

## § 101-20.403

(c) All permits involving demonstrations and activities which may lead to civil disturbances should be coordinated with the Chief, Law Enforcement Branch, before approval.

### § 101-20.403 Disapproval of applications or cancellation of permits.

(a) GSA shall disapprove any application or cancel an issued permit if:

(1) The applicant has failed to submit all information required under § 101-20.401, or has falsified such information;

(2) The proposed use is a commercial activity as defined in § 101-20.003(d);

(3) The proposed use interferes with access to the public area, disrupts official Government business, interferes with approved uses of the property by tenants or by the public, or damages any property;

(4) The proposed use is intended to influence or impede any pending judicial proceeding;

(5) The proposed use is obscene within the meaning of obscenity as defined in 18 U.S.C. 1461-65; or

(6) The proposed use is violative of the prohibition against political solicitations in 18 U.S.C. 607.

(b) Upon disapproving an application or cancelling a permit, GSA shall promptly notify the applicant or permittee of the reasons for the action, and shall inform the applicant or permittee of his/her appeal rights under § 101-20.404.

[52 FR 11263, Apr. 8, 1987; 52 FR 24158, July 29, 1987]

### § 101-20.404 Appeals.

(a) A disapproval of application or cancellation of issued permits may be appealed to the GSA Regional Officer (as defined in § 101-20.003(m)) within 5 calendar days of the notification of disapproval or cancellation. Notices of appeal must be made in writing.

(b) On appeal, the applicant or permittee and the GSA buildings manager shall have opportunity to orally state their positions on the issues. Written materials may also be submitted.

(c) The GSA Regional Officer shall affirm or reverse the GSA building manager's decision, based on the information submitted, within 10 calendar days of the date on which the Regional

## 41 CFR Ch. 101 (7-1-02 Edition)

Officer received notification of the appeal. If the decision is not rendered within 10 days, the application will be considered to be approved or the permit validly issued. The Regional Officer will promptly notify the applicant or permittee and the buildings manager of the decision and the reasons therefor.

[52 FR 11263, Apr. 8, 1987; 52 FR 24158, July 29, 1987]

### § 101-20.405 Schedules of use.

Nothing in these regulations shall prevent GSA from reserving certain time periods for use of public areas for official Government business; from setting aside certain time periods for maintenance, repair, and construction; or from permitting a previously approved use for official Government business.

### § 101-20.406 Hours of use.

Public areas may be used during or after regular working hours of Federal agencies, provided that such uses will not interfere with Government business. When public areas are used by permittees after normal working hours, all adjacent areas not approved for such use shall be locked, barricaded, or identified by signs, as appropriate, to restrict permittees' activities to approved areas.

### § 101-20.407 Services and costs.

(a) *Costs.* The space to be provided under these regulations is furnished free of charge. Services normally provided at the building in question, such as security, cleaning, heating, ventilation, and air-conditioning, shall also be provided free of charge by GSA. The applicant shall be requested to reimburse GSA for services over and above those normally provided. If the applicant desires to provide services, such as security and cleaning, this request must be approved by the GSA Regional Officer. GSA may provide the services free of charge if the cost is insignificant and if it is in the public's interest.

(b) *Alterations.* Permittees shall make no alterations to public areas except with prior approval of GSA. Such approval shall not be given unless GSA determines that changes in a building should be made to encourage and aid in

## Federal Property Management Regulations

## §101-21.000

the proposed use. Permittees making alterations must make provisions to ensure the safety of users and the prevention of damage to property.

(c) Permittees are responsible for furnishing items such as tickets, audiovisual equipment, etc., which are necessary for the proposed use.

### §101-20.408 Conduct.

(a) Permittees are subject to all rules and regulations governing conduct on Federal property as set forth in subpart 101-20.3. In addition, a permittee shall:

(1) Not misrepresent his or her identity to the public;

(2) Not conduct any activities in a misleading or fraudulent manner;

(3) Not discriminate on the basis of race, creed, color, sex or national origin in conducting activities;

(4) Not distribute any item, nor post or otherwise affix any item, for which prior approval under §101-20.401 has not been obtained;

(5) Not leave leaflets or other materials unattended on the property; and

(6) Not engage in activities which would interfere with the preferences afforded blind licenses under the Randolph-Sheppard Act (20 U.S.C. 107).

(b) Permittees engaging in the solicitation of funds as authorized by §101-20.401 shall display identification badges while on Federal property. Each badge shall indicate the permittee's name, address, telephone number, and organization.

### §101-20.409 Non-affiliation with the Government.

The General Services Administration reserves the right to advise the public through signs or announcements of the presence of any permittees and of their nonaffiliation with the Federal Government.

## Subpart 101-20.5—Sidewalk Installation, Repair, and Replacement

### §101-20.500 Scope of subpart.

This subpart contains the regulations governing the installation, repair, and replacement of sidewalks around buildings, installations, properties, or grounds under the control of executive

agencies and owned by the United States within the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States, by reimbursement to a State or political subdivision thereof, the District of Columbia, the Commonwealth of Puerto Rico, or the territory or possession of the United States. They are issued with the approval of the Director of the Office of Management and Budget.

### §101-20.501 Responsibilities.

Upon prior consent of the property-holding agency, the State in which the property lies may perform or arrange for the installation, repair, and replacement of sidewalks, and obtain reimbursement therefor from the property-holding agency, or, if mutually agreed upon, the property-holding agency may contract or otherwise arrange for and pay directly for such installation, repair, and replacement.

### §101-20.502 Standards.

Sidewalks shall be installed, repaired, or replaced with due consideration to the standards and specifications prescribed by the State or political subdivision thereof. However, where the property-holding agency determines that it is necessary, in order to achieve or retain architectural harmony with the surroundings, the property-holding agency may prescribe other standards and specifications.

## PART 101-21—FEDERAL BUILDINGS FUND

AUTHORITY: 40 U.S.C. 486(c); 40 U.S.C. 490(j) (The Federal Property and Administrative Services Act of 1949, as amended, Sec. 205(c) and 210(j), 63 Stat. 390 and 86 Stat. 219; (40 U.S.C. 486(c) and 40 U.S.C. 490(j), respectively).

SOURCE: 66 FR 23169, May 8, 2001, unless otherwise noted.

### §101-21.000 Cross-reference to the Federal Management Regulation (FMR) (41 CFR chapter 102, parts 102-1 through 102-220.)

For information previously contained in this part, see FMR part 85 (41 CFR part 102-85).