

**§ 101-19.003-3**

(b) Alterations to a building and/or its equipment occasioned by a space re-assignment.

(c) Alterations occasioned by an emergency.

**§ 101-19.003-3 Construct.**

*Construct* means to build a public building. The term includes preliminary planning, engineering, architectural, legal, fiscal, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other similar actions necessary for the construction of a public building.

**§ 101-19.003-4 Executive agency.**

*Executive agency* means any executive department or independent establishment in the executive branch of the Government including any wholly owned Government corporation and including the Central Bank for Cooperatives and the regional banks for cooperatives, Federal land banks, Federal intermediate credit banks, Federal home loan banks, Federal Deposit Insurance Corporation, and the Government National Mortgage Association.

**§ 101-19.003-5 Prospectus.**

*Prospectus* means the statement of the proposed project, required by section 7 of the Public Buildings Act of 1959, as amended (40 U.S.C. 606), including a description, its location, estimated maximum cost, a comprehensive plan for providing space for all Government officers and employees in the locality of the proposed project, a statement by the Administrator of General Services that suitable space owned by the Government is not available and that suitable rental space is not available at a price commensurate with that to be afforded through the proposed action, and a statement of rents and other housing costs currently being paid by the Government for Federal agencies to be housed in the proposed project.

**§ 101-19.003-6 Public building.**

(a) *Public building* means any building, whether for single or multi-tenant occupancy, its grounds, approaches, and appurtenances, which is generally suitable for office or storage space or

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both for the use of one or more Federal agencies or mixed ownership corporations, and shall include: Federal office buildings, post offices, customhouses, courthouses, appraisers stores, border inspection facilities, warehouses, record centers, relocation facilities, similar Federal facilities, and any other buildings or construction projects the inclusion of which the President may deem, from time to time hereafter, to be justified in the public interest; but shall not include any such buildings and construction projects:

(1) On the public domain (including that reserved for national forests and other purposes),

(2) On properties of the United States in foreign countries,

(3) On Indian and native Eskimo properties held in trust by the United States,

(4) On lands used in connection with Federal programs for agricultural, recreational, and conservation purposes, including research in connection therewith,

(5) On or used in connection with river, harbor, flood control reclamation or power projects, or for chemical manufacturing or development projects, or for nuclear production, research, or development projects,

(6) On or used in connection with housing and residential projects,

(7) On military installations (including any fort, camp, post, naval training station, airfield, proving ground, military supply depot, military school, or any similar facility of the Department of Defense),

(8) On Veterans Administration installations used for hospital or domiciliary purposes, and

(9) The exclusion of which the President may deem, from time to time hereafter, to be justified in the public interest.

(b) Buildings leased by the Government are not "public buildings" within the meaning of the Public Buildings Act of 1959.

**§ 101-19.003-7 United States.**

*United States*, when used in a geographical sense, means the 50 States,

the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

### Subpart 101-19.1—General

#### § 101-19.100 Intergovernmental consultation on Federal projects.

(a) As used in this section, the following terms will have the meanings defined herein:

(1) *Planning agencies.* Planning agencies are defined as the Governor of a State or, if there is one, the appropriate A-95 clearinghouse of the State, region, or metropolitan area, and the appropriate local, county, metropolitan, regional, and State planning and environmental authorities.

(2) *Federal projects.* Federal projects are defined as public buildings construction projects and lease construction projects required to be authorized in accordance with, or in the manner provided by, the provisions of the Public Buildings Act of 1959, as amended; and projects involving a significant change in the use of federally owned property or property to be acquired by exchange in connection with a public buildings project authorized under the provisions of the Public Buildings Act of 1959, as amended, or the Federal Property and Administrative Services Act of 1949, as amended.

(b) GSA will consult with planning agencies, local elected officials, and appropriate Federal agencies to coordinate Federal projects with development plans and programs of the State, region, and locality in which the project is to be located to ensure that all national, regional, State, and local viewpoints are fully considered and taken into account to the extent possible in planning Federal projects. A written statement containing a clear justification for Federal actions that are inconsistent with local plans will be provided the appropriate planning agencies.

(c) The consultation and coordination pursuant to paragraph (b) of this section will be initiated by the GSA Regional Administrator of the region in which the Federal project is located, and the manner in which the consulta-

tion and coordination will be effected is set forth below:

(1) The GSA Regional Administrator will notify the planning agencies at least 30 calendar days before the initiation of any survey conducted for the purpose of preparing a prospectus or Report of Building Project Survey for submittal to the Congress. Notifications of less than 30 calendar days are authorized only in emergency situations. The notification will specify the approximate date(s) on which the survey will be conducted and will request that the GSA Regional Administrator be provided as soon as practicable all pertinent planning and development information that will be considered in connection with the space plan for the community. This information will include city, county, State, and regional plans for land use and development; use of community development funds; neighborhood revitalization; mass transit; highways; flood control; and air, water, solid waste, and other relevant environmental data.

(2) Within 30 calendar days following the approval of a proposed action by the Congress, the GSA Regional Administrator will inform the previously notified planning agencies of the results of the survey. Particular reference will be made to the need, if any, for a new Federal building within a 10-year period or a major lease consolidation which could result in new commercial construction in the community. The letter will request that the GSA Regional Administrator be informed of all changes or refinements in the planning information initially provided, and set forth the following minimum data relative to the proposed Federal project:

- (i) Area or city in which the project will be located;
- (ii) Type of building (office building, post office, courthouse, etc.);
- (iii) Approximate size of building;
- (iv) Specific site location requirements;
- (v) Estimated building population; and
- (vi) Estimated total project cost.

(3) In addition to paragraph (c)(2) of this section, major project designs should be made available to planning agencies at the conceptual design