

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
II.	PUBLIC BUILDINGS AND WORKS	3101
III.	INFORMATION TECHNOLOGY MANAGEMENT	11101
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V.	REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT	15101
VI.	MISCELLANEOUS	17101

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 L. 110-234 was repealed by Pub.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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5	Rep.
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19	8101
20, 21	Rep.
22	Rep.
22a-22c	8143
23, 24	Rep.

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34	8141
35	8142
36-37a	Rep.
38	Rep.
39	Rep.
40	Rep.
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41	Rep.
42	8165
43	8107
44	Rep.
45-48	9501
49	9503
50	9504
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53	Rep.
53a	Elim.
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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71a(a)(3), (4)	8721
71a(b), (c)	8711
71a(d)	8721
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71c(a)	8721
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71c(e) (last par.)	8722
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71e	Rep.
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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.
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104 (last sentence words after comma).	9101
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108	Elim.
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125 (words before semicolon) ..	9303
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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
136(d)	(See §49–103 of the D.C. Official Code)
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136(f)	8501
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164a	T. 2 §1804
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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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166b–4	T. 2 §1851
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166c	Elim.
166d	T. 2 §1818
166e	T. 2 §1863
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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
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173	T. 2 §2185
174	Rep.
174a	Rep.
174b	Elim.
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174d–1	T. 2 §2181
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175	T. 2 §2001
175a	T. 2 §2002
176	T. 2 §2003
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180	T. 2 §2007
181	T. 2 §2008
182	T. 2 §2009
183	T. 2 §2010
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190b	T. 2 § 2182
191	Rep.
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232, 232a	(Previously transferred to former T. 44 § 300a prior to repeal)
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313	Rep.
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314	1310
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324-326	Rep.
327	Rep.
328	3702
329	3701
330	3703
331	3706
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343	Rep.
344, 345	Rep.
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345b, 345c, 345c note	1304
346-350a	Rep.
351	(See former 33a)
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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

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CHAPTER 1—GENERAL

SUBCHAPTER I—PURPOSE AND DEFINITIONS

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SUBCHAPTER II—SCOPE

111.	Application to division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41.
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SUBCHAPTER III—ADMINISTRATIVE AND GENERAL

121.	Administrative.
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