

erty and Administrative Services Act of 1949, part of which comprises this chapter.

§ 756. General Supply Fund

(a) Creation and composition of Fund; availability; overhead costs

There is authorized to be set aside in the Treasury a special fund which shall be known as the General Supply Fund. Such fund shall be composed of the assets of the general supply fund (including any surplus therein) created by section 3 of the Act of February 27, 1929 (45 Stat. 1342; 41 U.S.C. 7c), and transferred to the Administrator by section 752 of this title, and sums as may be appropriated thereto and the value, as determined by the Administrator, of inventories of personal property from time to time transferred to the Administrator by other executive agencies under authority of section 481(a)(2) of this title to the extent that payment is not made or credit allowed therefor, and the fund shall assume all of the liabilities, obligations, and commitments of the general supply fund created by such Act of February 27, 1929. The General Supply Fund shall be available for use by or under the direction and control of the Administrator (1) for procuring personal property (including the purchase from or through the Public Printer, for warehouse issue, of standard forms, blankbook work, standard specifications, and other printed material in common use by Federal agencies not available through the Superintendent of Documents) and nonpersonal services for the use of Federal agencies in the proper discharge of their responsibilities, (2) for paying the purchase price, transportation of personal property and services, and the cost of personal services employed directly in the repair, rehabilitation, and conversion of personal property, and (3) for paying other direct costs of, and indirect costs that are reasonably related to, contracting, procurement, inspection, storage, management, distribution, and accountability of property and nonpersonal services provided by the General Services Administration or by special order through such Administration.

(b) Payments by requisitioning agencies; fixing of prices; advance of funds

Payment by requisitioning agencies shall be at prices fixed by the Administrator. Such prices shall be fixed at levels so as to recover so far as practicable the applicable purchase price, the transportation cost, inventory losses, the cost of personal services employed directly in the repair, rehabilitation, and conversion of personal property, and the cost of amortization and repair of equipment utilized for lease or rent to executive agencies. Such prices shall also include an additional charge to recover properly allocable costs payable by the General Supply Fund under subsection (a)(3) of this section with respect to the supplies or services concerned. Requisitioning agencies shall pay by advance of funds in all cases where it is determined by the Administrator that there is insufficient capital otherwise available in the General Supply Fund. Advances of funds also may be made by agreement between the requisitioning agencies and the Administrator. Where an advance of funds is not made, the General Services Administration

shall be reimbursed promptly out of funds of the requisitioning agency in accordance with accounting procedures approved by the Comptroller General: *Provided*, That in any case where payment shall not have been made by the requisitioning agency within forty-five days after the date of billing by the Administrator or the date on which an actual liability for personal property or services is incurred by the Administrator, whichever is the later, reimbursement may be obtained by the Administrator by the issuance of transfer and counterwarrants, or other lawful transfer documents, supported by itemized invoices.

(c) Credits to Fund

The General Supply Fund shall be credited with all reimbursements, advances of funds, and refunds or recoveries relating to personal property or services procured through the fund, including the net proceeds of disposal of surplus personal property procured through the fund and receipts from carriers and others for loss of, or damage to, personal property procured through the fund; and the same are reappropriated for the purposes of the fund.

(d) Repealed. Pub. L. 87-600, § 1(c), Aug. 24, 1962, 76 Stat. 401

(e) Audit; surplus; report to Congress

(1) As of September 30 of each year, there shall be covered into the United States Treasury as miscellaneous receipts any surplus in the General Supply Fund, all assets, liabilities, and prior losses considered, above the amounts transferred or appropriated to establish and maintain said fund.

(2) The Comptroller General shall make audits of the General Supply Fund in accordance with the provisions of chapter 35 of title 31 and make reports on the results thereof.

(f) Additional uses of Fund

Subject to the requirements of subsections (a) to (e) of this section, the General Supply Fund also may be used for the procurement of personal property and nonpersonal services authorized to be acquired by mixed-ownership Government corporations, or by the municipal government of the District of Columbia, or by a requisitioning non-Federal agency when the function of a Federal agency authorized to procure for it is transferred to the General Services Administration.

(g) Material tests; fees; disposition of fees

Whenever any producer or vendor shall tender any article or commodity for sale or lease to the General Services Administration or to any procurement authority acting under the direction and control of the Administrator pursuant to this Act, the Administrator is authorized in his discretion, with the consent of such producer or vendor, to cause to be conducted, in such manner as the Administrator shall specify, such tests as he shall prescribe either to determine whether such article or commodity conforms to prescribed specifications and standards, or to aid in the development of contemplated specifications and standards. When the Administrator determines that the making of such tests will serve predominantly the interest of such

producer or vendor, he shall charge such producer or vendor a fee which shall be fixed by the Administrator in such amount as will recover the cost of conducting such tests, including all components of such costs, determined in accordance with accepted accounting principles. When the Administrator determines that the making of such tests will not serve predominantly the interest of such producer or vendor, he shall charge such producer or vendor such fee as he shall determine to be reasonable for the furnishing of such testing service. All such fees collected by the Administrator may be deposited in the general supply fund to be used for any purpose authorized by subsection (a) of this section.

(June 30, 1949, ch. 288, title I, §109, 63 Stat. 382; Sept. 5, 1950, ch. 849, §§1, 2(a), (b), 3, 64 Stat. 578, 579; July 12, 1952, ch. 703, §1(c)-(e), 66 Stat. 593; Pub. L. 86-591, July 5, 1960, 74 Stat. 330; Pub. L. 87-372, Oct. 4, 1961, 75 Stat. 802; Pub. L. 87-600, Aug. 24, 1962, 76 Stat. 401; Pub. L. 93-604, title VII, §701, Jan. 2, 1975, 88 Stat. 1963; Pub. L. 94-273, §2(19), Apr. 21, 1976, 90 Stat. 375; Pub. L. 100-202, §101(m) [title VI, §619(a), (b)], Dec. 22, 1987, 101 Stat. 1329-390, 1329-427.)

REFERENCES IN TEXT

Act of February 27, 1929, referred to in subsec. (a), is act Feb. 27, 1929, ch. 354, 45 Stat. 1341, as amended, which enacted section 289 of this title and sections 7a to 7c, and 7d of Title 41, Public Contracts. Sections 7a to 7c, and 7d of Title 41 were repealed by act June 30, 1949, ch. 288, title VI, §602(a)(29)-(31), 63 Stat. 401, renumbered Sept. 5, 1950, ch. 849, §6(a), (b), 64 Stat. 583. For complete classification of this Act to the Code, see Tables.

This Act, referred to in subsec. (g), is act June 30, 1949, ch. 288, 63 Stat. 377, as amended, known as the Federal Property and Administrative Services Act of 1949. For complete classification of this Act to the Code, see Short Title note set out under section 471 of this title and Tables.

CODIFICATION

In subsec. (e)(2), “chapter 35 of title 31” substituted for “the Accounting and Auditing Act of 1950 [31 U.S.C. 65 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 formerly classified to section 630g of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378. Prior thereto, section was classified to section 219 of Title 41, Public Contracts.

AMENDMENTS

1987—Subsec. (a). Pub. L. 100-202, §101(m) [title VI, §619(a)], added cl. (3).

Subsec. (b). Pub. L. 100-202, §101(m) [title VI, §619(b)], inserted provision requiring that prices also include an additional charge to recover properly allocable costs payable by the General Supply Fund.

1976—Subsec. (e)(1). Pub. L. 94-273 substituted “September” for “June”.

1975—Subsec. (e). Pub. L. 93-604 substantially reenacted existing provisions and substituted requirement that the audit of the General Supply Fund shall be made in accordance with the Accounting and Auditing Act of 1950 for requirement that the audit shall be made as of June 30, and struck out requirement that the Comptroller General shall report to the Congress annually the results of the audit, together with such recommendations as he may have regarding the status and operations of the fund.

1962—Subsec. (a). Pub. L. 87-600, §1(a), (d), substituted “transportation of personal property and services” for “transportation to first storage point of supplies and services”.

Subsec. (b). Pub. L. 87-600, §1(b), (d), struck out “to first storage point” after “the transportation cost”, and requirement that until July 1, 1950, prices were to be fixed in accordance with law and regulations applicable on July 1, 1949, to prices fixed by the Director of the Bureau of Federal Supply, and substituted “actual liability for personal property” for “actual liability for supplies”.

Subsec. (c). Pub. L. 87-600, §1(d), substituted “personal property” for “supplies” wherever appearing.

Subsec. (d). Pub. L. 87-600, §1(c), struck out subsec. (d) which authorized the establishment of a special deposit account for use by the chief, or any regional, disbursing officer, chargeable with payments properly chargeable to the fund.

Subsec. (f). Pub. L. 87-600, §1(d), substituted “personal property” for “supplies”.

1961—Subsec. (a). Pub. L. 87-372 struck out \$150,000,000 capital limitation of General Supply Fund.

1960—Subsec. (g). Pub. L. 86-591 authorized Administrator to cause tests to be conducted to aid in development of contemplated specifications and standards.

1952—Subsec. (a). Act July 12, 1952, §1(c), (d), inserted “and the value, as determined by the Administrator, of inventories of personal property from time to time transferred to the Administrator by other executive agencies under authority of section 201(a)(2) to the extent that payment is not made or credit allowed therefor” in second sentence after “thereto”, and increased General Supply Fund capital from \$75,000,000 to \$150,000,000.

Subsec. (f). Act July 12, 1952, §1(e), struck out proviso relating to prices charged by the Administrator to cover overhead.

1950—Subsec. (a). Act Sept. 5, 1950, §§1, 2(a), provided for purchases from or through the Public Printer, for warehouse issue, of standard forms, etc. in common use by Federal agencies which are not available through the Superintendent of Documents, and to eliminate the surcharge on the general supply fund transactions and to charge requisitioning agencies with the purchase price, etc. and cost of personal services employed directly in the repair, rehabilitation, and conversion of personal property.

Subsec. (b). Act Sept. 5, 1950, §§2(b), 3(a), fixed the applicable standard for pricing general supply fund commodities, and to reimburse the General Services Administration, where an advance of funds is not made out of funds of the requisitioning agency in accordance with accounting procedures approved by the Comptroller General.

Subsec. (g). Act Sept. 5, 1950, §3(b), added subsec. (g).

EFFECTIVE DATE OF 1987 AMENDMENT

Section 101(m) [title VI, §619(d)] of Pub. L. 100-202 provided that: “The amendments made by this Act [probably means amendments made by section 101(m) [title VI, §619] of Pub. L. 100-202, amending this section] shall take effect not later than April 1, 1988.”

EFFECTIVE DATE OF 1950 AMENDMENT

Section 2(c) of act Sept. 5, 1950, provided that: “The amendments made by this section [amending this section] shall be effective on the date, not earlier than July 1, 1950, on which the Administrator of General Services shall determine that appropriated funds adequate to effectuate the purposes of such amendments have been made available.”

DEFINITIONS

The definitions in section 472 of this title apply to this chapter.

PLAN FOR IMPLEMENTATION OF AMENDMENTS

Section 101(m) [title VI, §619(c)] of Pub. L. 100-202 provided that: “Not later than February 15, 1988, the

Administrator of General Services shall submit to the appropriate committees of the Congress a plan for the implementation of the amendments made by this Act [probably means amendments made by section 101(m) [title VI, § 619] of Pub. L. 100-202, amending this section]. Such plan shall (1) fully describe and explain the accounting system (including the pricing and cost allocation methodology for supplies and services) to be used for such implementation, and (2) contain a schedule for completing actions necessary for such implementation.”

ADDITIONAL INCREASES IN GENERAL SUPPLY FUND

Provisions increasing the capital of the General Supply Fund were contained in the following appropriation acts:

June 5, 1981, Pub. L. 97-12, title I, 95 Stat. 75—\$222,300,000.
 July 25, 1979, Pub. L. 96-38, title I, 93 Stat. 124—\$10,000,000.
 May 29, 1967, Pub. L. 90-21, title I, 81 Stat. 33—\$45,000,000.
 Dec. 19, 1963, Pub. L. 88-215, title I, 77 Stat. 434—\$30,000,000.
 May 17, 1963, Pub. L. 88-25, title I, 77 Stat. 26—\$25,000,000.
 Oct. 3, 1962, Pub. L. 87-741, title I, 76 Stat. 725—\$13,500,000.
 July 25, 1962, Pub. L. 87-545, title I, 76 Stat. 212—\$7,500,000.
 Aug. 17, 1961, Pub. L. 87-141, title I, 75 Stat. 351—\$6,000,000.
 Mar. 31, 1961, Pub. L. 87-14, title I, 75 Stat. 25—\$20,000,000.
 May 20, 1959, Pub. L. 86-30, title I, 73 Stat. 43—\$15,000,000.
 Aug. 28, 1958, Pub. L. 85-844, title I, 72 Stat. 1068—\$6,250,000.
 June 29, 1957, Pub. L. 85-69, title I, 71 Stat. 231—\$12,500,000.
 July 27, 1956, ch. 748, Ch. VI, 70 Stat. 686—\$8,000,000.
 June 27, 1956, ch. 452, title I, 70 Stat. 344—\$10,000,000.
 Sept. 27, 1950, ch. 1052, Ch. VIII, 64 Stat. 1056—\$30,000,000.
 Sept. 6, 1950, ch. 896, Ch. VIII, title I, 64 Stat. 706—\$4,000,000.
 June 30, 1949, ch. 286, title I, 63 Stat. 364—\$479,803.93.
 June 14, 1948, ch. 466, title I, 62 Stat. 416—\$1,500,000.
 Apr. 1, 1944, ch. 152, title I, 58 Stat. 162—\$1,000,000.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 483, 485, 491, 756b of this title; title 42 section 7588.

§ 756a. Retention of surplus generated from operation of General Supply Fund

The Administrator of the General Services Administration is authorized on and after June 5, 1981, to retain from any surplus generated from the operation of the General Supply Fund such sums as may be necessary to maintain a sufficient level of inventory of personal property to meet the needs of the Federal agencies.

(Pub. L. 97-12, title I, ch. XII, June 5, 1981, 95 Stat. 75.)

CODIFICATION

Section was enacted as part of the Supplemental Appropriations and Rescission Act, 1981, and not as part of the Federal Property and Administrative Services Act of 1949, part of which comprises this chapter.

§ 756b. Periodic reimbursement for cost of equipment purchased for Congressional use; computation

(a) Notwithstanding any other provision of law, the Administrator of General Services is

authorized to accept periodic reimbursement from the Senate and from the House of Representatives for the cost of any equipment purchased for the Senate or the House of Representatives, respectively, with funds from the General Supply Fund established under section 756 of this title. The amount of each such periodic reimbursement shall be computed by amortizing the total cost of each item of equipment over the useful life of the equipment, as determined by the Administrator, in consultation with the Sergeant at Arms and Doorkeeper of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate.

(b) Subsection (a) of this section applies to reimbursements to the General Supply Fund for any equipment purchased for the Senate or the House of Representatives before, on, or after October 18, 1986.

(Pub. L. 99-500, § 151, Oct. 18, 1986, 100 Stat. 1783-352, and Pub. L. 99-591, § 151, Oct. 30, 1986, 100 Stat. 3341-355; Pub. L. 100-202, § 101(i) [title I, § 4], Dec. 22, 1987, 101 Stat. 1329-290, 1329-294; Pub. L. 104-186, title II, § 221(15), Aug. 20, 1996, 110 Stat. 1750.)

CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500. Section was enacted as part of the Legislative Branch Appropriations Act, 1988, and not as part of the Federal Property and Administrative Services Act of 1949, part of which comprises this chapter.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-186 substituted “Chief Administrative Officer” for “Clerk”.

1987—Subsec. (a). Pub. L. 100-202 struck out “during fiscal year 1987” after “is authorized” in first sentence.

§ 757. Information Technology Fund

(a) Establishment; content; costs and capital requirements

(1) There is established on the books of the Treasury and¹ Information Technology Fund (hereinafter referred to as the “Fund”), which shall be available without fiscal year limitation. There are authorized to be appropriated to the Fund such sums as may be required. For purposes of subsection (b) of this section, the Fund shall consist of—

(A) the capital and assets of the Federal telecommunications fund established under this section (as in effect on December 31, 1986), which are in such fund on January 1, 1987;

(B) the capital and assets which are in the automatic data processing fund established under section 759² of this title (as in effect on December 31, 1986) which are in such fund on January 1, 1987; and

(C) the supplies and equipment transferred to the Administrator under sections 759² and 486(f) of this title, subject to any liabilities assumed with respect to such supplies and equipment.

(2) The Administrator shall determine the cost and capital requirements of the Fund for each fiscal year and shall submit plans concerning

¹ So in original. Probably should be “an”.

² See References in Text note below.