

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3102	40:298d.	June 16, 1949, ch. 218, title IV, §410, 63 Stat. 200; Pub. L. 85-542, July 18, 1958, 72 Stat. 399.

The words “notwithstanding any other provision of law” and “rename” are omitted as unnecessary.

§ 3103. Admission of guide dogs or other service animals accompanying individuals with disabilities

(a) IN GENERAL.—Guide dogs or other service animals accompanying individuals with disabilities and especially trained and educated for that purpose shall be admitted to any building or other property owned or controlled by the Federal Government on the same terms and conditions, and subject to the same regulations, as generally govern the admission of the public to the property. The animals are not permitted to run free or roam in a building or on the property and must be in guiding harness or on leash and under the control of the individual at all times while in a building or on the property.

(b) REGULATIONS.—The head of each department or other agency of the Government may prescribe regulations the individual considers necessary in the public interest to carry out this section as it applies to any building or other property subject to the individual’s jurisdiction.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1143.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3103(a)	40:291 (1st sentence).	Dec. 10, 1941, ch. 563, 55 Stat. 796.
3103(b)	40:291 (last sentence).	

In subsection (a), the words “Seeing-eye dogs or other” are omitted as unnecessary. The words “or other service animals” are added, and the words “individuals with disabilities” are substituted for “blind masters”, because of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and Part 39 of Title 28 of the Code of Federal Regulations, which expanded the coverage of the source provision to all service animals and to all individuals with disabilities.

§ 3104. Furniture for new buildings

Furniture for all new public buildings shall be acquired in accordance with plans and specifications approved by the Administrator of General Services.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1143.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3104	40:283.	May 27, 1908, ch. 200 1 [sic] (7th complete par. on p. 327), 35 Stat. 327.

The words “Administrator of General Services” are substituted for “Supervising Architect of the Treasury” [subsequently changed to “Secretary of the Treasury” because of section 1 of Executive Order No. 6166 (eff. June 10, 1933) and to “Federal Works Administrator” because of section 301 of Reorganization Plan

No. 1 of 1939 (eff. July 1, 1939, 53 Stat. 1426)] because of section 103(a) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 380), which is restated as section 303(c) [303(b)] of the revised title.

§ 3105. Buildings not to be draped in mourning

No building owned, or used for public purposes, by the Federal Government shall be draped in mourning nor may public money be used for that purpose.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1143.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
3105	40:286.	Mar. 3, 1893, ch. 211, §3, 27 Stat. 715.

The words “On and after March 3, 1893” are omitted as obsolete.

SUBCHAPTER II—ACQUIRING LAND

§ 3111. Approval of sufficiency of title prior to acquisition

(a) APPROVAL OF ATTORNEY GENERAL REQUIRED.—Public money may not be expended to purchase land or any interest in land unless the Attorney General gives prior written approval of the sufficiency of the title to the land for the purpose for which the Federal Government is acquiring the property.

(b) DELEGATION.—

(1) IN GENERAL.—The Attorney General may delegate the responsibility under this section to other departments and agencies of the Government, subject to general supervision by the Attorney General and in accordance with regulations the Attorney General prescribes.

(2) REQUEST FOR OPINION OF ATTORNEY GENERAL.—A department or agency of the Government that has been delegated the responsibility to approve land titles under this section may request the Attorney General to render an opinion as to the validity of the title to any real property or interest in the property, or may request the advice or assistance of the Attorney General in connection with determinations as to the sufficiency of titles.

(c) PAYMENT OF EXPENSES FOR PROCURING CERTIFICATES OF TITLE.—Except where otherwise authorized by law or provided by contract, the expenses of procuring certificates of titles or other evidences of title as the Attorney General may require may be paid out of the appropriations for the acquisition of land or out of the appropriations made for the contingencies of the acquiring department or agency of the Government.

(d) NONAPPLICATION.—This section does not affect any provision of law in effect on September 1, 1970, that is applicable to the acquisition of land or interests in land by the Tennessee Valley Authority.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1144.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3111(a)	40:255 (1st par.).	R.S. §355 (1st–5th pars.); June 28, 1930, ch. 710, 46 Stat. 828; Feb. 1, 1940, ch. 18, 54 Stat. 19; Oct. 9, 1940, ch. 793, 54 Stat. 1083; Pub. L. 91–393, §1, Sept. 1, 1970, 84 Stat. 835.
3111(b)	40:255 (2d, 3d pars.).	
3111(c)	40:255 (4th par.).	
3111(d)	40:255 (5th par.).	

In subsection (d), the words “in any manner” are omitted as unnecessary.

§ 3112. Federal jurisdiction

(a) EXCLUSIVE JURISDICTION NOT REQUIRED.—It is not required that the Federal Government obtain exclusive jurisdiction in the United States over land or an interest in land it acquires.

(b) ACQUISITION AND ACCEPTANCE OF JURISDICTION.—When the head of a department, agency, or independent establishment of the Government, or other authorized officer of the department, agency, or independent establishment, considers it desirable, that individual may accept or secure, from the State in which land or an interest in land that is under the immediate jurisdiction, custody, or control of the individual is situated, consent to, or cession of, any jurisdiction over the land or interest not previously obtained. The individual shall indicate acceptance of jurisdiction on behalf of the Government by filing a notice of acceptance with the Governor of the State or in another manner prescribed by the laws of the State where the land is situated.

(c) PRESUMPTION.—It is conclusively presumed that jurisdiction has not been accepted until the Government accepts jurisdiction over land as provided in this section.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1144.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3112(a)	40:255 (last par. 1st sentence words before semicolon).	R.S. §355 (last par.); June 28, 1930, ch. 710, 46 Stat. 828; Feb. 1, 1940, ch. 18, 54 Stat. 19; Oct. 9, 1940, ch. 793, 54 Stat. 1083.
3112(b)	40:255 (last par. 1st sentence words after semicolon).	
3112(c)	40:255 (last par. last sentence).	

Subsection (a) is substituted for 40:255 (last par. 1st sentence words before semicolon) to eliminate unnecessary words.

In subsection (b), the words “exclusive or partial” are omitted as unnecessary.

§ 3113. Acquisition by condemnation

An officer of the Federal Government authorized to acquire real estate for the erection of a public building or for other public uses may acquire the real estate for the Government by condemnation, under judicial process, when the officer believes that it is necessary or advantageous to the Government to do so. The Attorney General, on application of the officer, shall have condemnation proceedings begun within 30 days from receipt of the application at the Department of Justice.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1144.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3113	40:257.	Aug. 1, 1888, ch. 728, §1, 25 Stat. 357; June 25, 1948, ch. 646, §6, 62 Stat. 986.

The words “the Secretary of the Treasury or any other” are omitted as unnecessary. The reference to section 258 is omitted because 40:258 is superseded by rule 71A of the Federal Rules of Civil Procedure (28 App.: U.S.C.).

§ 3114. Declaration of taking

(a) FILING AND CONTENT.—In any proceeding in any court of the United States outside of the District of Columbia brought by and in the name of the United States and under the authority of the Federal Government to acquire land, or an easement or right of way in land, for the public use, the petitioner may file, with the petition or at any time before judgment, a declaration of taking signed by the authority empowered by law to acquire the land described in the petition, declaring that the land is taken for the use of the Government. The declaration of taking shall contain or have annexed to it—

- (1) a statement of the authority under which, and the public use for which, the land is taken;
- (2) a description of the land taken that is sufficient to identify the land;
- (3) a statement of the estate or interest in the land taken for public use;
- (4) a plan showing the land taken; and
- (5) a statement of the amount of money estimated by the acquiring authority to be just compensation for the land taken.

(b) VESTING OF TITLE.—On filing the declaration of taking and depositing in the court, to the use of the persons entitled to the compensation, the amount of the estimated compensation stated in the declaration—

- (1) title to the estate or interest specified in the declaration vests in the Government;
- (2) the land is condemned and taken for the use of the Government; and
- (3) the right to just compensation for the land vests in the persons entitled to the compensation.

(c) COMPENSATION.—

(1) DETERMINATION AND AWARD.—Compensation shall be determined and awarded in the proceeding and established by judgment. The judgment shall include interest, in accordance with section 3116 of this title, on the amount finally awarded as the value of the property as of the date of taking and shall be awarded from that date to the date of payment. Interest shall not be allowed on as much of the compensation as has been paid into the court. Amounts paid into the court shall not be charged with commissions or poundage.

(2) ORDER TO PAY.—On application of the parties in interest, the court may order that any part of the money deposited in the court be paid immediately for or on account of the compensation to be awarded in the proceeding.

(3) DEFICIENCY JUDGMENT.—If the compensation finally awarded is more than the amount