

**(b) Disposition of estates by the Secretary of State****(1) Personal estates****(A) In general**

After receipt of a personal estate pursuant to subsection (a) of this section, the Secretary may seek payment of all outstanding debts to the estate as they become due, may receive any balances due on such estate, may endorse all checks, bills of exchange, promissory notes, and other instruments of indebtedness payable to the estate for the benefit thereof, and may take such other action as is reasonably necessary for the conservation of the estate.

**(B) Disposition as surplus United States property**

If, upon the expiration of a period of 5 fiscal years beginning on October 1 after a consular officer takes possession of a personal estate under subsection (a) of this section, no legal claimant for such estate has appeared, title to the estate shall be conveyed to the United States, the property in the estate shall be under the custody of the Department of State, and the Secretary shall dispose of the estate in the same manner as surplus United States Government-owned property is disposed of by such means as may be appropriate in light of the nature and value of the property involved. The expenses of sales shall be paid from the estate, and any lawful claim received thereafter shall be payable to the extent of the value of the net proceeds of the estate as a refund from the appropriate Treasury appropriations account.

**(C) Transfer of proceeds**

The net cash estate after disposition as provided in subparagraph (B) shall be transferred to the miscellaneous receipts account of the Treasury of the United States.

**(2) Real property****(A) Designation as excess property**

In the event that title to real property is conveyed to the Government of the United States pursuant to subsection (a)(1)(H) of this section and is not required by the Department of State, such property shall be considered foreign excess property under title IV of the Federal Property and Administrative Services Act of 1949.<sup>1</sup>

**(B) Treatment as gift**

In the event that the Department requires such property, the Secretary of State shall treat such property as if it were an unconditional gift accepted on behalf of the Department of State under section 2697 of this title and section 300(a)(3) of this title.

**(c) Losses in connection with the conservation of estates****(1) Authority to compensate**

The Secretary is authorized to compensate the estate of any United States citizen who has died overseas for property—

(A) the conservation of which has been undertaken under section 2715 of this title or subsection (a) of this section; and

(B) that has been lost, stolen, or destroyed while in the custody of officers or employees of the Department of State.

**(2) Liability****(A) Exclusion of personal liability after provision of compensation**

Any such compensation shall be in lieu of personal liability of officers or employees of the Department of State.

**(B) Liability to the Department**

An officer or employee of the Department of State may be liable to the Department of State to the extent of any compensation provided under paragraph (1).

**(C) Determinations of liability**

The liability of any officer or employee of the Department of State to the Department for any payment made under subsection (a) of this section shall be determined pursuant to the Department's procedures for determining accountability for United States Government property.

**(d) Regulations**

The Secretary of State may prescribe such regulations as may be necessary to carry out this section.

(Aug. 1, 1956, ch. 841, title I, §43B, as added Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title II, §234(b)], Nov. 29, 1999, 113 Stat. 1536, 1501A-427.)

## REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, referred to in subsec. (b)(2)(A), is act June 30, 1949, ch. 288, 63 Stat. 377, as amended. Title IV of the Act, which was classified generally to subchapter III (§511 et seq.) of chapter 10 of former Title 40, Public Buildings, Property, and Works, was repealed and reenacted by Pub. L. 107-217, §§1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1304, as chapter 7 (§701 et seq.) of Title 40, Public Buildings, Property, and Works.

## EFFECTIVE DATE

Section effective six months after Nov. 29, 1999, see section 1000(a)(7) [title II, §234(c)] of Pub. L. 106-113, set out as a note under section 2715b of this title.

**§ 2716. Debt collection****(a) Contract authority**

(1) Subject to the availability of appropriations, the Secretary of State shall enter into contracts for collection services to recover indebtedness owed by a person, other than a foreign country, to the United States which arises out of activities of the Department of State and is delinquent by more than 90 days.

(2) Each contract entered into under this section shall provide that the person with whom the Secretary enters into such contract shall submit to the Secretary at least once every 180 days a status report on the success of the person in collecting debts. Section 3718 of title 31 shall apply to any such contract to the extent that such section is not inconsistent with this subsection.

<sup>1</sup> See References in Text note below.

**(b) Disclosure of delinquent debt to credit reporting agencies**

The Secretary of State shall, to the extent otherwise allowed by law, disclose to those credit reporting agencies to which the Secretary reports loan activity information concerning any debt of more than \$100 owed by a person, other than a foreign country, to the United States which arises out of activities of the Department of State and is delinquent by more than 31 days. (Aug. 1, 1956, ch. 841, title I, § 44, as added Pub. L. 101-246, title I, § 117(2), Feb. 16, 1990, 104 Stat. 25.)

## PRIOR PROVISIONS

A prior section 44 of act Aug. 1, 1956, was renumbered section 45 by section 117(1) of Pub. L. 101-246, and subsequently renumbered, and set out as a Short Title of 1956 Amendment note under section 2651 of this title, prior to repeal by Pub. L. 102-138, title I, § 111(1), Oct. 28, 1991, 105 Stat. 654.

**§ 2717. Defense trade controls registration fees**

For each fiscal year, 100 percent of the registration fees collected by the Office of Defense Trade Controls of the Department of State shall be credited to a Department of State account, to be available without fiscal year limitation. Fees credited to that account shall be available only for payment of expenses incurred for—

- (1) contract personnel to assist in the evaluation of defense trade controls license applications, reduction in processing time for license applications, and improved monitoring of compliance with the terms of licenses;
- (2) the automation of defense trade controls functions, including compliance and enforcement activities, and the processing of defense trade controls license applications, including the development, procurement, and utilization of computer equipment and related software; and
- (3) the enhancement of defense trade export compliance and enforcement activities, including compliance audits of United States and foreign parties, the conduct of administrative proceedings, monitoring of end-uses in cases of direct commercial arms sales or other transfers, and cooperation in proceedings for enforcement of criminal laws related to defense trade export controls.

(Aug. 1, 1956, ch. 841, title I, § 45, as added Pub. L. 101-246, title I, § 118(2), Feb. 16, 1990, 104 Stat. 25; amended Pub. L. 102-138, title I, § 126, Oct. 28, 1991, 105 Stat. 659; Pub. L. 105-261, div. A, title XV, § 1513(b), Oct. 17, 1998, 112 Stat. 2174; Pub. L. 105-277, div. G, subd. B, title XXII, § 2203, Oct. 21, 1998, 112 Stat. 2681-808.)

## PRIOR PROVISIONS

A prior section 45 of act Aug. 1, 1956, was renumbered section 46 by section 118(1) of Pub. L. 101-246, and subsequently renumbered, and set out as a Short Title of 1956 Amendment note under section 2651 of this title, prior to repeal by Pub. L. 102-138, title I, § 111(1), Oct. 28, 1991, 105 Stat. 654.

## AMENDMENTS

1998—Pub. L. 105-277, which directed the amendment of subsec. (a) by striking out “and” at end of par. (1), substituting “functions, including compliance and en-

forcement activities,” for “functions” in par. (2), substituting “; and” for period at end of par. (2), and adding par. (3), was executed by making the amendments to text of section to reflect the probable intent of Congress and the amendment by Pub. L. 105-261. See below.

Pub. L. 105-261 designated subsec. (a) as entire section, struck out former subsec. (a) heading “Defense trade controls registration fees”, substituted “100 percent” for “\$700,000”, and struck out heading and text of subsec. (b). Text read as follows: “The authority contained in subsection (a) of this section shall be exercised to such extent and in such amounts as are to be provided in an appropriation Act.”

1991—Pub. L. 102-138, § 126(1), substituted “Defense trade controls registration fees” for “Munitions control registration fees” in section catchline.

Subsec. (a). Pub. L. 102-138, § 126, substituted in heading “Defense trade controls registration fees” for “Munitions control registration fees” and in text “\$700,000” for “\$500,000”, “Defense Trade Controls” for “Munitions Control”, and “defense trade controls” for “munitions control” wherever appearing.

## EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-261 effective as of Oct. 1, 1998, see section 1513(c)(2) of Pub. L. 105-261, set out in a Satellite Export Controls note under section 2778 of this title.

## AUTHORITY OF SECRETARY OF STATE

Except as otherwise provided, Secretary of State to have and exercise any authority vested by law in any official or office of Department of State and references to such officials or offices deemed to refer to Secretary of State or Department of State, as appropriate, see section 2651a of this title and section 161(d) of Pub. L. 103-236, set out as a note under section 2651a of this title.

**§ 2718. Fees received for use of Blair House****(a) Use of fees**

Notwithstanding any other provision of law, funds received by the Department of State in connection with use of Blair House (including reimbursements and surcharges for services and goods provided and fees for use of Blair House facilities) may be credited to the appropriate appropriation account of the Department of State which is currently available. Such funds shall be available only for maintenance and other expenses of Blair House.

**(b) Compliance with Budget Act**

The authority of this section may be exercised only to such extent or in such amounts as are provided in advance in an appropriation Act.

(Aug. 1, 1956, ch. 841, title I, § 46, as added Pub. L. 101-246, title I, § 119(2), Feb. 16, 1990, 104 Stat. 26; amended Pub. L. 102-138, title I, § 123, Oct. 28, 1991, 105 Stat. 659.)

## REFERENCES IN TEXT

The Budget Act, referred to in subsec. (b) heading, probably means the Congressional Budget Act of 1974, titles I through IX of Pub. L. 93-344, July 12, 1974, 88 Stat. 297, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 621 of Title 2, The Congress, and Tables.

## PRIOR PROVISIONS

A prior section 46 of act Aug. 1, 1956, was renumbered section 47 by section 119(1) of Pub. L. 101-246, and subsequently renumbered, and set out as a Short Title of 1956 Amendment note under section 2651 of this title, prior to repeal by Pub. L. 102-138, title I, § 111(1), Oct. 28, 1991, 105 Stat. 654.