

(b) All such funds shall be available without fiscal year limitation.

(c) There are authorized to be appropriated for studies under this chapter not to exceed \$36,283,000 for fiscal year 1990, and such sums as may be necessary for fiscal year 1991. Any amount appropriated under this subsection shall remain available until expended.

(Pub. L. 90-448, title XIII, §1376, Aug. 1, 1968, 82 Stat. 589; Pub. L. 94-375, §14(c), Aug. 3, 1976, 90 Stat. 1075; Pub. L. 95-128, title VII, §702, Oct. 12, 1977, 91 Stat. 1144; Pub. L. 95-557, title III, §309, Oct. 31, 1978, 92 Stat. 2098; Pub. L. 96-153, title VI, §602(c), Dec. 21, 1979, 93 Stat. 1137; Pub. L. 96-399, title III, §304, Oct. 8, 1980, 94 Stat. 1639; Pub. L. 97-35, title III, §341(a), Aug. 13, 1981, 95 Stat. 418; Pub. L. 98-181, title IV, §451(c), Nov. 30, 1983, 97 Stat. 1229; Pub. L. 100-242, title V, §543, Feb. 5, 1988, 101 Stat. 1940; Pub. L. 101-137, §4, Nov. 3, 1989, 103 Stat. 825.)

AMENDMENTS

1989—Subsec. (c). Pub. L. 101-137 substituted provisions authorizing appropriations of not to exceed \$36,283,000 for fiscal year 1990 and such sums as may be necessary for fiscal year 1991 for provisions authorizing appropriations of \$37,000,000 for fiscal year 1988, and \$37,000,000 for fiscal year 1989.

1988—Subsec. (c). Pub. L. 100-242 amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: "There are authorized to be appropriated for studies under this chapter not to exceed \$100,000,000 for the fiscal year 1977, not to exceed \$108,000,000 for the fiscal year 1978, not to exceed \$114,000,000 for the fiscal year 1979, not to exceed \$74,000,000 for the fiscal year 1980, not to exceed \$61,600,000 for the fiscal year 1981, not to exceed \$42,600,000 for the fiscal year 1982, not to exceed \$49,752,000 for the fiscal year 1984, and such sums as may be necessary for fiscal year 1985."

1983—Subsec. (c). Pub. L. 98-181 inserted "not to exceed \$49,752,000 for the fiscal year 1984, and such sums as may be necessary for fiscal year 1985".

1981—Subsec. (c). Pub. L. 97-35 authorized appropriation of not to exceed \$42,600,000 for fiscal year 1982.

1980—Subsec. (c). Pub. L. 96-399 authorized appropriation of not to exceed \$61,600,000 for fiscal year 1981.

1979—Subsec. (c). Pub. L. 96-153 authorized appropriation of \$74,000,000 for fiscal year 1980.

1978—Subsec. (c). Pub. L. 95-557 substituted "not to exceed \$108,000,000 for the fiscal year 1978, and not to exceed \$114,000,000 for the fiscal year 1979" for "and not to exceed \$108,000,000 for the fiscal year 1978".

1977—Subsec. (c). Pub. L. 95-128 authorized appropriation of \$108,000,000 for fiscal year 1978.

1976—Subsec. (c). Pub. L. 94-375 added subsec. (c).

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Oct. 1, 1981, see section 371 of Pub. L. 97-35, set out as an Effective Date note under section 3701 of Title 12, Banks and Banking.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 4017 of this title.

§ 4128. Rules and regulations

(a) The Director is authorized to issue such regulations as may be necessary to carry out the purpose of this Act.

(b) The head of each Federal agency that administers a program of financial assistance relating to the acquisition, construction, reconstruction, repair, or improvement of publicly or privately owned land or facilities, and each Federal instrumentality responsible for the super-

vision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions, shall, in cooperation with the Director, issue appropriate rules and regulations to govern the carrying out of the agency's responsibilities under this Act.

(Pub. L. 93-234, title II, §205, Dec. 31, 1973, 87 Stat. 983; Pub. L. 98-181, title IV, §451(e)(1), Nov. 30, 1983, 97 Stat. 1229.)

REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 93-234, Dec. 31, 1973, 87 Stat. 975, as amended, known as the Flood Disaster Protection Act of 1973. For complete classification of this Act to the Code, see Short Title of 1973 Amendment note set out under section 4001 of this title and Tables.

CODIFICATION

Section was enacted as part of Flood Disaster Protection Act of 1973, and not as part of National Flood Insurance Act of 1968 which comprises this chapter.

AMENDMENTS

1983—Pub. L. 98-181 substituted "Director" for "Secretary" wherever appearing.

FLOODPLAIN MANAGEMENT

For provisions relating to the reduction of the risk of flood loss, the minimization of the impact of floods on human safety, health and welfare, and the management of floodplains, see Ex. Ord. No. 11988, May 24, 1977, 42 F.R. 26951, set out as a note under section 4321 of this title.

§ 4129. Federal Insurance Administrator; establishment of position

There is hereby established in the Federal Emergency Management Agency the position of Federal Insurance Administrator.

(Pub. L. 90-448, title XI, §1105(a), Aug. 1, 1968, 82 Stat. 567; Pub. L. 96-153, title VI, §603(a), Dec. 21, 1979, 93 Stat. 1138.)

CODIFICATION

Section was formerly classified to section 3533a of this title.

Section was enacted as part of the Urban Property Protection and Reinsurance Act of 1968 and also as part of the Housing and Urban Development Act of 1968, and not as part of the National Flood Insurance Act of 1968 which comprises this chapter.

AMENDMENTS

1979—Pub. L. 96-153 substituted "Federal Emergency Management Agency" for "Department of Housing and Urban Development".

CHAPTER 51—DESIGN AND CONSTRUCTION OF PUBLIC BUILDINGS TO ACCOMMODATE PHYSICALLY HANDICAPPED

Sec.	
4151.	"Building" defined.
4152.	Standards for design, construction, and alteration of buildings; Administrator of General Services.
4153.	Standards for design, construction, and alteration of buildings; Secretary of Housing and Urban Development.
4154.	Standards for design, construction, and alteration of buildings; Secretary of Defense.
4154a.	Standards for design, construction, and alteration of buildings; United States Postal Service.

Sec.	
4155.	Effective date of standards.
4156.	Waiver and modification of standards.
4157.	Reports to Congress and Congressional committees.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1437cc, 3027, 6705 of this title; title 20 sections 351a, 1406; title 29 sections 721, 776, 792; title 39 section 410.

§ 4151. "Building" defined

As used in this chapter, the term "building" means any building or facility (other than (A) a privately owned residential structure not leased by the Government for subsidized housing programs and (B) any building or facility on a military installation designed and constructed primarily for use by able bodied military personnel) the intended use for which either will require that such building or facility be accessible to the public, or may result in the employment or residence therein of physically handicapped persons, which building or facility is—

(1) to be constructed or altered by or on behalf of the United States;

(2) to be leased in whole or in part by the United States after August 12, 1968;

(3) to be financed in whole or in part by a grant or a loan made by the United States after August 12, 1968, if such building or facility is subject to standards for design, construction, or alteration issued under authority of the law authorizing such grant or loan; or

(4) to be constructed under authority of the National Capital Transportation Act of 1960, the National Capital Transportation Act of 1965, or title III of the Washington Metropolitan Area Transit Regulation Compact.

(Pub. L. 90-480, §1, Aug. 12, 1968, 82 Stat. 718; Pub. L. 91-205, Mar. 5, 1970, 84 Stat. 49; Pub. L. 94-541, title II, §201(1), Oct. 18, 1976, 90 Stat. 2507.)

REFERENCES IN TEXT

The National Capital Transportation Act of 1960, referred to in par. (4), is Pub. L. 86-669, July 14, 1960, 74 Stat. 537, which enacted sections 651, 652, 661 to 665, and 671 of Title 40, Public Buildings, Property, and Works, and enacted provisions set out as notes under section 651 of Title 40 and which was repealed by Pub. L. 91-143, §8(a)(1), Dec. 9, 1969, 83 Stat. 322. See provisions of the Washington Metropolitan Area Transit Regulation Compact, set out under D.C. Code §§1-2411, 1-2431.

The National Capital Transportation Act of 1965, referred to in par. (4), is Pub. L. 89-173, Sept. 8, 1965, 79 Stat. 663, as amended, which enacted sections 681 to 685 of Title 40, amended section 662 of Title 40, and enacted provisions set out as notes under section 681 of Title 40. Sections 681, 684, and 685 of Title 40 have been omitted from the Code. Sections 682 and 683 of Title 40 were repealed by Pub. L. 91-143, §8(a)(2), Dec. 9, 1969, 83 Stat. 323.

AMENDMENTS

1976—Pub. L. 94-541 inserted in parenthetical text "not leased by the Government for subsidized housing programs" after "structure" and struck out from par. (2) " , after construction or alteration in accordance with plans and specifications of the United States" after "August 12, 1968".

1970—Par. (4). Pub. L. 91-205 added par. (4).

SHORT TITLE

Pub. L. 90-480, Aug. 12, 1968, 82 Stat. 718, which enacted this chapter, is popularly known as the "Architectural Barriers Act of 1968".

APPLICABILITY OF 1976 AMENDMENT TO LEASES ENTERED INTO BEFORE, ON, OR AFTER JANUARY 1, 1977

Section 202 of Pub. L. 94-541 provided that: "The amendment made by paragraph (1) of section 201 of this Act [amending this section] shall not apply to any lease entered into before January 1, 1977. It shall apply to every lease entered into on or after January 1, 1977, including any renewal of a lease entered into before such date which renewal is on or after such date."

§ 4152. Standards for design, construction, and alteration of buildings; Administrator of General Services

The Administrator of General Services, in consultation with the Secretary of Health and Human Services, shall prescribe standards for the design, construction, and alteration of buildings (other than residential structures subject to this chapter and buildings, structures, and facilities of the Department of Defense and of the United States Postal Service subject to this chapter) to insure whenever possible that physically handicapped persons will have ready access to, and use of, such buildings.

(Pub. L. 90-480, §2, Aug. 12, 1968, 82 Stat. 719; Pub. L. 94-541, title II, §201(2), Oct. 18, 1976, 90 Stat. 2507; Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695.)

AMENDMENTS

1976—Pub. L. 94-541 substituted "shall prescribe" and "to insure whenever possible" for "is authorized to prescribe such" and "as may be necessary to insure", respectively, and inserted in parenthetical text "and of the United States Postal Service" after "Department of Defense".

CHANGE OF NAME

"Secretary of Health and Human Services" substituted in text for "Secretary of Health, Education, and Welfare" pursuant to section 509(b) of Pub. L. 96-88, which is classified to section 3508(b) of Title 20, Education.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 4156 of this title.

§ 4153. Standards for design, construction, and alteration of buildings; Secretary of Housing and Urban Development

The Secretary of Housing and Urban Development, in consultation with the Secretary of Health and Human Services, shall prescribe standards for the design, construction, and alteration of buildings which are residential structures subject to this chapter to insure whenever possible that physically handicapped persons will have ready access to, and use of, such buildings.

(Pub. L. 90-480, §3, Aug. 12, 1968, 82 Stat. 719; Pub. L. 94-541, title II, §201(3), Oct. 18, 1976, 90 Stat. 2507; Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695.)

AMENDMENTS

1976—Pub. L. 94-541 substituted "shall prescribe" and "to insure whenever possible" for "is authorized to prescribe such" and "as may be necessary to insure", respectively.

CHANGE OF NAME

"Secretary of Health and Human Services" substituted in text for "Secretary of Health, Education,