

§ 522. Reimbursement for transfer of excess property

(a) IN GENERAL.—Subject to subsections (b) and (c), the Administrator of General Services, with the approval of the Director of the Office of Management and Budget, shall prescribe the amount of reimbursement required for a transfer of excess property.

(b) REIMBURSEMENT AT FAIR VALUE.—The amount of reimbursement required for a transfer of excess property is the fair value of the property, as determined by the Administrator, if—

(1) net proceeds are requested under section 574(a) of this title; or

(2) either the transferor or the transferee agency (or the organizational unit affected) is—

(A) subject to chapter 91 of title 31; or

(B) an organization specified in section 321(c)(2) of this title.

(c) DISTRIBUTION THROUGH GENERAL SERVICES ADMINISTRATION SUPPLY CENTERS.—Excess property determined by the Administrator to be suitable for distribution through the supply centers of the General Services Administration shall be retransferred at prices set by the Administrator with due regard to prices established under section 321(d) of this title.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1083; Pub. L. 109–284, §6(1), (2), Sept. 27, 2006, 120 Stat. 1212.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 522: 40:483(a)(1) (last sentence), June 30, 1949, ch. 288, title II, §202(a)(1) (last sentence), 63 Stat. 384; July 12, 1952, ch. 703, §1(f), 66 Stat. 593.

In subsection (a), the words “Director of the Office of Management and Budget” are substituted for “Director of the Bureau of the Budget” in section 202(a)(1) (last sentence) of the Federal Property and Administrative Services Act of 1949 because the office of Director of the Bureau of the Budget was redesignated the Director of the Office of Management and Budget by section 102(b) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085). Section 102 of Reorganization Plan No. 2 of 1970, was repealed by section 5(b) of the Act of September 13, 1982 (Public Law 97–258, 96 Stat. 1085), the first section of which enacted Title 31, United States Code, but the successor provision, 31:502, continued the designation as Director of the Office of Management and Budget.

In subsection (b)(1), the reference to “section 204(b)” in section 202(a)(1) (last sentence) of the Federal Property and Administrative Services Act of 1949 is translated as a reference to section 204(c) of the Act because subsection (b) was redesignated as (c) by the Act of August 31, 1954 (ch.1178, 68 Stat. 1051).

In subsection (b)(2)(A), the words “chapter 91 of title 31” are substituted for “the Government Corporation Control Act (59 Stat. 597, 31 U.S.C. 841)” in section 202(a)(1) (last sentence) of the Federal Property and Administrative Services Act of 1949 because of section 4(b) of the Act of September 13, 1982 (Public Law 97–258, 96 Stat. 1067), the first section of which enacted Title 31, United States Code.

In subsection (c), the word “at” is substituted for “as” (in the phrase “as [sic] prices set by the Administrator”) to reflect the probable intent of Congress. See Senate Report No. 2075, dated July 2, 1952 (United States Code Congressional and Administrative News, 82nd Congress, 2d Session, 1952, Volume 2, p. 2123).

AMENDMENTS

2006—Subsec. (a). Pub. L. 109–284, §6(1), struck out “of this section” after “subsections (b) and (c)”.

Subsec. (b). Pub. L. 109–284, §6(2), substituted “at” for “At” in heading.

§ 523. Excess real property located on Indian reservations

(a) PROCEDURES FOR TRANSFER.—The Administrator of General Services shall prescribe procedures necessary to transfer to the Secretary of the Interior, without compensation, excess real property located within the reservation of any group, band, or tribe of Indians that is recognized as eligible for services by the Bureau of Indian Affairs.

(b) PROPERTY HELD IN TRUST.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall hold excess real property transferred under this section in trust for the benefit and use of the group, band, or tribe of Indians, within whose reservation the excess real property is located.

(2) SPECIAL REQUIREMENT FOR OKLAHOMA.—The Secretary shall hold excess real property that is located in Oklahoma and transferred under this section in trust for Oklahoma Indian tribes recognized by the Secretary if the real property—

(A) is located within boundaries of former reservations in Oklahoma, as defined by the Secretary, and was held in trust by the Federal Government for an Indian tribe when the Government acquired it; or

(B) is contiguous to real property presently held in trust by the Government for an Oklahoma Indian tribe and was held in trust by the Government for an Indian tribe at any time.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1083.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 523: 40:483(a)(2), June 30, 1949, ch. 288, title II, §202(a)(2), as added Pub. L. 93–599, (2), Jan. 2, 1975, 88 Stat. 1954.

§ 524. Duties of executive agencies

(a) REQUIRED.—Each executive agency shall—

(1) maintain adequate inventory controls and accountability systems for property under its control;

(2) continuously survey property under its control to identify excess property;

(3) promptly report excess property to the Administrator of General Services;

(4) perform the care and handling of excess property; and

(5) transfer or dispose of excess property as promptly as possible in accordance with authority delegated and regulations prescribed by the Administrator.

(b) REQUIRED AS FAR AS PRACTICABLE.—Each executive agency, as far as practicable, shall—

(1) reassign property to another activity within the agency when the property is no longer required for the purposes of the appropriation used to make the purchase;