of the buildings and assign and reassign rooms in the buildings to federal officials, clerks, and employees that the Administrator believes should be furnished with offices or rooms in the buildings.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1143.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3101	40:285.	July 1, 1898, ch. 546, § 1 (6th complete par. on p. 614), 30 Stat. 614.

The word “subtreasuries” in the 6th complete paragraph on p. 614 of section 1 of the Act of July 1, 1898 (ch. 546, 30 Stat. 614), is omitted because section 1 (words in par. under heading “Independent Treasury”) of the Act of May 29, 1914 (ch. 214, 41 Stat. 654) discontinued subtreasuries. The word “post-offices” in section 1 is omitted because section 1 of Executive Order No. 6166 (eff. June 10, 1933) transferred administration of post office buildings to the Post Office Department. The words “courthouses, customhouses, appraiser’s stores, barge offices, and other” are omitted as unnecessary. The words “or are in course of construction” are omitted as obsolete. The words “Administrator of General Services” are substituted for “Treasury Department” and “Secretary of the Treasury” [subsequently changed to “Federal Works Agency” and “Federal Works Administrator” because of sections 301 and 303, respectively, of Reorganization Plan No. I of 1939 (eff. July 1, 1939, 53 Stat. 1426, 1427)] because of section 103(a) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 380), which is restated as section 303(c) [303(b)] of the revised title.

PROHIBITION OF CIGARETTE SALES TO MINORS IN FEDERAL BUILDINGS AND LANDS

Pub. L. 104-52, title VI, § 636, Nov. 19, 1995, 109 Stat. 507, known as the “Prohibition of Cigarette Sales to Minors in Federal Buildings and Lands Act”, required the Administrator of General Services and the head of each Federal agency to promulgate regulations, to be reported to Congress, prohibiting the sale of tobacco products in vending machines or distribution of free samples of tobacco products located in or around any Federal building under the jurisdiction of the Administrator or agency head, and provided that the appropriate congressional committees would promulgate reg-

²Editorially supplied. Section 3177 added by Pub. L. 109-58 without corresponding amendment of chapter analysis.