

- (2) the date on which each lease will expire;
- (3) a description of the size of the space;
- (4) the location of the property;
- (5) the tenant agency;
- (6) the total annual rental payment; and
- (7) the amount of the net present value of the total estimated legal obligations of the Federal Government over the life of the contract.

(b) EXCEPTION.—Subsection (a) shall not apply to—

- (1) the United States Postal Service; or
- (2) any other property the Director excludes from subsection (a) for reasons of national security.

(Added Pub. L. 114-318, §3(a), Dec. 16, 2016, 130 Stat. 1612.)

#### Editorial Notes

##### REFERENCES IN TEXT

The date of enactment of this subchapter, referred to in subsec. (a), is the date of enactment of Pub. L. 114-318, which was approved Dec. 16, 2016.

### CHAPTER 7—FOREIGN EXCESS PROPERTY

Sec.	
701.	Administrative.
702.	Return of foreign excess property to United States.
703.	Donation of medical supplies for use in foreign country.
704.	Other methods of disposal.
705.	Handling of proceeds from disposal.

#### § 701. Administrative

(a) POLICIES PRESCRIBED BY THE PRESIDENT.—The President may prescribe policies that the President considers necessary to carry out this chapter. The policies must be consistent with this chapter.

(b) EXECUTIVE AGENCY RESPONSIBILITY.—

(1) IN GENERAL.—The head of an executive agency that has foreign excess property is responsible for the disposal of the property.

(2) CONFORMANCE TO POLICIES.—In carrying out functions under this chapter, the head of an executive agency shall—

(A) use the policies prescribed by the President under subsection (a) for guidance; and

(B) dispose of foreign excess property in a manner that conforms to the foreign policy of the United States.

(3) DELEGATION OF AUTHORITY.—The head of an executive agency may—

(A) delegate authority conferred by this chapter to an official in the agency or to the head of another executive agency; and

(B) authorize successive redelegation of authority conferred by this chapter.

(4) EMPLOYMENT OF PERSONNEL.—As necessary to carry out this chapter, the head of an executive agency may—

(A) appoint and fix the pay of personnel in the United States, subject to chapters 33 and 51 and subchapter III of chapter 53 of title 5; and

(B) appoint personnel outside the States of the United States and the District of Columbia, without regard to chapter 33 of title 5.

(c) SPECIAL RESPONSIBILITIES OF SECRETARY OF STATE.—

(1) USE OF FOREIGN CURRENCIES AND CREDITS.—The Secretary of State may use foreign currencies and credits acquired by the United States under section 704(b)(2) of this title—

(A) to carry out the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.);

(B) to carry out the Foreign Service Buildings Act, 1926 (22 U.S.C. 292 et seq.); and

(C) to pay other governmental expenses payable in local currencies.

(2) RENEWAL OF CERTAIN AGREEMENTS.—Except as otherwise directed by the President, the Secretary of State shall continue to perform functions under agreements in effect on July 1, 1949, related to the disposal of foreign excess property. The Secretary of State may amend, modify, and renew the agreements. Foreign currencies or credits the Secretary of State acquires under the agreements shall be administered in accordance with procedures that the Secretary of the Treasury may establish. Foreign currencies or credits reduced to United States currency must be deposited in the Treasury as miscellaneous receipts.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1125.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
701(a) .....	40:514(a) (words before last comma).	June 30, 1949, ch. 288, title IV, §404, 63 Stat. 398; Pub. L. 86-624, §27(c), July 12, 1960, 74 Stat. 418; Pub. L. 96-470, title I, §101(a), Oct. 19, 1980, 94 Stat. 2237.
701(b)(1) .....	40:511 (words before proviso). 40:514(d).	June 30, 1949, ch. 288, title IV, §401, 63 Stat. 397.
701(b)(2)(A)	40:514(a) (words after last comma).	
701(b)(2)(B)	40:511 (proviso cl. (a)).	
701(b)(3) .....	40:514(b).	
701(b)(4) .....	40:514(c).	
701(c)(1) .....	40:511 (proviso cl. (b) (words before “and the authority to amend”)[D].	
701(c)(2) .....	40:511 (proviso cl. (b) (words beginning “and the authority to amend”), (c), (d)).	

In subsection (b)(1), the text of 40:514(d) is omitted as executed and obsolete.

In subsection (b)(4), the words “chapters 33 and 51 and subchapter III of chapter 53 of title 5” are substituted for “the civil-service and classification laws”, and the words “chapter 33 of title 5” are substituted for “the civil-service laws”, because of section 7(b) of the Act of September 6, 1966 (Public Law 89-554, 80 Stat. 631), the first section of which enacted Title 5, United States Code. In subclause (A), the words “in the United States” are added for clarity. In subclause (B), provisions related to the heads of executive agencies fixing the compensation of personnel outside the continental limits of the United States that were contained in section 404(c)(2) of the Federal Property and Administrative Services Act of 1949 are omitted as obsolete. Sections 1202 and 1204 of the Classification Act of 1949 (ch. 782, 63 Stat. 972, 973) repealed the Classification Act of 1923 (ch. 265, 42 Stat. 1488) and all other provisions inconsistent with the 1949 Act. The Classification Act of 1949 was repealed by section 8(a) of the Act of September 6, 1966 (Public Law 89-554, 80 Stat. 632), the first section of which enacted title 5, United States Code.