HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
525(c)	40:483(d)(2)(E).	
525(d)	40:483(d)(2)(A)–(D).	

In subsection (b)(1), before cl. (A), the words ''institution or'' are omitted as unnecessary. In clause (A), the words ''termination provision'' are substituted for ''termination made'' for clarity.

In subsection (b)(2), the words ''The grantee shall account for and dispose of'' are substituted for ''and shall be accounted for and disposed of'' for clarity.

In subsections (c) and (d), the text of 40:483(d)(2) (last sentence) is omitted as unnecessary.

In subsection (c)(1), the words ''Trust Territory of the Pacific Islands'' are omitted and the words ''the Federated States of Micronesia, the Marshall Islands, Palau'' are added because of the termination of the Trust Territory of the Pacific Islands. See 48:1681 note prec.

In subsection (d)(1), the words ''to the extent'' are substituted for ''where and to the extent'' to eliminate unnecessary words. The words ''to be furnished under such Act'' are omitted as unnecessary.

In subsection (d)(4), the words ''Indian Financing Act of 1974'' are substituted for ''Indian Financing Act'' in section 202(d)(2)(D) of the Federal Property and Administrative Services Act of 1949 to execute the probable intent of Congress. The word ''tribe'' is substituted for ''Indian tribes'' for consistency with 25:1452(c).

REFERENCES IN TEXT

The Smith-Lever Act, referred to in subsec. (c)(2)(A), is act May 8, 1914, ch. 79, 38 Stat. 372, as amended, which is classified generally to subchapter IV (§ 341 et seq.) of chapter 13 of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 341 of Title 7 and Tables.

The Hatch Act of 1887, referred to in subsec. (c)(2)(B), is act Mar. 2, 1887, ch. 314, 24 Stat. 440, as amended, which is classified generally to sections 361a to 361i of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 361a of Title 7 and Tables.

Act of October 10, 1962 (16 U.S.C. 582a et seq.), referred to in subsec. (c)(2)(C), is Pub. L. 87–788, Oct. 10, 1962, 76 Stat. 806, popularly known as the ''McIntire-Stennis Act of 1962'' and also as the ''McIntire-Stennis Cooperative Forestry Act'', which is classified generally to subchapter III (§ 582a et seq.) of chapter 3 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 582a of Title 16 and Tables.

§ 526. Temporary assignment of excess real property

(a) ASSIGNMENT OF SPACE.—The Administrator of General Services may temporarily assign or reassign space in excess real property to a federal agency, for use as office or storage space or for a related purpose, if the Administrator determines that assignment or reassignment is more advantageous than permanent transfer. The Administrator shall determine the duration of the assignment or reassignment.

(b) REIMBURSEMENT FOR MAINTENANCE.—If there is no appropriation available to the Administrator for the expense of maintaining the space, the Administrator may obtain appropriate reimbursement from the federal agency.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1085.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
526	40:483(g).	June 30, 1949, ch. 288, title II, § 202(g), 63 Stat. 385.

In subsection (a), the words ''for use as office or storage space or for a related purpose'' are substituted for ''for office, storage, or related facilities'' for clarity.

§ 527. Abandonment, destruction, or donation of property

The Administrator of General Services may authorize the abandonment or destruction of property, or the donation of property to a public body, if—

(1) the property has no commercial value; or

(2) the estimated cost of continued care and handling exceeds the estimated proceeds from sale.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1086.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
527	40:483(h).	June 30, 1949, ch. 288, title II, § 202(h), 63 Stat. 385.

§ 528. Utilization of excess furniture

A department or agency of the Federal Government may not use amounts provided by law to purchase furniture if the Administrator of General Services determines that requirements can reasonably be met by transferring excess furniture, including rehabilitated furniture, from other departments or agencies pursuant to this subtitle.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1086.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
528	40:483b.	Aug. 7, 1953, ch. 340, § 1316, 67 Stat. 439.

The words ''Notwithstanding the provisions of any other law'' are omitted as unnecessary. The words ''may not use funds provided by law to purchase furniture'' are substituted for ''no funds shall be available in this or any other Act for the purchase of furniture'' for clarity and to eliminate unnecessary words.

§ 529. Annual executive agency reports on excess personal property

(a) IN GENERAL.—During the calendar quarter following the close of each fiscal year, each executive agency shall submit to the Administrator of General Services a report on personal property—

(1) obtained as—

(A) excess property; or

(B) personal property determined to be no longer required for the purpose of the appropriation used to make the purchase; and

(2) furnished within the United States to a recipient other than a federal agency.

(b) REQUIRED INFORMATION.—The report must set out the categories of equipment and show—

(1) the acquisition cost of the property;

(2) the recipient of the property; and

(3) other information the Administrator may require.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1086.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
529	40:483(e).	June 30, 1949, ch. 288, title II, § 202(e), as added Pub. L. 94–519, § 3, Oct. 17, 1976, 90 Stat. 2454.

In subsection (a)(2), the words ''in any manner whatsoever'' are omitted as unnecessary.

In subsection (b), the words ''set out the categories of equipment'' are substituted for ''showing . . . categories of equipment'' to clarify the required form and content of the report. The words ''The Administrator shall submit a report to the Senate (or to the Secretary of the Senate if the Senate is not in session) and to the House of Representatives (or to the Clerk of the House if the House is not in session) summarizing and analyzing the reports of the executive agencies'' are omitted pursuant to section 3003 of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note). See, also, page 173 of House Document No. 103–7.

SUBCHAPTER III—DISPOSING OF PROPERTY

§ 541. Supervision and direction

Except as otherwise provided in this subchapter, the Administrator of General Services shall supervise and direct the disposition of surplus property in accordance with this subtitle.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1086.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
541	40:484(a).	June 30, 1949, ch. 288, title II, § 203(a), 63 Stat. 385.

The words ''shall supervise and direct the disposition of surplus property in accordance with this subtitle'' are substituted for ''shall have supervision and direction over the disposition of surplus property. Such property shall be disposed of to such extent, at such time, in such areas, by such agencies, at such terms and conditions, and in such manner, as may be prescribed in or pursuant to this Act'' for clarity and to eliminate unnecessary words.

TRANSFERRED PROPERTIES; REQUESTS PRIOR TO NOVEMBER 30, 1983

Pub. L. 98–181, title I, § 126(a)(2), (3), Nov. 30, 1983, 97 Stat. 1175, provided that:

''(2) Notwithstanding paragraph (1) [repealing former 40 U.S.C. 484b], the Secretary of Housing and Urban Development and the Secretary of Agriculture may dispose of Federal surplus real property pursuant to the terms of section 414 of such Act [former 40 U.S.C. 484b] if, prior to the date of the enactment of this Act [Nov. 30, 1983], either Secretary had requested the Administrator of General Services to transfer such property for such disposition.

''(3) Notwithstanding paragraph (1), section 414(b) [former 40 U.S.C. 484b(b)] of such Act shall continue to apply, where applicable, to all property transferred by either Secretary pursuant to section 414 of such Act, including properties transferred pursuant to paragraph (2).''

§ 542. Care and handling

The disposal of surplus property, and the care and handling of the property pending disposition, may be performed by the General Services Administration or, when the Administrator of General Services decides, by the executive agency in possession of the property or by any other executive agency that agrees.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1086.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
542	40:484(b).	June 30, 1949, ch. 288, title II, § 203(b), 63 Stat. 385.

§ 543. Method of disposition

An executive agency designated or authorized by the Administrator of General Services to dispose of surplus property may do so by sale, exchange, lease, permit, or transfer, for cash, credit, or other property, with or without warranty, on terms and conditions that the Administrator considers proper. The agency may execute documents to transfer title or other interest in the property and may take other action it considers necessary or proper to dispose of the property under this chapter.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1086.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
543	40:484(c).	June 30, 1949, ch. 288, title II, § 203(c), 63 Stat. 385.

§ 544. Validity of transfer instruments

A deed, bill of sale, lease, or other instrument executed by or on behalf of an executive agency purporting to transfer title or other interest in surplus property under this chapter is conclusive evidence of compliance with the provisions of this chapter concerning title or other interest of a bona fide grantee or transferee for value and without notice of lack of compliance.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1087.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
544	40:484(d).	June 30, 1949, ch. 288, title II, § 203(d), 63 Stat. 385.

§ 545. Procedure for disposal

(a) PUBLIC ADVERTISING FOR BIDS.—

(1) REQUIREMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Administrator of General Services may make or authorize a disposal or a contract for disposal of surplus property only after public advertising for bids, under regulations the Administrator prescribes.

(B) EXCEPTIONS.—This subsection does not apply to disposal or a contract for disposal of surplus property—

(i) under subsection (b) or (d); or

(ii) by abandonment, destruction, or donation or through a contract broker.

(2) TIME, METHOD, AND TERMS.—The time, method, and terms and conditions of adver-