

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. § 401 .....	14703
T. 40 App. § 402 .....	14701
T. 40 App. § 403 .....	14102
T. 40 App. § 404 .....	Rep.
T. 40 App. § 405 .....	14704

**Statutory Notes and Related Subsidiaries**

**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works, in order to remove ambiguities, contradictions, and other imperfections and to repeal obsolete, superfluous, and superseded provisions.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.</b>	<b>GENERAL .....</b>	<b>101</b>
<b>3.</b>	<b>ORGANIZATION OF GENERAL SERVICES ADMINISTRATION ....</b>	<b>301</b>
<b>5.</b>	<b>PROPERTY MANAGEMENT .....</b>	<b>501</b>
<b>7.</b>	<b>FOREIGN EXCESS PROPERTY .....</b>	<b>701</b>
<b>9.</b>	<b>URBAN LAND USE .....</b>	<b>901</b>
<b>11.</b>	<b>SELECTION OF ARCHITECTS AND ENGINEERS .....</b>	<b>1101</b>
<b>13.</b>	<b>PUBLIC PROPERTY .....</b>	<b>1301</b>

**CHAPTER 1—GENERAL**

**SUBCHAPTER I—PURPOSE AND DEFINITIONS**

Sec.	
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.
------	-----------------

- Sec.
- 122. Prohibition on sex discrimination.
- 123. Civil remedies for fraud.
- 124. Agency use of amounts for property management.
- 125. Library memberships.
- 126. Reports to Congress.

**Editorial Notes**

AMENDMENTS

2011—Pub. L. 111-350, §5(D)(1), Jan. 4, 2011, 124 Stat. 3850, substituted “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” for “Federal Property and Administrative Services Act of 1949” in item 111.

SUBCHAPTER I—PURPOSE AND DEFINITIONS

**§ 101. Purpose**

The purpose of this subtitle is to provide the Federal Government with an economical and efficient system for the following activities:

- (1) Procuring and supplying property and nonpersonal services, and performing related functions including contracting, inspection, storage, issue, setting specifications, identification and classification, transportation and traffic management, establishment of pools or systems for transportation of Government personnel and property by motor vehicle within specific areas, management of public utility services, repairing and converting, establishment of inventory levels, establishment of forms and procedures, and representation before federal and state regulatory bodies.
- (2) Using available property.
- (3) Disposing of surplus property.
- (4) Records management.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1063.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
101 .....	40:471.	June 30, 1949, ch. 288, §2, 63 Stat. 378; Sept. 1, 1954, ch. 1211, §1, 68 Stat. 1126.

**Statutory Notes and Related Subsidiaries**

SHORT TITLE OF 2021 AMENDMENT

Pub. L. 116-333, §1, Jan. 13, 2021, 134 Stat. 5113, provided that: “This Act [enacting section 3318 of this title] may be cited as the ‘Transparency in Federal Buildings Projects Act of 2019.’”

SHORT TITLE OF 2020 AMENDMENT

Pub. L. 116-194, §1, Dec. 3, 2020, 134 Stat. 981, provided that: “This Act [enacting provisions set out as a note under section 11301 of this title] may be cited as the ‘Information Technology Modernization Centers of Excellence Program Act.’”

SHORT TITLE OF 2019 AMENDMENT

Pub. L. 116-75, §1, Nov. 27, 2019, 133 Stat. 1160, provided that: “This Act [amending section 6121 of this title] may be cited as the ‘Reauthorizing Security for Supreme Court Justices Act of 2019.’”

Pub. L. 116-30, §1, July 25, 2019, 133 Stat. 1032, provided that: “This Act [enacting section 3318 of this title and provisions set out as a note under section 3318 of this title] may be cited as the ‘Fairness For Breastfeeding Mothers Act of 2019.’”

Pub. L. 115-419, §1, Jan. 3, 2019, 132 Stat. 5442, provided that: “This Act [amending sections 506 and 524 of this title] may be cited as the ‘Federal Personal Property Management Act of 2018.’”

SHORT TITLE OF 2018 AMENDMENT

Pub. L. 115-271, title VIII, §8061, Oct. 24, 2018, 132 Stat. 4094, provided that: “This subtitle [subtitle E (§§8061, 8062) of title VIII of Pub. L. 115-271, enacting section 14510 of this title] may be cited as the ‘Treating Barriers to Prosperity Act of 2018.’”

SHORT TITLE OF 2017 AMENDMENT

Pub. L. 115-88, §1, Nov. 21, 2017, 131 Stat. 1278, provided that: “This Act [amending sections 11302 and 11319 of this title and provisions set out as a note under section 3601 of Title 44, Public Printing and Documents] may be cited as the ‘FITARA Enhancement Act of 2017.’”

SHORT TITLE OF 2016 AMENDMENT

Pub. L. 114-318, §1, Dec. 16, 2016, 130 Stat. 1608, provided that: “This Act [enacting subchapter VII of chapter 5 of this title and chapter 29 of Title 39, Postal Service, amending sections 102, 524, and 571 of this title, enacting provisions set out as notes under sections 571 and 621 of this title, and amending provisions set out as a note under section 1303 of this title] may be cited as the ‘Federal Property Management Reform Act of 2016.’”

Pub. L. 114-235, §1, Oct. 7, 2016, 130 Stat. 964, provided that: “This Act [enacting section 3314 of this title, renumbering former section 3314 and sections 3315 and 3316 of this title as sections 3315 to 3317 of this title, respectively, and enacting provisions set out as a note under section 3314 of this title] may be cited as the ‘Bathrooms Accessible in Every Situation Act’ or ‘BABIES Act.’”

SHORT TITLE OF 2014 AMENDMENT

Pub. L. 113-291, div. A, title VIII, subtitle D (§§831-837), Dec. 19, 2014, 128 Stat. 3438, which enacted section 11319 of this title, amended sections 11302 and 11319 of this title, and enacted provisions set out as notes under sections 1704 and 3301 of Title 41, Public Contracts, and section 3601 of Title 44, Public Printing and Documents, is popularly known as the “Federal Information Technology Acquisition Reform Act” or “FITARA”.

SHORT TITLE OF 2013 AMENDMENT

Pub. L. 113-50, §1, Nov. 21, 2013, 127 Stat. 578, provided that: “This Act [amending sections 3144 and 3703 of this title] may be cited as the ‘Streamlining Claims Processing for Federal Contractor Employees Act.’”

Pub. L. 113-26, §1, Aug. 9, 2013, 127 Stat. 502, provided that: “This Act [amending section 549 of this title] may be cited as the ‘Formerly Owned Resources for Veterans to Express Thanks for Service Act of 2013’ or the ‘FOR VETS Act of 2013.’”

SHORT TITLE OF 2010 AMENDMENT

Pub. L. 111-338, §1, Dec. 22, 2010, 124 Stat. 3590, provided that: “This Act [amending section 549 of this title] may be cited as the ‘Formerly Owned Resources for Veterans to Express Thanks for Service Act of 2010’ or ‘FOR VETS Act of 2010.’”

Pub. L. 111-263, §1, Oct. 8, 2010, 124 Stat. 2787, provided that: “This Act [amending section 502 of this title] may be cited as the ‘Federal Supply Schedules Usage Act of 2010.’”

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110-371, §1, Oct. 8, 2008, 122 Stat. 4037, provided that: “This Act [enacting section 14508 of this title and amending sections 14102, 14321, 14502 to 14507, 14526, 14703, and 14704 of this title] may be cited as the ‘Appalachian Regional Development Act Amendments of 2008.’”