

Public Law 108-178
108th Congress

An Act

To improve the United States Code.

Dec. 15, 2003
[H.R. 1437]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LEGISLATIVE PURPOSE AND CONSTRUCTION.

40 USC note
prec. 101.

(a) PURPOSE.—The purpose of this Act 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.

SEC. 2. TECHNICAL CHANGES IN PUBLIC LAW 107-217.

40 USC note
prec. 101.

(a) TECHNICAL CHANGES IN SCHEDULE OF LAWS REPEALED.—The Schedule of Laws Repealed, which is contained in section 6(b) of Public Law 107-217 (116 Stat. 1304), is amended as follows:

(1) In the item related to the Act of May 29, 1920 (ch. 214, 41 Stat. 642, 654), insert “on p. 654” after “words in par. under heading ‘Independent Treasury’”.

(2) In the item related to the Act of September 9, 1940 (ch. 717, 54 Stat. 873), strike “3d proviso” and substitute “last proviso”.

(3) In the item related to the Act of July 5, 1952 (ch. 576, 66 Stat. 385, 400), strike “, proviso on p. 400” (in the Section column), “, 400” (in the Page column), and “, 313-2” (in the U.S. Code column) and insert, immediately below, “578” (in the Chapter or Public Law column), “101 (proviso on p. 400)” (in the Section column), “66” (in the Volume column), “400” (in the Page column), and “313-2” (in the U.S. Code column).

(4) In the item related to the Act of July 31, 1953 (ch. 299, 67 Stat. 290), strike “4th proviso” and substitute “3d proviso”.

(5) In the item related to the Act of June 29, 1956 (ch. 479, 70 Stat. 447), strike “par.” and substitute “proviso”.

(6) In the item related to the Act of August 6, 1973 (Public Law 93-83, 87 Stat. 216), strike “2” (in the Section column) and substitute “2 ‘Sec. 525’”.

(7) In the item related to the Act of March 12, 2002 (Public Law 107-149, 116 Stat. 66), shift to the right one column the matter in the Section, Volume, and Page columns and insert, in the Section column, “1-13”.

(8) Insert the following items:

**Schedule of Laws Repealed
Statutes at Large**

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code (title 40 unless otherwise speci- fied)
			Vol- ume	Page	
1935 July 8	374	1 (matter classified to 40:26)	49	469	26
1936 Apr. 17	233	1 (matter classified to 40:26)	49	1224	26
1942 Sept. 9	558	1	56	750	174f
	.....	2	56	751	174f note
	.....	3	56	751	174g
	.....	4	56	751	174h
	.....	5	56	751	174i
	.....	6	56	751	174j
	.....	7	56	751	174f note
1943 July 12	215	1 (matter classified to 40:435)	57	425	435
1944 June 28	296	1 (matter classified to 40:435)	58	456	435
1945 May 5	109	1 (matter classified to 40:435)	59	160	435
1946 June 22 July 30	445	1 (matter classified to 40:435)	60	292	435
	698	1	60	711	436
	.....	2	60	711	437
	.....	3	60	711	438
	.....	4	60	712	439
1947 July 30	358	306 (matter classified to 40:19 note).	61	584	19 note
1949 June 30	286	201 (matter classified to 40:284) ...	63	373	284
1950 May 3	152	2	64	98	440
	.....	3	64	99	441
	.....	4	64	100	442
	.....	5	64	100	443
	.....	6	64	100	444
1953 July 30	282	108	67	231	459
1954 July 22	560	101 (related to redesignation of former “Sec. 411” as former “Sec. 412”).	68	518	298a note
	.....	101 (related to new “Sec. 411”)	68	518	356
	.....	102	68	521	357
	.....	103	68	521	356 note
Aug. 2	649	804	68	643	459

Schedule of Laws Repealed—Continued
Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code (title 40 unless otherwise speci- fied)
			Volume	Page	
1955 July 12	331	(related to redesignation of former “Sec. 412” as “Sec. 413”).	69 69 69	297, 297, 515	298a note 356a 166b note
Aug. 5	568	101 (matter classified to 40:166b note).	69	515	166b-1
1956 June 27	452	201 (matter classified to 40:459 note).	70	353	459 note
July 9	525	1	70	510	356
1957 July 1	85-75	101 (matter classified to 40:166b- 1).	71	251	166b-1
1961 Aug. 10	87-130	101 (matter classified to 40:166b- 1).	75	329	166b-1
1965 Mar. 9	89-4	203 .....	.....	.....	40 App.:203
	.....	204 .....	.....	.....	40 App.:204
	.....	205 .....	.....	.....	40 App.:205
1976 Oct. 18	94-541	101, 102, 103(1), (2), 103(3) (related to “Sec. 12(d)”), 103(3) (related to “Sec. 12(e)”), 103(3) (related to “Sec. 12(c)”), 104	90 90 90 90 90 90 90	2505, 2505, 2505, 2506, 2506, 2506, 2506	601 note 601a 606 611 490 611 490
1979 Oct. 12	96-86	101(c) [H.R. 4390, title I (matter classified to 40:166a)].	93	657	166a
1990 Nov. 5	101-509 ...	625	104	1476	490b note
1991 Oct. 28	102-141 ...	604	105	868	490b note
1992 Oct. 6	102-393 ...	604	106	1766	490b note
1993 Oct. 28	103-123 ...	603	107	1259	490b note
1994 Sept. 30	103-329 ...	603	108	2416	490b note
1995 Nov. 19	104-52	603	109	497	490b note
1996 Sept. 30	104-208 ...	101(f) [title VI, § 603]	110	3009-353	490b note
1997 Oct. 10	105-61	603	111	1308	490b note

Revised Statutes

Revised Statutes Section	United States Code	
	Title	Section
355	40	255
1797	40	19
1800	40	45
1801	40	48
1802	40	54
1803	40	56
1804	40	57
1805	40	55
1807	40	46
1808	40	47
1809	40	49
1810	40	51
1811	40	52
1812	40	50
1818	40	66
1819	40	192
1830	40	102
1835	40	221
3750	40	301
3751	40	306
3752	40	305
3753	40	308
3754	40	309
3755	40	310

40 USC note
prec. 101.

41 USC 251 note.

20 USC 3508.
23 USC 101 note.

(b) REVIVAL OF CERTAIN PROVISIONS.—Section 6(b) of Public Law 107-217 (116 Stat. 1304) 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).
- (2) Section 509(b) of the Department of Education Organization Act (Public Law 96-88, 93 Stat. 695).
- (3) Public Law 101-427 (104 Stat. 927).
- (4) Section 7306 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355, 108 Stat. 3384).

SEC. 3. TECHNICAL CHANGES IN TITLE 40, UNITED STATES CODE.

Title 40, United States Code, is amended as follows:

- (1) In section 3304(b), insert “, by purchase, condemnation, donation, exchange, or otherwise,” after “may acquire”.
- (2) In section 5107, strike “5105, 5105” and substitute “5105, 5106”.

SEC. 4. CONFORMING CROSS-REFERENCES.

(a) TITLE 5.—In section 5334(a) (matter after cl. (7)) of title 5, United States Code, strike “section 106(2) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.)” and substitute “section 14306(a)(2) of title 40”.

(b) TITLE 10.—Title 10, United States Code, is amended as follows:

- (1) In section 2194(b)(2)-
 - (A) insert “subtitle I of title 40 and title III of” before “the Federal”; and
 - (B) strike “(40 U.S.C. 471 et seq.)” and substitute “(41 U.S.C. 251 et seq.)”.
- (2) In section 2225(b)(9), strike “sections 5122 and 5123 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1422, 1423)” and substitute “sections 11312 and 11313 of title 40”.

(3) In section 2305a(c)(1), strike “the Brooks Architect-Engineers Act (40 U.S.C. 541 et seq.)” and substitute “chapter 11 of title 40”.

(4) In section 2667(b)(5), as amended by section 3(b)(12)(B) of Public Law 107-217 (116 Stat. 1296), strike the comma appearing after “of title 40”.

(5) In section 4553(d), strike “Section 321 of the Act of June 30, 1932 (40 U.S.C. 303b),” and substitute “Section 1302 of title 40”.

(6) In section 7422(c)(1) (matter after cl. (D)), strike “lands” within the meaning of that Act and substitute “land” within the meaning of those sections.

(7) In section 9781(g), as amended by section 3(b)(40)(C) of Public Law 107-217 (116 Stat. 1298)—

(A) strike “subtitle III of the Federal Property and Administrative Services Act of 1949” and substitute “title III of the Federal Property and Administrative Services Act of 1949”; and

(B) strike “. (41 U.S.C. 251 et seq.)” and substitute “(41 U.S.C. 251 et seq.).”.

(c) TITLE 13.—In section 15 of title 13, United States Code, strike “; 40 U.S.C. 278a”.

(d) TITLE 23.—In section 104(a)(1) of title 23, United States Code, strike “section 201 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.)” and substitute “section 14501 of title 40”.

(e) THE INTERNAL REVENUE CODE OF 1986.—In section 7608(c)(1)(A)(i)(IV) of the Internal Revenue Code of 1986 (26 U.S.C. 7608(c)(1)(A)(i)(IV)), as amended by section 3(f) of Public Law 107-217 (116 Stat. 1299), strike “title 40” and substitute “title 40, United States Code”.

(f) TITLE 31.—Title 31, United States Code, is amended as follows:

(1) In section 1105(g)(2)(B)(ii), as amended by section 3(h)(3) of Public Law 107-217 (116 Stat. 1299), insert “section” before “1102 of title 40”.

(2) In section 9303(d)(1), as amended by section 3(h)(9)(B)(i) of Public Law 107-217 (116 Stat. 1300), strike the comma appearing after “sections 3131 and 3133 of title 40”.

(g) TITLE 35.—In section 2(b)(4)(A) of title 35, United States Code, strike “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.), the Public Buildings Act (40 U.S.C. 601 et seq.)” and substitute “subtitle I and chapter 33 of title 40, title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)”.

(h) TITLE 36.—Section 2113 of title 36, United States Code, is amended as follows:

(1) In subsection (a)(2), strike “(40 U.S.C. 1003 note)” and substitute “(40 U.S.C. 8903 note)”.

(2) In subsection (c)(1), strike “section 8(b) of the Commemorative Works Act (40 U.S.C. 1008(b))” and substitute “section 8906(b) of title 40”.

(3) In subsection (e), strike “section 8 of the Commemorative Works Act (40 U.S.C. 1008)” and substitute “section 8906 of title 40”.

(4) In subsection (h)—

26 USC 7608.

(A) strike “section 10 of the Commemorative Works Act (40 U.S.C. 1010)” and substitute “section 8903(e) of title 40”; and

(B) strike “(40 U.S.C. 1003 note)” and substitute “(40 U.S.C. 8903 note)”.

(i) TITLE 38.—Title 38, United States Code, is amended as follows:

(1) In section 8162(a)(3), as amended by section 3(j)(5)(B) of Public Law 107-217 (116 Stat. 1301), strike the comma appearing after “of title 40”.

(2) In section 8165(c), as amended by section 3(j)(6) of Public Law 107-217 (116 Stat. 1301), strike the comma appearing after “of title 40”.

(j) TITLE 39.—Section 410(d) of title 39, United States Code, is amended as follows:

(1) In paragraph (1), strike “section 276a of title 40” and substitute “section 3142 of title 40”.

(2) In paragraph (2), strike “section 276c of title 40” and substitute “section 3145 of title 40”.

(k) TITLE 49.—In section 40110(d)(2) of title 49, United States Code—

(1) strike clause (G);

(2) redesignate clause (H) as clause (G); and

(3) in clause (G) as redesignated, strike “subparagraphs (A) through (G)” and substitute “subparagraphs (A) through (F)”.

5 USC 5334 note. **SEC. 5. EFFECTIVE DATE.**

This Act and amendments and repeals made by this Act are effective August 21, 2002.

Approved December 15, 2003.

LEGISLATIVE HISTORY—H.R. 1437:

HOUSE REPORTS: No. 108-103 (Comm. on the Judiciary).

CONGRESSIONAL RECORD, Vol. 149 (2003):

July 21, considered and passed House.

Nov. 25, considered and passed Senate.

