

(b) COMPOSITION.—

(1) IN GENERAL.—Amounts received shall be credited to and merged with the Fund, to remain available until expended, for operating costs and capital outlays of the Fund: *Provided*, That entities for which such services are performed shall be charged at rates which will return in full all costs of providing such services.

(2) COST AND CAPITAL REQUIREMENTS.—The Administrator shall determine the cost and capital requirements of the Fund for each fiscal year and shall develop a plan concerning such requirements in consultation with the Chief Financial Officer of the General Services Administration. Any change to the cost and capital requirements of the Fund for a fiscal year shall be approved by the Administrator. The Administrator shall establish rates to be charged to entities for which services are performed, in accordance with the plan.

(c) DEPOSIT OF EXCESS AMOUNTS IN THE TREASURY.—At the close of each fiscal year, after making provision for anticipated operating needs reflected in the cost and capital plan developed under subsection (b), the uncommitted balance of any funds remaining in the Fund shall be transferred to the general fund of the Treasury as miscellaneous receipts.

(d) TRANSFER AND USE OF AMOUNTS FOR MAJOR EQUIPMENT ACQUISITIONS.—

(1) IN GENERAL.—Subject to subparagraph (2), unobligated balances of amounts appropriated or otherwise made available to the General Services Administration for operating expenses and salaries and expenses may be transferred and merged into the “Major equipment acquisitions and development activity” of the working capital fund of the General Services Administration for agency-wide acquisition of capital equipment, automated data processing systems and financial management and management information systems: *Provided*, That acquisitions are limited to those needed to implement the Chief Financial Officers Act of 1990 (Public Law 101–576, 104 Stat. 2838) and related laws or regulations.

(2) REQUIREMENTS AND AVAILABILITY.—

(A) TIME FOR TRANSFER.—Transfer of an amount under this section must be done no later than the end of the fifth fiscal year after the fiscal year for which the amount is appropriated or otherwise made available.

(B) APPROVAL FOR USE.—An amount transferred under this section may be used only with the advance approval of the Committees on Appropriations of the House of Representatives and the Senate.

(C) AVAILABILITY.—An amount transferred under this section remains available until expended.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1155; Pub. L. 111–8, div. D, title V, §518(a), (b), (c)(2), Mar. 11, 2009, 123 Stat. 664, 665.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3173(a), (b)	40:293 (words before proviso).	May 3, 1945, ch. 106, title I, 101 (2d complete par. on p. 115), 59 Stat. 115.

HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3173(c)	40:293 (proviso).	

In subsection (b)(2), the words “Administrator of General Services” are substituted for “Federal Works Agency” and “Public Buildings Administration” 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.

REFERENCES IN TEXT

The Chief Financial Officers Act of 1990, referred to in subsec. (d)(1), is Pub. L. 101–576, Nov. 15, 1990, 104 Stat. 2838. For complete classification of this Act to the Code, see Short Title of 1990 Amendment note set out under section 501 of Title 31, Money and Finance, and Tables.

AMENDMENTS

2009—Pub. L. 111–8, §518(c)(2), substituted “Working capital fund for General Services Administration” for “Working capital fund for blueprinting, photostating, and duplicating services in General Services Administration” in section catchline.

Subsecs. (a) to (c). Pub. L. 111–8, §518(a), amended subsecs. (a) to (c) generally. Prior to amendment, subsecs. (a) to (c) related to establishment and purpose of a working capital fund, components of the fund, and deposit of excess amounts in the Treasury.

Subsec. (d). Pub. L. 111–8, §518(b), added subsec. (d).

§3174. Operation of public utility communications services serving governmental activities

The Administrator of General Services may provide and operate public utility communications services serving any governmental activity when the services are economical and in the interest of the Federal Government. This section does not apply to communications systems for handling messages of a confidential or secret nature, the operation of cryptographic equipment or transmission of secret, security, or coded messages, or buildings operated or occupied by the United States Postal Service, except on request of the department or agency concerned.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1155.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3174	40:295.	June 14, 1946, ch. 404, §7, 60 Stat. 258.

The words “Administrator of General Services” are substituted for “Commissioner of Public Buildings” 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. The words “in and outside the District of Columbia” are omitted as unnecessary. The words “United States Postal Service” are substituted for “Post Office Department” because of section 6(o) of the Postal Reorganization Act (Public Law 91–375, 84 Stat. 783).

§3175. Acceptance of gifts of property

The Administrator of General Services, and the United States Postal Service where that office is concerned, may accept on behalf of the Federal Government unconditional gifts of prop-

erty in aid of any project or function within their respective jurisdictions.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1155.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3175	40:298a.	June 16, 1949, ch. 218, title IV, §404, 63 Stat. 199.

The words “Administrator of General Services” are substituted for “Federal Works Administrator” 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. The words “United States Postal Service” are substituted for “Postmaster General” because of section 6(o) of the Postal Reorganization Act (Public Law 91-375, 84 Stat. 783). The words “real, personal, or other” are omitted as unnecessary.

§ 3176. Administrator of General Services to furnish services in continental United States to international bodies

Sections 1535 and 1536 of title 31 are extended so that the Administrator of General Services, at the request of the Secretary of State, may furnish services in the continental United States, on a reimbursable basis, to any international body with which the Federal Government is affiliated.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1156.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3176	40:298b.	June 16, 1949, ch. 218, title IV, §405, 63 Stat. 199.

The words “Sections 1535 and 1536 of title 31” are substituted for “section 601 of the Economy Act, approved June 30, 1932, as amended” because of section 4(b) of the Act of September 13, 1982 (Public Law 97-258, 96 Stat. 1067), the first section of which enacted Title 31, United States Code. The words “Administrator of General Services” are substituted for “Public Buildings Administration” 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. The words “Secretary of State” are substituted for “State Department” because of 22:2651.

§ 3177. Use of photovoltaic energy in public buildings

(a) PHOTOVOLTAIC ENERGY COMMERCIALIZATION PROGRAM.—

(1) IN GENERAL.—The Administrator of General Services may establish a photovoltaic energy commercialization program for the procurement and installation of photovoltaic solar electric systems for electric production in new and existing public buildings.

(2) PURPOSES.—The purposes of the program shall be to accomplish the following:

(A) To accelerate the growth of a commercially viable photovoltaic industry to make this energy system available to the general public as an option which can reduce the national consumption of fossil fuel.

(B) To reduce the fossil fuel consumption and costs of the Federal Government.

(C) To attain the goal of installing solar energy systems in 20,000 Federal buildings by

2010, as contained in the Federal Government’s Million Solar Roof Initiative of 1997.

(D) To stimulate the general use within the Federal Government of life-cycle costing and innovative procurement methods.

(E) To develop program performance data to support policy decisions on future incentive programs with respect to energy.

(3) ACQUISITION OF PHOTOVOLTAIC SOLAR ELECTRIC SYSTEMS.—

(A) IN GENERAL.—The program shall provide for the acquisition of photovoltaic solar electric systems and associated storage capability for use in public buildings.

(B) ACQUISITION LEVELS.—The acquisition of photovoltaic electric systems shall be at a level substantial enough to allow use of low-cost production techniques with at least 150 megawatts (peak) cumulative acquired during the 5 years of the program.

(4) ADMINISTRATION.—The Administrator shall administer the program and shall—

(A) issue such rules and regulations as may be appropriate to monitor and assess the performance and operation of photovoltaic solar electric systems installed pursuant to this subsection;

(B) develop innovative procurement strategies for the acquisition of such systems; and

(C) transmit to Congress an annual report on the results of the program.

(b) PHOTOVOLTAIC SYSTEMS EVALUATION PROGRAM.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this section, the Administrator shall establish a photovoltaic solar energy systems evaluation program to evaluate such photovoltaic solar energy systems as are required in public buildings.

(2) PROGRAM REQUIREMENT.—In evaluating photovoltaic solar energy systems under the program, the Administrator shall ensure that such systems reflect the most advanced technology.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) PHOTOVOLTAIC ENERGY COMMERCIALIZATION PROGRAM.—There are authorized to be appropriated to carry out subsection (a) \$50,000,000 for each of fiscal years 2006 through 2010. Such sums shall remain available until expended.

(2) PHOTOVOLTAIC SYSTEMS EVALUATION PROGRAM.—There are authorized to be appropriated to carry out subsection (b) \$10,000,000 for each of fiscal years 2006 through 2010. Such sums shall remain available until expended.

(Added Pub. L. 109-58, title II, §204(a), Aug. 8, 2005, 119 Stat. 653.)

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (b)(1), is the date of enactment of Pub. L. 109-58, which was approved Aug. 8, 2005.

CHAPTER 33—ACQUISITION, CONSTRUCTION, AND ALTERATION

Sec.
3301.
3302.

Definitions and nonapplication.
Prohibition on construction of buildings except by Administrator of General Services.