

## TITLE 40—PUBLIC BUILDINGS, PROPERTY, AND WORKS

*This title was enacted by Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062*

Subtitle		Sec.
<b>I.</b>	<b>FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES .....</b>	<b>101</b>
<b>II.</b>	<b>PUBLIC BUILDINGS AND WORKS .....</b>	<b>3101</b>
<b>III.</b>	<b>INFORMATION TECHNOLOGY MANAGEMENT .....</b>	<b>11101</b>
<b>IV.</b>	<b>APPALACHIAN REGIONAL DEVELOPMENT .....</b>	<b>14101</b>
<b>V.</b>	<b>REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT .....</b>	<b>15101</b>
<b>VI.</b>	<b>MISCELLANEOUS .....</b>	<b>17101</b>

### AMENDMENTS

2008—Pub. L. 110-234, title XIV, §14217(b), May 22, 2008, 122 Stat. 1482, and Pub. L. 110-246, title XIV, §14217(b), June 18, 2008, 122 Stat. 2244, which directed identical amendments to the table of subtitles for “chapter 40, United States Code” by adding items for subtitles V and VI and striking out item for subtitle V, was executed by amending the table of subtitles for this title, to reflect the probable intent of Congress. Prior to amendment, the item for subtitle V read “Miscellaneous”. The amendment by Pub. L. 110-234 was repealed by Pub. L. 110-246, §4(a), June 18, 2008, 122 Stat. 1664.

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 40

Title 40 Former Sections	Title 40 New Sections
1, 1a .....	Rep.
2 .....	Rep.
3 .....	Rep.
4 .....	Rep.
5 .....	Rep.
5a .....	Rep.
6 .....	Rep.
7 .....	Rep.
7a .....	Rep.
8-13 .....	Rep.
13a, 13a note .....	6111
13b .....	6112
13c .....	6113
13d .....	Rep.
13e .....	6114
13f .....	6122
13g .....	6131
13h .....	6132
13i .....	6133
13j .....	6134
13k .....	6135
13l .....	6102
13m .....	6137
13n(a) .....	6121
13n(b) .....	6123
13n(c) .....	6121
13n(d) .....	6101
13o .....	6136
13p .....	6101
14-18a .....	Rep.
19 .....	8101
20, 21 .....	Rep.
22 .....	Rep.
22a-22c .....	8143
23, 24 .....	Rep.

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 40—Continued

Title 40 Former Sections	Title 40 New Sections
25 .....	Rep.
26 .....	Rep.
27 .....	Rep.
27a .....	Rep.
28 .....	Rep.
29 .....	Rep.
30 .....	Rep.
30a .....	Rep.
31 .....	8108
32, 33 .....	Rep.
33a .....	Rep.
34 .....	8141
35 .....	8142
36-37a .....	Rep.
38 .....	Rep.
39 .....	Rep.
40 .....	Rep.
40a .....	Rep. (Transferred to former 278 prior to repeal)
41 .....	Rep.
42 .....	8165
43 .....	8107
44 .....	Rep.
45-48 .....	9501
49 .....	9503
50 .....	9504
51, 52 .....	9502
53 .....	Rep.
53a .....	Elim.
54 .....	9507
55 .....	9505
56 .....	9506
57 .....	Rep.
58 .....	Elim.
59 .....	Rep.
60 .....	Elim.
60a .....	8161
61 .....	Elim.
62 .....	Elim.
63 .....	Elim.
64 .....	8122
65 .....	Elim.
66 .....	8121
67 .....	Elim.
68 .....	8106
69 .....	Elim.
70 .....	Elim.
71(a) .....	8701
71(b) .....	8702
71a(a)(1) .....	8711
71a(a)(2) .....	8712
71a(a)(3), (4) .....	8721
71a(b), (c) .....	8711
71a(d) .....	8721
71a(e), 71a note .....	8711
71b .....	Rep.
71c(a) .....	8721
71c(b), (c) .....	Rep.
71c(d), (e) (1st par.) .....	8721
71c(e) (last par.) .....	8722
71d .....	8722
71e .....	Rep.
71f .....	8723
71g(a)-(c) .....	8724
71g(d) .....	8725
71h .....	8711
71i .....	8726
72 .....	8731

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF  
FORMER TITLE 40—Continued

<i>Title 40 Former Sections</i>	<i>Title 40 New Sections</i>
72a .....	8732
72b .....	8733
72c, 72d .....	8734
72e .....	8736
73 (1st, 2d sentences) .....	8737
73 (3d-last sentences) .....	8731
74 .....	8711
74a-74c .....	8735
75 .....	Elim.
76 .....	Elim.
77 .....	Elim.
77a .....	Rep.
78 .....	Elim.
79 .....	8123
80 .....	Elim.
81 .....	Elim.
82 .....	8125
83 .....	Elim.
84 .....	Elim.
85 .....	Elim.
86 .....	Elim.
87 .....	Elim.
88 .....	Elim.
89 .....	8126
90 .....	Elim.
91 .....	Rep.
92 .....	Elim.
92a .....	Elim.
93 .....	Elim.
94 .....	Elim.
95 .....	Elim.
96 .....	Elim.
97 .....	Elim.
98 .....	Elim.
99 .....	Elim.
100 .....	8127
101 .....	8103
102 .....	8162
103 .....	8163
104 (1st, 2d sentences) .....	9101
104 (3d-6th sentences) .....	9102
104 (last sentence words before comma).	9103
104 (last sentence words after comma).	9101
105 .....	9103
106 .....	9104
107 .....	Elim.
108 .....	Elim.
109-112 .....	Rep.
112a .....	Rep.
113 .....	8144
114 .....	Rep.
115 .....	Rep.
115a .....	Rep.
116-119 .....	Rep.
120 .....	Rep.
121 .....	8104
122, 123 .....	8124
124 (words before proviso) .....	9301
124 (proviso) .....	9302
125 (words before semicolon) ..	9303
125 (words after semicolon) ...	9304
126 .....	Rep.
127 .....	9301 note
128 .....	8105
129 .....	585 note
129a-130a .....	8164
131 .....	8302
132 .....	8303
133 .....	8304
134 .....	Rep.
135 .....	8301
136(a) .....	8501
136(b), (c) .....	8502
136(d) .....	(See §49-103 of the D.C. Official Code)
136(e) .....	Rep.
136(f) .....	8501
136(g)(1), (2) .....	Rep.
136(h)-(j) .....	8501
137 .....	8102
138 .....	Rep.
161 .....	T. 2 §1801 note
161a .....	Rep.

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF  
FORMER TITLE 40—Continued

<i>Title 40 Former Sections</i>	<i>Title 40 New Sections</i>
162 .....	T. 2 §1811
162-1 .....	T. 2 §1801
162a .....	T. 2 §1802
162b .....	T. 2 §1868
163 .....	T. 2 §1812
163a .....	T. 2 §1813
163b .....	T. 2 §1803
164 .....	Rep.
164a .....	T. 2 §1804
165 .....	Rep.
166 .....	T. 2 §1814
166a .....	Rep.
166a-1 .....	T. 2 §1861
166b .....	Rep.
166b-1 .....	Rep.
166b-1a .....	T. 2 §1841
166b-1b .....	T. 2 §1842
166b-1c .....	T. 2 §1843
166b-1d .....	T. 2 §1844
166b-1e .....	T. 2 §1845
166b-1f .....	T. 2 §1846
166b-2 .....	T. 2 §1850
166b-3 .....	T. 2 §1847
166b-3a .....	T. 2 §1848
166b-3b .....	T. 2 §1849
166b-4 .....	T. 2 §1851
166b-5 .....	T. 2 §1852
166b-6 .....	T. 2 §1832
166b-7 .....	T. 2 §1831
166c .....	Elim.
166d .....	T. 2 §1818
166e .....	T. 2 §1863
166f .....	T. 2 §1864
166g .....	T. 2 §1867
166h .....	T. 2 §1862
166i .....	T. 2 §1815
166j .....	T. 2 §1816
166k .....	T. 2 §1819
166l .....	T. 2 §1865
166m .....	T. 2 §1820
167 .....	T. 2 §1833
167a .....	Rep.
168 .....	T. 2 §1834
168a .....	Rep.
169 .....	T. 2 §2012
170 .....	T. 2 §2184
170a .....	(Previously transferred to T. 2 §117b-1)
171 .....	T. 2 §1817
172 .....	Rep.
173 .....	T. 2 §2185
174 .....	Rep.
174a .....	Rep.
174b .....	Elim.
174b-1 .....	T. 2 §2021
174b-2 .....	T. 2 §2022
174c .....	T. 2 §2023
174d .....	T. 2 §2024
174d-1 .....	T. 2 §2181
174e .....	T. 2 §1866
174f-174j .....	Rep.
174j-1 .....	T. 2 §2042
174j-2 .....	Rep.
174j-3 .....	T. 2 §2043
174j-4 .....	T. 2 §2044
174j-5 .....	T. 2 §2045
174j-6 .....	T. 2 §2046
174j-7 .....	T. 2 §2047
174j-8 .....	T. 2 §2048
174j-9 .....	T. 2 §2049
174j-10 .....	T. 2 §2050
174k .....	T. 2 §2041
175 .....	T. 2 §2001
175a .....	T. 2 §2002
176 .....	T. 2 §2003
177 .....	T. 2 §2004
178 .....	T. 2 §2005
179 .....	T. 2 §2006
180 .....	T. 2 §2007
181 .....	T. 2 §2008
182 .....	T. 2 §2009
183 .....	T. 2 §2010
184 .....	T. 2 §2011
184a .....	T. 2 §2161
184b-184f .....	Rep.

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF  
FORMER TITLE 40—Continued

<i>Title 40 Former Sections</i>	<i>Title 40 New Sections</i>
184g	T. 2 § 2062
185	T. 2 § 2162
185a	T. 2 § 2025
186	T. 10 § 4689
187	T. 2 § 2131
187a	T. 2 § 2132
188	T. 2 § 2133
188a	T. 2 § 2081
188a-1	T. 2 § 2082
188a-2	T. 2 § 2083
188a-3	T. 2 § 2084
188a-4	T. 2 § 2085
188a-5	T. 2 § 2086
188b	T. 2 § 2101
188b-1	T. 2 § 2102
188b-2	T. 2 § 2103
188b-3	T. 2 § 2104
188b-4	T. 2 § 2105
188b-5	T. 2 § 2106
188b-6	T. 2 § 2107
188c	T. 2 § 2121
188c-1	T. 2 § 2122
189	T. 2 § 2134
190	T. 2 § 2135
190a	Rep.
190b	T. 2 § 2182
191	Rep.
192	Rep.
193	T. 2 § 2183
193a	5102
193b	5103
193c-193g	5104
193h	5109
193i	5105
193j, 193k	5106
193l	5107
193m(1)	5101
193m(2)-(5)	5104
193m-1	5108
193n	6306
193o	6302
193p, 193q	6303
193r	6304
193s	6307
193t	6306
193u	6305
193v	6301
193w	Rep.
193x	6306
194-205	Rep.
206	T. 2 § 1901
206-1	T. 2 § 1902
206a-206a-8	Elim. (Previously transferred to former 206 notes)
206a-9	T. 2 § 1903
206b	T. 2 § 1924
206c	T. 2 § 1925
206d	T. 2 § 1971
206d-1	T. 2 § 1972
206e	T. 2 § 1973
207	T. 2 § 1921
207a	T. 2 § 1922
207b	T. 2 § 1923
207b-1	T. 2 § 1926
206b-2	T. 2 § 1927
207c	T. 2 § 1951
207c-1	T. 2 § 1952
207c-2	T. 2 § 1953
207c-3	T. 2 § 1954
207d	T. 2 § 1904
207e	T. 2 § 1905
208	T. 2 § 1928
209	T. 2 § 1929
210	T. 2 § 1941
210a	T. 2 § 1942
211	T. 2 § 1943
212	T. 2 § 1944, 1944 notes
212a	T. 2 § 1961
212a-1	T. 2 § 1962, 1962 notes
212a-2	T. 2 § 1966
212a-3	T. 2 § 1967
212a-4	T. 2 § 1964
212a-4a	T. 2 § 1965
212a-5	T. 2 § 1968
212b	T. 2 § 1969

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF  
FORMER TITLE 40—Continued

<i>Title 40 Former Sections</i>	<i>Title 40 New Sections</i>
212c	T. 2 § 1970
213	Rep.
213a	Elim.
214	T. 2 § 1963
214a	Rep.
214b	T. 2 § 2061
214c	T. 2 § 2063
214d	T. 2 § 2064
214e	T. 2 § 2065
215	T. 2 § 2141
216	T. 2 § 2142
216a	T. 2 § 2145
216b	T. 2 § 2143
216c	T. 2 § 2146
216d	T. 2 § 2144
217	Rep.
217a	T. 2 § 2147
217b	Rep.
217c	T. 2 § 2167
218-220	Rep.
221	Rep.
222	Rep.
223	T. 2 § 2163
224	T. 2 § 2164
231	(Previously transferred to former T. 44 § 300 prior to re- peal)
232, 232a	(Previously transferred to former T. 44 § 300a prior to re- peal)
232b	Rep.
233-241	(Previously transferred to former T. 44:300c-300k prior to repeal)
251	Rep.
252	Rep.
253	311
254	Rep.
255 (1st-5th pars.)	3111
255 (last par.)	3112
256	Rep.
257	3113
258	Rep.
258a, 258b	3114
258c	3115
258d	3118
258e	3115
258e-1	3116
258f	3117
259, 260	Rep.
261	3171
262-265	Rep.
265a	Rep.
266, 267	Rep.
267a	Rep.
268, 269	Rep.
269a	Rep.
270	Rep.
270a	3131
270a note	3132
270b, 270c	3133
270d, 270d-1	3131
270e, 270f	3134
271	Rep.
272	Rep.
273-276	Rep.
276a(a)	3142
276a(b) (1st par. words before proviso).	3141
276a(b) (1st par. proviso, last par.).	3142
276a-1	3143
276a-2	3144
276a-3	3146
276a-4	Rep.
276a-5	3147
276a-6	Rep.
276a-7	3148
276b	Rep.
276c	3145
276d	3161
276d-1-276d-3	3162
277	Rep.
277a	Rep.
278, 278a	Rep.

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 40—Continued

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 40—Continued

<i>Title 40 Former Sections</i>	<i>Title 40 New Sections</i>	<i>Title 40 Former Sections</i>	<i>Title 40 New Sections</i>
278b	Rep.	412	Rep.
278c	Rep.	413	Rep.
279-281	Rep.	414	Rep.
282	Rep.	421-425	Rep.
283	3104	431-434	Rep.
284	Rep.	435	Rep.
285	3101	436	Rep.
285a	Elim.	437	Rep.
286	3105	438	Rep.
287	Rep.	439	Rep.
288	Elim.	440	Rep.
289	Elim.	441	Rep.
289a	(See former 289)	442	Rep.
290	3172	443	Rep.
291	3103	444	Rep.
292	Rep.	451-455	Rep.
293	3173	456	Rep.
294	Rep.	457	Rep.
295	3174	458	Rep.
296	Rep.	459	Rep.
297-298	Rep.	460	3501
298a	3175	461	Rep.
298b	3176	462(a), (b)	3502
298c	Rep.	462(c)	Rep.
298d	3102	462(d)	3502
301	1301	462(e)	3503
302-303a	Rep.	462(f)	3504
303b	1302	462(g)	3505
303c	T. 16 §3b	462(h)	Rep.
304	1305	471	101
304a-304e	1303	472	102
304f-304m	1306	473	112
305	1311	474(a)	Rep.
306	1312	474(b)	(See T. 5 §901 note)
307	Rep.	474(c)-(e)	113
308, 309	1313	475(a)	125
310	1309	475(b)	124
311, 311a	Rep.	476	122
311b	1308	481(a)	501
312	Rep.	481(b)	502
313	Rep.	481(c)	503
313-1	Rep.	481(d)	504
313-2	Rep.	481(e)	505
313a	Rep.	482	Rep.
314	1310	483(a)(1) (1st sentence)	521
314a	Rep.	483(a)(1) (last sentence)	522
315	Rep.	483(a)(2)	523
316	1307	483(b), (c)	524
317	Rep.	483(d)	525
318-318d	1315	483(e)	529
319	1314	483(f)	Rep.
319 note	1314	483(g)	526
319a	1314	483(h)	527
319a note	1314	483a	Rep.
319b	1314	483b	528
319b note	1314	483c	Rep.
319c	1314	483d	556
319c note	1314	484(a)	541
321, 322	Rep.	484(b)	542
323	Rep.	484(c)	543
324-326	Rep.	484(d)	544
327	Rep.	484(e)	545
328	3702	484(f)	546
329	3701	484(g), (h)	547
330	3703	484(i)	548
331	3706	484(j)	549
332	3708	484(k)	550
333(a)-(e)	3704	484(l)	551
333(f)	3705	484(m)	552
334	3707	484(n)	549
341-342a	Rep.	484(o)	Rep.
343	Rep.	484(p)	553
344, 345	Rep.	484(q)	554
345a	Rep.	484(r)	555
345b, 345c, 345c note	1304	484-1	557
346-350a	Rep.	484a	Rep.
351	(See former 33a)	484b	Rep.
352-355	Rep.	484c	Rep.
356	Rep.	484d	558
356a	Rep.	485(a)	571
357	Rep.	485(b)	572
361-386, 401	Rep.	485(c)-(g)	574
402-410	Rep.	485(h)	572
411	Rep.	485(i)	573
411a	Rep.	485a	571

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 40—Continued

<i>Title 40 Former Sections</i>	<i>Title 40 New Sections</i>
486, 486a	121
487	506
488	559
489	123
490(a)	581
490(b)	582
490(c)	583
490(d)	582
490(e)	584
490(f)	592
490(g)	588
490(h)	585
490(i)	589
490(j), (k)	586
490(l)	587
490 notes	587, 591
490a, 490a-1	592
490b, 490b note, 490b-1	590
490c	593
490d, 490e	585
490f	586
490g	592
490h	587
490i	592
491(a)	601
491(b) (related to establishment).	602
491(b) (related to determination), (c).	603
491(d)	605
491(e)	603
491(f) (1st sentence)	607
491(f) (last sentence)	610
491(g), (h)	604
491(i)	608
491(j)	606
491(k)	609
491(l)	611
492	126
493	Rep.
511	701
512(a)	704
512(b)	703
512(c)	702
513	705
514	701
521-524	Rep.
531	901
532	904
533	903
534	905
535(a), (b)	902
535(c)	904
541	1102
542	1101
543	1103
544	1104
551-554	Rep.
601	3302
601a	3306
602	3304
602a	Rep.
603	3305
604	3304
605	3305
606(a)-(e), (f) (related to this section).	3307
606(f) (related to 40:603(b))	3305
607	3309
608	3305
609	3308
610	3314
611	3303
612, 612a(1), (2)	3301
612a(3)-(8)	3306
613	3301
614	3313
615	3315
616	Elim.
617	3311
618	3310
619	3312
651, 652, 661-665, 671	Rep.
672	Elim.
681	Elim.

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 40—Continued

<i>Title 40 Former Sections</i>	<i>Title 40 New Sections</i>
682, 683	Rep.
684	Rep.
685	Rep.
701	17102
701 note, 702	17103
703	17101
721	17302
722, 722a	17303
723 (1st sentence, 2d sentence words before 2d proviso).	17304
723 (2d sentence 2d, last provisos, last sentence).	17303
724	17305
725	17306
726	17307
727	17308
728	17309
729(a) (1st, 2d sentences)	17301
729(a) (last sentence)	17301, 17306
729(b)-(d)	17301
751(a)	301
751(b), (c)	302
751(d)	Rep.
751(e)	Rep.
751(f)	121
752(a)	303
752(b)	Rep.
752(c), 753	303
754	121
755	Rep.
755a	312
756(a)-(c)	321
756(d)	Rep.
756(e), (f)	321
756(g) (1st-3d sentences)	313
756(g) (last sentence), 756a, 756b.	321
757	322
758	311
759	Rep.
760	304
761, 761a	323
762	18101
762a	18102
762b	18103
762c	Rep.
762d	18104
771	17701
781	17702
782	17703
783	17704
784	17705
785	17706
786	17707
791	17708
792	Rep.
795	17901
795a	17902
795b	17903
795c	17904
795d	Rep.
801-809	Rep.
811(a) (1st, 2d sentences)	6902
811(a) (last sentence)	6901
811(b)	Rep.
811(c)	Rep.
811(d)	Rep.
812	Rep.
813(a)	6910
813(b)	Rep.
814	Rep.
815(a)-(c)	Rep.
815(d)	6903
816(a)(1)	6904
816(a)(2)	Rep.
816(b)	6904
817	6906
818	6908
819(a)	Rep.
819(b)	Rep.
819(c)	6907
819(d)	6909
819a	6905
821 (related to creation)	6921
821 (related to duties)	6922

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 40—Continued

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 40—Continued

<i>Title 40 Former Sections</i>	<i>Title 40 New Sections</i>	<i>Title 40 Former Sections</i>	<i>Title 40 New Sections</i>
822(a) .....	6921	1202(b)(2)(D) (words after "provisions of this chapter") .....	6504
822(b) .....	6923	1202(b)(2) (words after (D)) .....	Rep.
822(c) .....	6922	1202(c)–(e) .....	6502
823 .....	6924	1203(a), (b) .....	6504
831 .....	T. 2 § 2165	1203(c) .....	6502
851 .....	T. 2 § 2166	1203(d) .....	6504
871 .....	6711	1204 .....	6505
872 .....	Rep.	1205 .....	6506
872 notes .....	6701, 6702	1206 .....	6503
873 .....	Rep.	1207 .....	6507
874 .....	Rep.	1208 .....	6501
875 .....	Rep.	1301 .....	18301
876(a) .....	6712	1302(1), (2) .....	18302
876(b) .....	6713	1302(3) .....	18303
877(a) .....	Rep.	1302(4), (5) .....	18302
877(b)–(d) .....	6714	1302(6), 1303 .....	18303
878 .....	6715	1304 .....	18304
879(a) .....	Rep.	1401 .....	11101
879(b) .....	6701	1411 .....	11301
880 .....	6716	1412 .....	11302
881 .....	Rep.	1413 .....	11303
882 .....	Rep.	1421 .....	11311
883 .....	Rep.	1422 .....	11312
884 .....	Rep.	1423 .....	11313
885 .....	Rep.	1424 .....	11314
901 .....	17502	1425(a) .....	(See T. 44 § 3506)
902 .....	17503	1425(b)–(d) .....	11315
903 .....	17504	1426 .....	11316
904 .....	17505	1427 .....	11317
905 .....	Rep.	1428 .....	11318
906 .....	Rep.	1441 .....	11331
907 .....	17506	1441 notes .....	11332
908 .....	17507	1442 .....	11102
909 .....	17508	1442 .....	11102
910 .....	17509	1451, 1452 .....	11103
911 .....	17510	1461 .....	11704
912 .....	Rep.	1471 .....	11501
913 .....	17501	1472 .....	11502
1001 .....	8901	1473 .....	11503
1002 .....	8902	1474 .....	11504
1003 .....	8903	1475 .....	11505
1004 .....	8904	1491 .....	11521
1005, 1006 .....	8908	1492 .....	11522
1007 .....	8905	1501 .....	11701
1008 .....	8906	1502 .....	11702
1009 .....	8907	1503 .....	11703
1010(a) .....	8909	T. 40 App. § 1 .....	Rep.
1010(b) .....	8903	T. 40 App. § 2 .....	14101
1010(c), (d) .....	8909	T. 40 App. § 101(a)(1) .....	14301
1010(e) .....	8902	T. 40 App. § 101(a)(2) .....	14307
1101 .....	Rep.	T. 40 App. § 101(b) .....	14302
1101 note .....	6734	T. 40 App. § 101(c), (d) .....	14301
1102(a)(1) .....	Rep.	T. 40 App. § 102 .....	14303
1102(a)(2) (1st sentence) .....	6733	T. 40 App. § 103 .....	14304
1102(a)(2) (last sentence) .....	6734	T. 40 App. § 104 .....	14305
1102(a)(3) .....	Rep.	T. 40 App. § 105, 106(1), (2) (1st sentence) .....	14306
1102(b) .....	Rep.	T. 40 App. § 106(2) (2d, last sentences) .....	14301
1103(a) .....	Rep.	T. 40 App. § 106(3)–(9) .....	14306
1103(b) .....	6734	T. 40 App. § 107 .....	14308
1103(c)–(g) .....	Rep.	T. 40 App. § 108 .....	14309
1104(a), (b)(1), (2)(A) .....	Rep.	T. 40 App. § 109 .....	(See T. 5 § 5334)
1104(b)(2)(B) .....	6734	T. 40 App. § 201 .....	14501
1104(b)(2)(C), (D), (words after (D)), (c), .....	Rep.	T. 40 App. § 202 .....	14502
1104(d) .....	6734	T. 40 App. § 203 .....	14504
1104(e) .....	Rep.	T. 40 App. § 204 .....	14505
1104(f) .....	6733	T. 40 App. § 205 .....	14506
1104(g) .....	6732	T. 40 App. § 206 .....	Rep.
1104(h), (i) .....	Rep.	T. 40 App. § 207 .....	14503
1105 .....	6734	T. 40 App. § 208, 211–213 .....	Rep.
1106 .....	Elim.	T. 40 App. § 214 .....	14507
1107 .....	Elim.	T. 40 App. § 221 .....	14521
1108 .....	6731 note	T. 40 App. § 222 .....	14522
1109 .....	6731	T. 40 App. § 223 .....	14523
1201 .....	Rep.	T. 40 App. § 223 note .....	14702
1201 note .....	6502	T. 40 App. § 224 .....	14524
1202(a)(1)–(5) .....	Rep.	T. 40 App. § 225 .....	14525
1202(a)(6) .....	6502	T. 40 App. § 226 .....	14526
1202(a)(7) .....	Rep.	T. 40 App. § 301 .....	14102
1202(a)(8) .....	6502	T. 40 App. § 302 .....	14321
1202(b)(1) .....	Rep.	T. 40 App. § 303 .....	14322
1202(b)(2)(A) .....	Rep.	T. 40 App. § 304 .....	14310
1202(b)(2)(B), (C) .....	6502	T. 40 App. § 401 .....	14703
1202(b)(2)(D) (words before "and the lease") .....	Rep.	T. 40 App. § 402 .....	14701

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF FORMER TITLE 40—Continued

<i>Title 40 Former Sections</i>	<i>Title 40 New Sections</i>
T. 40 App. § 403 .....	14102
T. 40 App. § 404 .....	Rep.
T. 40 App. § 405 .....	14704

EFFECTIVE DATE OF 2003 AMENDMENT BY PUB. L. 108-178

Pub. L. 108-178, enacting and amending notes set out below, effective Aug. 21, 2002, see section 5 of Pub. L. 108-178, set out as an Effective Date of 2003 Amendment note under section 5334 of Title 5, Government Organization and Employees.

ENACTING CLAUSE

Pub. L. 107-217, §1, Aug. 21, 2002, 116 Stat. 1062, provided in part that: “Certain general and permanent laws of the United States, related to public buildings, property, and works, are revised, codified, and enacted as title 40, United States Code, ‘Public Buildings, Property, and Works’”.

LEGISLATIVE PURPOSE AND CONSTRUCTION

Pub. L. 108-178, §1, Dec. 15, 2003, 117 Stat. 2637, provided that:

“(a) PURPOSE.—The purpose of this Act [see Tables for classification] is to improve the United States Code by making necessary technical changes.

“(b) NO SUBSTANTIVE CHANGE.—This Act makes no substantive change in existing law and may not be construed as making a substantive change in existing law.

“(c) SEVERABILITY.—If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

Pub. L. 107-217, §5, Aug. 21, 2002, 116 Stat. 1303, provided that:

“(a) PURPOSE.—The purpose of this Act is to revise, codify, and enact without substantive change the general and permanent laws of the United States related to public buildings, property, and works, in order to remove ambiguities, contradictions, and other imperfections and to repeal obsolete, superfluous, and superseded provisions.

“(b) NO SUBSTANTIVE CHANGE.—

“(1) IN GENERAL.—This Act makes no substantive change in existing law and may not be construed as making a substantive change in existing law.

“(2) DEEMED DATE OF ENACTMENT FOR CERTAIN PURPOSES.—For purposes of determining whether one provision of law supersedes another based on enactment later in time, and otherwise to ensure that this Act makes no substantive change in existing law, the date of enactment of a provision restated in section 1 or 2 of this Act is deemed to remain unchanged, continuing to be the date of enactment of the underlying provision of public law that is being restated.

“(3) INCONSISTENT LAWS ENACTED AFTER MARCH 31, 2002.—This Act restates certain laws enacted before April 1, 2002. Any law enacted after March 31, 2002, that is inconsistent with this Act, including any law purporting to amend or repeal a provision that is repealed by this Act, supersedes this Act to the extent of the inconsistency.

“(c) REFERENCES.—A reference to a law replaced by section 1 or 2 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

“(d) CONTINUING EFFECT.—An order, rule, or regulation in effect under a law replaced by section 1 or 2 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(e) ACTIONS AND OFFENSES UNDER PRIOR LAW.—An action taken or an offense committed under a law replaced by section 1 or 2 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

“(f) INFERENCES.—An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of a caption or catch line of the provision.

“(g) SEVERABILITY.—If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

REPEALS

Pub. L. 108-178, §2(b), Dec. 15, 2003, 117 Stat. 2640, provided that: “Section 6(b) of Public Law 107-217 (116 Stat. 1304) [see below] is repealed insofar as it relates to the provisions listed below, and the provisions listed below are revived to read as if section 6(b) had not been enacted:

“(1) Section 1(a) of the Act of June 30, 1949 (ch. 288, 63 Stat. 377) [41 U.S.C. 101 note].

“(2) Section 509(b) of the Department of Education Organization Act (Public Law 96-88, 93 Stat. 695) [20 U.S.C. 3508(b)].

“(3) Public Law 101-427 (104 Stat. 927) [23 U.S.C. 101 note].

“(4) Section 7306 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 108 Stat. 3384).”

Pub. L. 107-217, §6(a), Aug. 21, 2002, 116 Stat. 1304, provided that: “The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.”

Pub. L. 107-217, §6(b), Aug. 21, 2002, 116 Stat. 1304, as amended by Pub. L. 108-178, §2, Dec. 15, 2003, 117 Stat. 2637, repealed specified laws, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Aug. 21, 2002.

**SUBTITLE I—FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES**

Chapter	Sec.
<b>1. GENERAL .....</b>	<b>101</b>
<b>3. ORGANIZATION OF GENERAL SERVICES ADMINISTRATION ....</b>	<b>301</b>
<b>5. PROPERTY MANAGEMENT .....</b>	<b>501</b>
<b>7. FOREIGN EXCESS PROPERTY .....</b>	<b>701</b>
<b>9. URBAN LAND USE .....</b>	<b>901</b>
<b>11. SELECTION OF ARCHITECTS AND ENGINEERS .....</b>	<b>1101</b>
<b>13. PUBLIC PROPERTY .....</b>	<b>1301</b>

**CHAPTER 1<sup>1</sup>—GENERAL**

SUBCHAPTER I—PURPOSE AND DEFINITIONS

Sec.	Purpose.
101.	Purpose.
102.	Definitions.

SUBCHAPTER II—SCOPE

111.	Application to division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41.
112.	Applicability of certain policies, procedures, and directives in effect on July 1, 1949.
113.	Limitations.

SUBCHAPTER III—ADMINISTRATIVE AND GENERAL

121.	Administrative.
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<sup>1</sup> Another chapter 1 is set out in subtitle V of this title.