

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1065; Pub. L. 111–350, §5(l)(3), Jan. 4, 2011, 124 Stat. 3850.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
111	(no source).	

This section is added to provide an accurate literal translation of the words “this Act”, meaning the Federal Property and Administrative Services Act of 1949. In the positive law codification of title 40, most of the Federal Property and Administrative Services Act of 1949 is restated as subtitle I of title 40. However, title III of the Act, which is outside the scope of the positive law codification, remains classified to the United States Code as 41 U.S.C. 251 et seq. Where the words “this Act” are restated, substituting the words “this subtitle” does not yield an accurate literal translation because “this subtitle” does not include title III of the Act. This section does not subject any provision of law to title III of the Act if that provision was not subject to title III prior to the positive law codification of title 40.

AMENDMENTS

2011—Pub. L. 111–350 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 section catchline and for “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” in introductory provisions.

§ 112. Applicability of certain policies, procedures, and directives in effect on July 1, 1949

(a) IN GENERAL.—A policy, procedure, or directive described in subsection (b) remains in effect until superseded or amended under this subtitle or other appropriate authority.

(b) DESCRIPTION.—A policy, procedure, or directive referred to in subsection (a) is one that was in effect on July 1, 1949, and that was prescribed by—

(1) the Director of the Bureau of Federal Supply or the Secretary of the Treasury and that related to a function transferred to or vested in the Administrator of General Services on June 30, 1949, by the Federal Property and Administrative Services Act of 1949;¹

(2) an officer of the Federal Government under authority of the Surplus Property Act of 1944 (ch. 479, 58 Stat. 765) or other authority related to surplus property or foreign excess property;

(3) the Federal Works Administrator or the head of a constituent agency of the Federal Works Agency; or

(4) the Archivist of the United States or another officer or body whose functions were transferred on June 30, 1949, by title I¹ of the Federal Property and Administrative Services Act of 1949.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1065.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
112	40:473.	June 30, 1949, ch. 288, title VI, §601, formerly title V, §501, 63 Stat. 399; renumbered Sept. 5, 1950, ch. 849, §6(a), (b), 64 Stat. 583.

¹ See References in Text note below.

REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, referred to in subsec. (b)(1), (4), is act June 30, 1949, ch. 288, 63 Stat. 377, which was substantially repealed and restated in this chapter, chapters 3 to 11 of this title, and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of Title 41, Public Contracts, by Pub. L. 107–217, §§1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1304, which Act enacted this title, and Pub. L. 111–350, §§3, 7(b), Jan. 4, 2011, 124 Stat. 3677, 3855, which Act enacted Title 41. Provisions of former title I of act June 30, 1949, now appear in chapter 3 of this title relating to organization of General Services Administration. For complete classification of this Act to the Code, see Short Title of 1949 Act note set out under section 101 of Title 41 and Tables. For disposition of sections of former Title 40, Public Buildings, Property, and Works, and former Title 41, Public Contracts, see Disposition Tables preceding section 101 of this title and section 101 of Title 41, respectively.

The Surplus Property Act of 1944, referred to in subsec. (b)(2), is act Oct. 3, 1944, ch. 479, 58 Stat. 765, which was classified principally to sections 1611 to 1646 of Title 50, Appendix, War and National Defense, and was repealed effective July 1, 1949, with the exception of sections 1622, 1631, 1637, and 1641 of Title 50, Appendix, by act June 30, 1949, ch. 288, title VI, §602(a)(1), 63 Stat. 399, renumbered Sept. 5, 1950, ch. 849, §6(a), (b), 64 Stat. 583. Sections 1622 and 1641 were partially repealed by the 1949 act, and section 1622 is set out in part in Title 50, Appendix. Section 1622(g) was repealed and reenacted as sections 47151 to 47153 of Title 49, Transportation, by Pub. L. 103–272, §§1(e), 7(b), July 5, 1994, 108 Stat. 1278–1280, 1379. Section 1631 was repealed by act June 7, 1939, ch. 190, §6(e), as added by act July 23, 1946, ch. 590, 60 Stat. 599, and is covered by sections 98 et seq. of Title 50. Section 1637 was repealed by act June 25, 1948, ch. 645, §21, 62 Stat. 862, eff. Sept. 1, 1948, and is covered by section 3287 of Title 18, Crimes and Criminal Procedure. Provisions of section 1641 not repealed by the 1949 act were repealed by Pub. L. 87–256, §111(a)(1), Sept. 21, 1961, 75 Stat. 538, and are covered by chapter 33 (§2451 et seq.) of Title 22, Foreign Relations and Intercourse. The provisions of the Surplus Property Act of 1944 originally repealed by the 1949 act are covered by provisions of the 1949 act which were classified to chapter 10 (§471 et seq.) of former Title 40, Public Buildings, Property, and Works, and which were repealed and reenacted by Pub. L. 107–217, §§1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1304, as chapters 1 to 11 of this title.

§ 113. Limitations

(a) IN GENERAL.—Except as otherwise provided in this section, the authority conferred by this subtitle is in addition to any other authority conferred by law and is not subject to any inconsistent provision of law.

(b) LIMITATION REGARDING DIVISION B (EXCEPT SECTIONS 1704 AND 2303) OF SUBTITLE I OF TITLE 41.—The authority conferred by this subtitle is subject to division B (Except¹ Sections¹ 1704 and 2303) of subtitle I of title 41.

(c) LIMITATION REGARDING CERTAIN GOVERNMENT CORPORATIONS AND AGENCIES.—Sections 121(b) and 506(c) of this title do not apply to a Government corporation or agency that is subject to chapter 91 of title 31.

(d) LIMITATION REGARDING CONGRESS.—This subtitle does not apply to the Senate or the House of Representatives (including the Architect of the Capitol and any building, activity, or function under the direction of the Architect). However, services and facilities authorized by

¹ So in original. Probably should not be capitalized.