

(h) ADMINISTRATIVE.—

(1) REGULATIONS.—With the approval of the Secretary, the Administrator may prescribe regulations necessary to carry out this section.

(2) OTHER LAWS NOT REPEALED.—This section does not repeal any other laws relating to the disposition of forfeited or abandoned property, except provisions of those laws directly in conflict with this section which were enacted prior to August 27, 1935.

(3) PROPERTY NOT SUBJECT TO ALLOCATION UNDER THIS SECTION.—The following classes of property are not subject to allocation under this section, but shall be disposed of in the manner otherwise provided by law:

(A) narcotic drugs, as defined in the Controlled Substances Act (21 U.S.C. 801 et seq.).

(B) firearms, as defined in section 5845 of the Internal Revenue Code of 1986 (26 U.S.C. 5845).

(C) other classes or kinds of property the disposal of which the Administrator, with the approval of the Secretary, may consider in the public interest, and may by regulation provide.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1134.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1306(a)	40:304f.	Aug. 27, 1935, ch. 740, title III, §§ 301–307, 49 Stat. 879.
1306(b)	40:304g.	
1306(c)	40:304h.	
1306(d)	40:304i.	
1306(e)	40:304k.	
1306(f)	40:304j.	
1306(g)	40:304l (related to report).	
1306(h)(1) ...	40:304l (related to regulations).	
1306(h)(2), (3).	40:304m.	Aug. 27, 1935, ch. 740, title III, § 308, 49 Stat. 880; Pub. L. 91–513, title III, § 1102(o), Oct. 27, 1970, 84 Stat. 1293.

In this section, the words “Administrator” and “Administrator of General Services” are substituted for “Director” and “Director of the Procurement Division of the Treasury Department of the United States” [subsequently changed to “Bureau of Federal Supply” by regulation § 5.7 of subpart A of Part 5 of Title 41, Public Contracts, eff. January 1, 1947, 11 F. R. 13636] because of section 102(a) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 380), which is restated as section 303(a)(1) of the revised title.

In subsection (a), the text of 40:304f(3) is omitted because the complete name of the Administrator of General Services is used the first time the term appears in a section.

In subsection (c)(1), the words “(including advertisement for sale, and sale)” are omitted as unnecessary.

In subsection (d)(3), the words “as provided in paragraph (2)” are substituted for “accordingly” for clarity.

In subsection (g), the words “from time to time” are omitted as unnecessary.

In subsection (h)(2), the words “which were enacted prior to August 27, 1935” are added for clarity.

In subsection (h)(3), the text of 40:304m(1) is omitted because section 4 of the Act of June 15, 1917 (22:404) was repealed by section 2 of the Act of August 13, 1953 (ch. 434, 67 Stat. 577). In subclause (C), the words “the disposal of which” are substituted for “as” for clarity.

REFERENCES IN TEXT

The Controlled Substances Act, referred to in subsec. (h)(3)(A), is title II of Pub. L. 91–513, Oct. 27, 1970, 84

Stat. 1242, as amended, which is classified principally to subchapter I (§801 et seq.) of chapter 13 of Title 21, Food and Drugs. For complete classification of this Act to the Code, see Short Title note set out under section 801 of Title 21 and Tables.

§ 1307. Disposition of securities

The President, or an officer, agent, or agency the President may designate, may dispose of any securities acquired on behalf of the Federal Government under the provisions of the Transportation Act of 1920 (ch. 91, 41 Stat. 456), including any securities acquired as an incident to a case under title 11, under a receivership or reorganization proceeding, by assignment, transfer, substitution, or issuance, or by acquisition of collateral given for the payment of obligations to the Government, or may make arrangements for the extension of the maturity of the securities, in the manner, in amounts, at prices, for cash, securities, or other property or any combination of cash, securities, or other property, and on terms and conditions the President or designee considers advisable and in the public interest.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1137.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1307	40:316.	Feb. 28, 1920, ch. 91, § 213, as added Aug. 13, 1940, ch. 666, 54 Stat. 788; Pub. L. 95–598, title III, § 325, Nov. 6, 1978, 92 Stat. 2679.

The words “sell, exchange, or otherwise”, “bonds, notes, or other”, “purchase, default, or other”, and “(whether at a foreclosure sale or otherwise)” are omitted as unnecessary.

REFERENCES IN TEXT

The Transportation Act of 1920, referred to in text, is act Feb. 28, 1920, ch. 91, 41 Stat. 456, as amended, which was classified to section 316 of former Title 40, Public Buildings, Property, and Works, section 1375a of former Title 10, Army and Air Force, sections 131 to 146 of Title 45, Railroads, and sections 1 to 5, 6, 10 to 15a, 16, 17, 18, 19a, 20, 20a, 25 to 27, 71 to 74, 76 to 79, 141, and 142 of Title 49, Transportation. For complete classification of this Act to the Code, see Tables. Numerous sections of the Act that were classified to Title 49 were repealed by Pub. L. 95–473, § 4(b), Oct. 13, 1978, 92 Stat. 1467, the first section of which enacted subtitle IV (§10101 et seq.) of Title 49. For distribution of former sections of Title 49 into the revised Title 49, see table at the beginning of Title 49. Section 316 of former Title 40 was repealed and reenacted as this section by Pub. L. 107–217, §§ 1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1304.

§ 1308. Disposition of unfit horses and mules

Subject to applicable regulations under this subtitle and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41, horses and mules belonging to the Federal Government that have become unfit for service may be destroyed or put out to pasture, either on pastures belonging to the Government or those belonging to financially sound and reputable humane organizations whose facilities permit them to care for the horses and mules during the remainder of their natural lives, at no cost to the Government.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1137; Pub. L. 111–350, § 5(l)(13), Jan. 4, 2011, 124 Stat. 3852.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1308	40:311b.	June 15, 1938, ch. 400, 52 Stat. 693; June 3, 1939, ch. 176, 53 Stat. 808; Oct. 31, 1951, ch. 654, §2(24), 65 Stat. 707.

The words “and title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)” are added to provide an accurate literal translation of the word “this Act”, meaning the Federal Property and Administrative Services Act of 1949. See the revision note under section 111 of this title.

AMENDMENTS

2011—Pub. L. 111-350 substituted “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” for “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)”.

§ 1309. Preservation, sale, or collection of wrecked, abandoned, or derelict property

The Administrator of General Services may make contracts and provisions for the preservation, sale, or collection of property, or the proceeds of property, which may have been wrecked, been abandoned, or become derelict, if the Administrator considers the contracts and provisions to be in the interest of the Federal Government and the property is within the jurisdiction of the United States and should come to the Government. A contract may provide compensation the Administrator considers just and reasonable to any person who gives information about the property or actually preserves, collects, surrenders, or pays over the property. Under each specific agreement for obtaining, preserving, collecting, or receiving property or making property available, the costs or claim chargeable to the Government may not exceed amounts realized and received by the Government.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1137.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1309	40:310.	R.S. §3755; Pub. L. 89-30, §4, June 2, 1965, 79 Stat. 119.

The words “or of any moneys, dues, and other interests lately in the possession of or due to the so-called Confederate States, or their agents, and now belonging to the United States, which are now withheld or retained by any person, corporation or municipality whatever, and which ought to have come into the possession and custody of, or been collected or received by, the United States” in section 3755 of the Revised Statutes [sic] and “debts, dues, or interests, which shall not be paid from such moneys as shall be realized and received from the property so collected, under each specific agreement” are omitted as obsolete.

§ 1310. Sale of war supplies, land, and buildings

(a) IN GENERAL.—The President, through the head of any executive department and on terms the head of the department considers expedient, may sell to a person, another department of the Federal Government, or the government of a foreign country engaged in war against a country with which the United States is at war—

- (1) war supplies, material, and equipment;
- (2) by-products of the war supplies, material, and equipment; and
- (3) any building, plant, or factory, including the land on which the plant or factory may be situated, acquired since April 6, 1917, for the production of war supplies, materials, and equipment that, during the emergency existing on July 9, 1918, may have been purchased, acquired, or manufactured by the Government.

(b) LIMITATION ON SALE OF GUNS AND AMMUNITION.—Sales of guns and ammunition authorized under any law shall be limited to—

- (1) other departments of the Government;
- (2) governments of foreign countries engaged in war against a country with which the United States is at war; and
- (3) members of the National Rifle Association and of other recognized associations organized in the United States for the encouragement of small-arms target practice.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1137.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1310	40:314.	July 9, 1918, ch. 143 (last par. on p. 850), 40 Stat. 850; Feb. 25, 1919, ch. 39, §3, 40 Stat. 1173; May 29, 1928, ch. 901, §1(8), 45 Stat. 986; Aug. 7, 1946, ch. 770, (55), 60 Stat. 870.

In this section, the words “government of a foreign country” are substituted for “foreign State or Government”, and the words “against a country” are substituted for “against any Government”, for consistency in the revised title and with other titles of the United States Code.

In subsection (a), before clause (1), the words “partnership, association” are omitted because of the definition of person in 1:1.

In subsection (b), before clause (1), the words “in this section or . . . other” are omitted as unnecessary.

§ 1311. Authority of President to obtain release

For the use or benefit of the Federal Government, the President may obtain from an individual or officer to whom land has been or will be conveyed a release of the individual’s or officer’s interest to the Government.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1138.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1311	40:305.	R.S. §3752.

§ 1312. Release of real estate in certain cases

(a) IN GENERAL.—Real estate that has become the property of the Federal Government in payment of a debt which afterward is fully paid in money and received by the Government may be conveyed by the Administrator of General Services to the debtor from whom it was taken or to the heirs or devisees of the debtor or the person that they may appoint.

(b) NONAPPLICATION.—This section does not apply to real estate the Government acquires in payment of any debt arising under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).