

in this § 101-20.107. Existing lease contracts shall be administered in accordance with these policies to the maximum extent feasible.

(i) Each agency shall report to the Department of Energy (DOE) the energy consumption in buildings, facilities, vehicles, and equipment under its control within 45 calendar days after the end of each quarter as specified in the DOE Federal Energy usage Report DOE F 6200.2 instructions. This report has been cleared in accordance with FPMR 101-11.11,<sup>1</sup> Interagency Reports Management Program, and assigned interagency report control number 1492 DOE OU.

[52 FR 11263, Apr. 8, 1987; 52 FR 24158, July 29, 1987, as amended at 60 FR 17653, Apr. 7, 1995]

**§ 101-20.108 Staggered hours of duty.**

(a) The GSA Regional Administrator, National Capital Region, is responsible for putting into effect the policy of maintaining staggered duty hours in Metropolitan Washington, DC. For purposes of this regulation, "Metropolitan Washington" means the Washington Standard Metropolitan Statistical Area (SMSA) as defined by the Department of Commerce.

(b) Any agency planning a change in its schedule of duty hours which will affect 50 or more employees shall submit the changes to the GSA Regional Administrator, (WA) Washington, DC, 20407, for approval prior to implementation. The agency shall indicate the number of employees affected, the present and proposed hours of duty, and the reasons for the change in schedule. The agency shall also coordinate with the employees and their union(s) to determine the percentage of employees in favor of the proposed change.

(c) The GSA Regional Administrator, National Capital Region, shall coordinate the proposed change with appropriate authorities to ensure that the change will not create congestion or disruptions in traffic or transportation flow patterns.

<sup>1</sup>EDITORIAL NOTE: At 50 FR 26908, June 28, 1985, 41 CFR part 101-11 was recodified as 41 CFR parts 201-22 and 201-45. The reference to FPMR 101-11.11 should read FIRM 201-45.6.

(d) GSA and other Federal agencies may also consider the advisability of establishing staggered duty hours in areas outside Metropolitan Washington where major concentrations of Federal employees exist.

**§ 101-20.109 Concessions.**

(a) The provisions of this section do not apply to blind vending facilities operated under the Randolph-Sheppard Act (20 U.S.C. 107 *et seq.*); regulations governing this program are continued in subpart 101-20.2.

(b) GSA is responsible for the planning, provision, and administration of essential concessions in buildings under its control. GSA will enter into and award concessions contracts, provide suitable space and facilities, if required, and administer applicable inspection and oversight functions. Officials of occupant agencies shall convey concerns to GSA and shall not instruct concessionaires regarding their operations.

(c) Subject to the availability of space, prior to establishing concessions, GSA will ensure that:

(1) The proposed concession will offer only essential services which are needed by employees, and which cannot be conveniently obtained from existing facilities, (Consultation will be held with occupant agencies.);

(2) The proposed concession will be established and operated in conformance with applicable policies, safety, health, and sanitation codes, laws, regulations, etc., and will not contravene the terms of any lease or other contractual arrangement;

(3) Sufficient funds are legally available to cover all costs for which the Government may be responsible; and

(4) All contracts will be financially self-supporting and not compete with nearby commercial enterprise.

(d) Public Law 104-52, Section 636, prohibits the sale of tobacco products in vending machines in Government-owned and leased space under the custody and control of GSA. The Administrator of GSA or the head of an Agency may designate areas not subject to the