

Secretary considers necessary to protect or advance the interests of the Government.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1100; Pub. L. 109–163, div. A, title X, § 1056(a)(5)(A), Jan. 6, 2006, 119 Stat. 3439; Pub. L. 109–284, § 6(4), Sept. 27, 2006, 120 Stat. 1212.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
554	40:484(q).	June 30, 1949, ch. 288, title II, § 203(q), as added Pub. L. 103–160, div. B, title XXIX, § 2927(2), Nov. 30, 1993, 107 Stat. 1933.

In subsection (a), 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.

AMENDMENTS

2006—Subsec. (a)(1). Pub. L. 109–163 substituted “has the meaning given that term in section 101(a)(17) of title 10.” for “means the following:

“(A) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

“(B) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

“(C) Section 2687 of title 10.”

Subsec. (c). Pub. L. 109–284 substituted “TRANSPORTATION.—” for “TRANSPORTATION.” in heading.

§ 555. Donation of law enforcement canines to handlers

The head of a federal agency having control of a canine that has been used by a federal agency in the performance of law enforcement duties and that has been determined by the agency to be no longer needed for official purposes may donate the canine to an individual who has experience handling canines in the performance of those duties.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1102.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
555	40:484(r).	June 30, 1949, ch. 288, title II, § 203(r), as added Pub. L. 105–27, § 1, July 18, 1997, 111 Stat. 244.

§ 556. Disposal of dredge vessels

(a) IN GENERAL.—The Administrator of General Services, pursuant to sections 521 through 527, 529, and 549 of this title, may dispose of a United States Army Corps of Engineers vessel used for dredging, together with related equipment owned by the Federal Government and under the control of the Chief of Engineers, if the Secretary of the Army declares the vessel to be in excess of federal needs.

(b) RECIPIENTS AND PURPOSES.—Disposal under this section is accomplished—

(1) through sale or lease to—

(A) a foreign government as part of a Corps of Engineers technical assistance program;

(B) a federal or state maritime academy for training purposes; or

(C) a non-federal public body for scientific, educational, or cultural purposes; or

(2) through sale solely for scrap to foreign or domestic interests.

(c) NO DREDGING ACTIVITIES.—A vessel described in subsection (a) shall not be disposed of under any law for the purpose of engaging in dredging activities within the United States.

(d) DEPOSIT OF AMOUNTS COLLECTED.—Amounts collected from the sale or lease of a vessel or equipment under this section shall be deposited into the revolving fund authorized by section 101 (9th par.) of the Civil Functions Appropriation¹ Act, 1954 (33 U.S.C. 576), to be available, as provided in appropriation laws, for the operation and maintenance of vessels under the control of the Corps of Engineers.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1102.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
556	40:483d.	Pub. L. 99–662, title IX, § 945, Nov. 17, 1986, 100 Stat. 4200.

In subsection (a), the words “U.S. Army Corps of Engineers” are substituted for “Corps of Engineers” for clarity. The words “Secretary of the Army” are substituted for “Secretary” because of section 2 of the Water Resources Development Act of 1986 (33:2201).

In subsection (d), the words “U.S. Army Corps of Engineers” are substituted for “Corps of Engineers” for clarity.

§ 557. Donation of books to Free Public Library

Subject to regulations under this subtitle, a book that is no longer needed by an executive department, bureau, or commission of the Federal Government, and that is not an advisable addition to the Library of Congress, shall be turned over to the Free Public Library of the District of Columbia for general use if the book is appropriate for the Free Public Library.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1102.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
557	40:484–1.	Feb. 25, 1903, ch. 755, § 1 (7th par. on p. 865), 32 Stat. 865; Oct. 31, 1951, ch. 654, § 2(1), 65 Stat. 706.

§ 558. Donation of forfeited vessels

(a) IN GENERAL.—A vessel that is forfeited to the Federal Government may be donated, in accordance with procedures under this subtitle, to an eligible institution described in subsection (b).

(b) ELIGIBLE INSTITUTION.—An eligible institution referred to in subsection (a) is an educational institution with a commercial fishing vessel safety program or other vessel safety, education and training program. The institution must certify to the federal officer making the donation that the program includes, at a minimum, all of the following courses in vessel safety:

¹ So in original. Probably should be “Appropriations”.

- (1) Vessel stability.
- (2) Firefighting.
- (3) Shipboard first aid.
- (4) Marine safety and survival.
- (5) Seamanship rules of the road.

(c) **TERMS AND CONDITIONS.**—The donation of a vessel under this section shall be made on terms and conditions considered appropriate by the federal officer making the donation. All of the following terms and conditions are required:

- (1) **NO WARRANTY.**—The institution must accept the vessel as is, where it is, and without warranty of any kind and without any representation as to its condition or suitability for use.
- (2) **MAINTENANCE.**—The institution is responsible for maintaining the vessel.
- (3) **INSTRUCTION ONLY.**—The vessel may be used only for instructing students in a vessel safety education and training program.
- (4) **DOCUMENTATION.**—If the vessel is eligible to be documented, it must be documented by the institution as a vessel of the United States under chapter 121 of title 46. The requirements of paragraph (5) must be noted on the permanent record of the vessel.
- (5) **DISPOSAL.**—The institution must obtain prior approval from the Administrator of General Services before disposing of the vessel and any proceeds from disposal shall be payable to the Government.
- (6) **INSPECTION OR REGULATION.**—The vessel shall be inspected or regulated in the same manner as a nautical school vessel under chapter 33 of title 46.

(d) **GOVERNMENT LIABILITY.**—The Government is not liable in an action arising out of the transfer or use of a vessel transferred under this section.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1103.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
558	40:484d.	Pub. L. 99-640, §13(a)-(c), Nov. 10, 1986, 100 Stat. 3551.

In subsection (b), the words “all of” are inserted for clarity.

§ 559. Advice of Attorney General with respect to antitrust law

(a) **DEFINITION.**—In this section, the term “antitrust law” includes—

- (1) the Sherman Act (15 U.S.C. 1 et seq.);
- (2) the Clayton Act (15 U.S.C. 12 et seq., 29 U.S.C. 52, 53);
- (3) the Federal Trade Commission Act (15 U.S.C. 41 et seq.); and
- (4) sections 73 and 74 of the Wilson Tariff Act (15 U.S.C. 8, 9).

(b) **ADVICE REQUIRED.**—

(1) **IN GENERAL.**—An executive agency shall not dispose of property to a private interest until the agency has received the advice of the Attorney General on whether the disposal to a private interest would tend to create or maintain a situation inconsistent with antitrust law.

(2) **EXCEPTION.**—This section does not apply to disposal of—

- (A) real property, if the estimated fair market value is less than \$3,000,000; or
- (B) personal property (other than a patent, process, technique, or invention), if the estimated fair market value is less than \$3,000,000.

(c) **NOTICE TO ATTORNEY GENERAL.**—

(1) **IN GENERAL.**—An executive agency that contemplates disposing of property to a private interest shall promptly transmit notice of the proposed disposal, including probable terms and conditions, to the Attorney General.

(2) **COPY.**—Except for the General Services Administration, an executive agency that transmits notice under paragraph (1) shall simultaneously transmit a copy of the notice to the Administrator of General Services.

(d) **ADVICE FROM ATTORNEY GENERAL.**—Within a reasonable time, not later than 60 days, after receipt of notice under subsection (c), the Attorney General shall advise the Administrator and any interested executive agency whether, so far as the Attorney General can determine, the proposed disposition would tend to create or maintain a situation inconsistent with antitrust law.

(e) **REQUEST FOR INFORMATION.**—On request from the Attorney General, the head of an executive agency shall furnish information the agency possesses that the Attorney General determines is appropriate or necessary to—

- (1) give advice required by this section; or
- (2) determine whether any other disposition or proposed disposition of surplus property violates antitrust law.

(f) **NO EFFECT ON ANTITRUST LAW.**—This subtitle does not impair, amend, or modify antitrust law or limit or prevent application of antitrust law to a person acquiring property under this subtitle.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1103.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
559	40:488.	June 30, 1949, ch. 288, title II, §207, 63 Stat. 391; Pub. L. 85-680, Aug. 19, 1958, 72 Stat. 631; Pub. L. 100-612, §7, Nov. 5, 1988, 102 Stat. 3182.

In subsection (e), the words “the head of an executive agency” are substituted for “the Administrator or any other executive agency”, the words “or cause to be furnished” are omitted, and the words “information the agency possesses” are substituted for “such information as the Administrator or such other executive agency may possess”, to eliminate unnecessary words.

REFERENCES IN TEXT

The Sherman Act, referred to in subsec. (a)(1), is act July 2, 1890, ch. 647, 26 Stat. 209, as amended, which is classified to sections 1 to 7 of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1 of Title 15 and Tables.

The Clayton Act, referred to in subsec. (a)(2), is act Oct. 15, 1914, ch. 323, 38 Stat. 730, as amended, which is classified generally to sections 12, 13, 14 to 19, 21, 22 to 27 of Title 15, Commerce and Trade, and sections 52 and