

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.
I.	FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES	101
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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 L. 110-234 was repealed by Pub.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

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2	Rep.
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5	Rep.
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13n(b)	6123
13n(c)	6121
13n(d)	6101
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20, 21	Rep.
22	Rep.
22a-22c	8143
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27	Rep.
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28	Rep.
29	Rep.
30	Rep.
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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.
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43	8107
44	Rep.
45-48	9501
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50	9504
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53	Rep.
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54	9507
55	9505
56	9506
57	Rep.
58	Elim.
59	Rep.
60	Elim.
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61	Elim.
62	Elim.
63	Elim.
64	8122
65	Elim.
66	8121
67	Elim.
68	8106
69	Elim.
70	Elim.
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76	Elim.
77	Elim.
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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.
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108	Elim.
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113	8144
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115	Rep.
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127	9301 note
128	8105
129	585 note
129a–130a	8164
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136(a)	8501
136(b), (c)	8502
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136(f)	8501
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166	T. 2 §1814
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166b	Rep.
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166b–1b	T. 2 §1842
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166b–1e	T. 2 §1845
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166d	T. 2 §1818
166e	T. 2 §1863
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166k	T. 2 §1819
166l	T. 2 §1865
166m	T. 2 §1820
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168	T. 2 §1834
168a	Rep.
169	T. 2 §2012
170	T. 2 §2184
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171	T. 2 §1817
172	Rep.
173	T. 2 §2185
174	Rep.
174a	Rep.
174b	Elim.
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174b–2	T. 2 §2022
174c	T. 2 §2023
174d	T. 2 §2024
174d–1	T. 2 §2181
174e	T. 2 §1866
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174j–3	T. 2 §2043
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175	T. 2 §2001
175a	T. 2 §2002
176	T. 2 §2003
177	T. 2 §2004
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179	T. 2 §2006
180	T. 2 §2007
181	T. 2 §2008
182	T. 2 §2009
183	T. 2 §2010
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188b	T. 2 § 2101
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188b-2	T. 2 § 2103
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191	Rep.
192	Rep.
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215	T. 2 § 2141
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217b	Rep.
217c	T. 2 § 2167
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221	Rep.
222	Rep.
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224	T. 2 § 2164
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232, 232a	(Previously transferred to former T. 44 § 300a prior to repeal)
232b	Rep.
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283	3104	431-434	Rep.
284	Rep.	435	Rep.
285	3101	436	Rep.
285a	Elim.	437	Rep.
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288	Elim.	440	Rep.
289	Elim.	441	Rep.
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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.
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302-303a	Rep.	462(f)	3504
303b	1302	462(g)	3505
303c	T. 16 §3b	462(h)	Rep.
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304a-304e	1303	472	102
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1203(d)	6504
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T. 40 App. § 101(a)(2)	14307
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T. 40 App. § 102	14303
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T. 40 App. § 302	14321
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<i>Title 40 Former Sections</i>	<i>Title 40 New Sections</i>
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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

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CHAPTER 1¹—GENERAL

SUBCHAPTER I—PURPOSE AND DEFINITIONS

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¹ Another chapter 1 is set out in subtitle V of this title.