

- Sec.
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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 16 section 450ss-6; title 35 section 2; title 42 section 5817.

§ 601. Prohibition on construction of buildings except by Administrator of General Services

No public building shall be constructed except by the Administrator, who shall construct such public building in accordance with this chapter.

(Pub. L. 86-249, §2, Sept. 9, 1959, 73 Stat. 479.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning Pub. L. 86-249. For complete classification of this Act to the Code, see Short Title note below and Tables.

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-678, §1, Nov. 17, 1988, 102 Stat. 4049, provided that: "This Act [enacting sections 617 to 619 of

this title, amending sections 318 to 318b, 603, and 606 of this title, repealing section 278a of this title, and enacting provisions set out as notes under this section and section 619 of this title] may be cited as the 'Public Buildings Amendments of 1988'."

SHORT TITLE OF 1976 AMENDMENT

Pub. L. 94-541, title I, §101, Oct. 18, 1976, 90 Stat. 2505, provided that: "This title [enacting sections 601a and 612a of this title and amending sections 490, 606, and 611 of this title] may be cited as the 'Public Buildings Cooperative Use Act of 1976'."

SHORT TITLE OF 1972 AMENDMENTS

Pub. L. 92-520, §1, Oct. 21, 1972, 86 Stat. 1019, provided: "That this Act [enacting section 616 of this title and provisions set out as notes under section 616 of this title] may be cited as the 'Dwight D. Eisenhower Memorial Bicentennial Civic Center Act'."

Pub. L. 92-313, §1, June 16, 1972, 86 Stat. 216, provided: "That this Act [enacting section 602a of this title, amending sections 490, 603, 606, and 611 of this title, and enacting provisions set out as notes under sections 175 and 603 of this title] may be cited as the 'Public Buildings Amendments of 1972'."

SHORT TITLE

Section 1 of Pub. L. 86-249 provided: "That this Act [enacting this chapter, amending section 490 of this title, and repealing sections 23, 24, 32, 33, 59, 254, 259, 260, 262 to 265, 267, 268, 274 to 276, 277, 278, 282, 297 to 298, 298c, 341 to 342a, 344, 345, 346 to 350a, and 352 to 354 of this title] may be cited as the 'Public Buildings Act of 1959'."

CENTRAL INTELLIGENCE AGENCY AUTHORITIES

Pub. L. 100-678, §9, Nov. 17, 1988, 102 Stat. 4053, provided that: "Nothing in this Act (including any amendment made by this Act [see Short Title of 1988 Amendment note above]) shall be construed to affect the authorities granted in sections 5, 6, and 8 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f, 403g, and 403j)."

§ 601a. Duties of Administrator; Federal agency accommodations; historical and architectural preservation of public buildings; consultation with Governors, agencies, and chief executive officers

(a) In order to carry out his duties under this title and under any other authority with respect to constructing, operating, maintaining, altering, and otherwise managing or acquiring space necessary for the accommodation of Federal agencies and to accomplish the purposes of this title, the Administrator shall—

(1) acquire and utilize space in suitable buildings of historic, architectural, or cultural significance, unless use of such space would not prove feasible and prudent compared with available alternatives;

(2) encourage the location of commercial, cultural, educational, and recreational facilities and activities within public buildings;

(3) provide and maintain space, facilities, and activities, to the extent practicable, which encourage public access to and stimulate public pedestrian traffic around, into, and through public buildings, permitting cooperative improvements to and uses of the area between the building and the street, so that such activities complement and supplement commercial, cultural, educational, and recreational resources in the neighborhood of public buildings; and

(4) encourage the public use of public buildings for cultural, educational, and recreational activities.

(b) In carrying out his duties under subsection (a) of this section, the Administrator shall consult with Governors, areawide agencies established pursuant to title II of the Demonstration Cities and Metropolitan Development Act of 1966 [42 U.S.C. 3331 et seq.] and section 6506 of title 31, and chief executive officers of those units of general local government in each area served by an existing or proposed public building, and shall solicit the comments of such other community leaders and members of the general public as he deems appropriate.

(Pub. L. 94-541, title I, §102, Oct. 18, 1976, 90 Stat. 2505.)

REFERENCES IN TEXT

This title, referred to in subsec. (a), means title I of Pub. L. 94-541, Oct. 18, 1976, 90 Stat. 2505, the Public Buildings Cooperative Use Act of 1976, which enacted sections 601a and 612a of this title and amended sections 490, 606, and 611 of this title. For complete classification of this act to the Code, see Short Title of 1976 Amendment note set out under section 601 of this title and Tables.

The Demonstration Cities and Metropolitan Development Act of 1966, referred to in subsec. (b), is Pub. L. 89-754, Nov. 3, 1966, 80 Stat. 1255, as amended. Title II of the Act is classified generally to subchapter II (§3331 et seq.) of chapter 41 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 3331 of Title 42 and Tables.

CODIFICATION

In subsec. (b), “section 6506 of title 31” substituted for “title IV of the Intergovernmental Cooperation Act of 1968 [42 U.S.C. 4231 et seq.]” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Section was enacted as part of the Public Buildings Cooperative Use Act of 1976, and not as part of the Public Buildings Act of 1959 which comprises this chapter.

EX. ORD. NO. 13006. LOCATING FEDERAL FACILITIES ON HISTORIC PROPERTIES IN OUR NATION'S CENTRAL CITIES

Ex. Ord. No. 13006, May 21, 1996, 61 F.R. 26071, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Historic Preservation Act (16 U.S.C. 470 et seq.) and the Public Buildings Cooperative Use Act of 1976 (90 Stat. 2505) [see Short Title of 1976 Amendment note set out under section 601 of this title], and in furtherance of and consistent with Executive Order No. 12072 of August 16, 1978 [40 U.S.C. 490 note], and Executive Order No. 11593 of May 13, 1971 [16 U.S.C. 470 note], it is hereby ordered as follows:

SECTION 1. *Statement of Policy.* Through the Administration's community empowerment initiatives, the Federal Government has undertaken various efforts to revitalize our central cities, which have historically served as the centers for growth and commerce in our metropolitan areas. Accordingly, the Administration hereby reaffirms the commitment set forth in Executive Order No. 12072 to strengthen our Nation's cities by encouraging the location of Federal facilities in our central cities. The Administration also reaffirms the commitments set forth in the National Historic Preservation Act to provide leadership in the preservation of historic resources, and in the Public Buildings Cooperative Use Act of 1976 to acquire and utilize space in suitable buildings of historic, architectural, or cultural significance.

To this end, the Federal Government shall utilize and maintain, wherever operationally appropriate and economically prudent, historic properties and districts, especially those located in our central business areas. When implementing these policies, the Federal Government shall institute practices and procedures that are sensible, understandable, and compatible with current authority and that impose the least burden on, and provide the maximum benefit to, society.

SEC. 2. *Encouraging the Location of Federal Facilities on Historic Properties in Our Central Cities.* When operationally appropriate and economically prudent, and subject to the requirements of section 601 of title VI of the Rural Development Act of 1972, as amended (42 U.S.C. 3122), and Executive Order No. 12072, when locating Federal facilities, Federal agencies shall give first consideration to historic properties within historic districts. If no such property is suitable, then Federal agencies shall consider other developed or undeveloped sites within historic districts. Federal agencies shall then consider historic properties outside of historic districts, if no suitable site within a district exists. Any rehabilitation or construction that is undertaken pursuant to this order must be architecturally compatible with the character of the surrounding historic district or properties.

SEC. 3. *Identifying and Removing Regulatory Barriers.* Federal agencies with responsibilities for leasing, acquiring, locating, maintaining, or managing Federal facilities or with responsibilities for the planning for, or managing of, historic resources shall take steps to reform, streamline, and otherwise minimize regulations, policies, and procedures that impede the Federal Government's ability to establish or maintain a presence in historic districts or to acquire historic properties to satisfy Federal space needs, unless such regulations, policies, and procedures are designed to protect human health and safety or the environment. Federal agencies are encouraged to seek the assistance of the Advisory Council on Historic Preservation when taking these steps.

SEC. 4. *Improving Preservation Partnerships.* In carrying out the authorities of the National Historic Preservation Act, the Secretary of the Interior, the Advisory Council on Historic Preservation, and each Federal agency shall seek appropriate partnerships with States, local governments, Indian tribes, and appropriate private organizations with the goal of enhancing participation of these parties in the National Historic Preservation Program. Such partnerships should embody the principles of administrative flexibility, reduced paperwork, and increased service to the public.

SEC. 5. *Judicial Review.* This order is not intended to create, nor does it create, any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

WILLIAM J. CLINTON.

§ 602. Acquisition of buildings and their sites

The Administrator is authorized to acquire, by purchase, condemnation, donation, exchange, or otherwise, any building and its site which he determines to be necessary to carry out his duties under this chapter.

(Pub. L. 86-249, §3, Sept. 9, 1959, 73 Stat. 479.)

§ 602a. Purchase contracts

(a) **Authority of Administrator; terms; vesting of title; application of installment payments to purchase price; procedures; report of negotiations to Congressional committees; solicitation of proposals**

Whenever the Administrator of General Services determines that the best interests of the United States will be served by taking action