

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1104 .....	40:544.	June 30, 1949, ch. 288, title IX, §904, as added Pub. L. 92-582, Oct. 27, 1972, 86 Stat. 1279.

**CHAPTER 13—PUBLIC PROPERTY**

Sec.	
1301.	Charge of property transferred to the Federal Government.
1302.	Lease of buildings.
1303.	Disposition of surplus real property.
1304.	Transfer of federal property to States.
1305.	Disposition of land acquired by devise.
1306.	Disposition of abandoned or forfeited personal property.
1307.	Disposition of securities.
1308.	Disposition of unfit horses and mules.
1309.	Preservation, sale, or collection of wrecked, abandoned, or derelict property.
1310.	Sale of war supplies, land, and buildings.
1311.	Authority of President to obtain release.
1312.	Release of real estate in certain cases.
1313.	Releasing property from attachment.
1314.	Easements.
1315.	Law enforcement authority of Secretary of Homeland Security for protection of public property.

AMENDMENTS

2002—Pub. L. 107-296, title XVII, §1706(b)(3), Nov. 25, 2002, 116 Stat. 2318, added item 1315 and struck out former item 1315 “Special police”.

**§ 1301. Charge of property transferred to the Federal Government**

(a) IN GENERAL.—Except as provided in subsection (b), the Administrator of General Services shall have charge of—

- (1) all land and other property which has been or may be assigned, set off, or conveyed to the Federal Government in payment of debts;
- (2) all trusts created for the use of the Government in payment of debts due the Government; and
- (3) the sale and disposal of land—
  - (A) assigned or set off to the Government in payment of debt; or
  - (B) vested in the Government by mortgage or other security for the payment of debts.

(b) NONAPPLICATION.—This section does not apply to—

- (1) real estate which has been or shall be assigned, set off, or conveyed to the Government in payment of debts arising under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.); or
- (2) trusts created for the use of the Government in payment of debts arising under the Code and due the Government.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1131.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1301 .....	40:301.	R.S. §3750; Pub. L. 89-30, §2, June 2, 1965, 79 Stat. 119.

In subsection (a), the words “Except as provided in subsection (b)” are added for clarity.

In subsection (b)(1), the words “the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.)” are substituted for

“the internal-revenue laws” for clarity and for consistency in the revised title and with other titles of the United States Code.

REFERENCES IN TEXT

The Internal Revenue Code of 1986, referred to in subsection (b)(1), is classified to Title 26, Internal Revenue Code.

**§ 1302. Lease of buildings**

Except as otherwise specifically provided by law, the leasing of buildings and property of the Federal Government shall be for a money consideration only. The lease may not include any provision for the alteration, repair, or improvement of the buildings or property as a part of the consideration for the rent to be paid for the use and occupation of the buildings or property. Money derived from the rent shall be deposited in the Treasury as miscellaneous receipts.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1131.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1302 .....	40:303b.	June 30, 1932, ch. 314, §321, 47 Stat. 412.

The words “On and after June 30, 1932” are omitted as obsolete.

**§ 1303. Disposition of surplus real property**

(a) DEFINITION.—In this section, the term “federal agency” means an executive department, independent establishment, commission, board, bureau, division, or office in the executive branch, or other agency of the Federal Government, including wholly owned Government corporations.

(b) ASSIGNMENT OF SPACE OR LEASE OR SALE OF PROPERTY.—

(1) ACTIONS OF ADMINISTRATOR.—When the President, on the recommendation of the Administrator of General Services, or the federal agency having control of any real property the agency acquires that is located outside of the District of Columbia, other than military or naval reservations, declares the property to be surplus to the needs of the agency, the Administrator—

- (A) may assign space in the property to any federal agency;
- (B) pending a sale, may lease the property for not more than 5 years and on terms the Administrator considers to be in the public interest; or
- (C) may sell the property at public sale to the highest responsible bidder on terms and after public advertisement that the Administrator considers to be in the public interest.

(2) REVIEW OF DECISION TO ASSIGN SPACE.—If the federal agency to which space is assigned does not desire to occupy the space, the decision of the Administrator under paragraph (1)(A) is subject to review by the President.

(3) NEGOTIATED SALE.—If no bids which are satisfactory as to price and responsibility of the bidder are received as a result of public advertisement, the Administrator may sell the property by negotiation, on terms as may be