



-CITE-

40 USC Sec. 484

01/05/99

-EXPCITE-

TITLE 40 - PUBLIC BUILDINGS, *PROPERTY*, AND WORKS

CHAPTER 10 - MANAGEMENT AND DISPOSAL OF GOVERNMENT *PROPERTY*

SUBCHAPTER II - *PROPERTY* MANAGEMENT

-HEAD-

Sec. 484. Disposal of surplus *property*

-STATUTE-

(a) Supervision and direction

Except as otherwise provided in this section, the *Administrator* shall have supervision and direction over the disposition of surplus *property*. Such *property* shall be disposed of to such extent, at such time, in such areas, by such agencies, at such terms and conditions, and in such manner, as may be prescribed in or pursuant to this *Act*:

(b) Care and handling

The care and handling of surplus *property*, pending its disposition, and the disposal of surplus *property*, may be performed by the General *Services Administration* or, when so determined by the *Administrator*, by the executive agency in possession thereof or by any other executive agency consenting thereto. *

(c) Method of disposition

Any executive agency designated or authorized by the *Administrator* to dispose of surplus *property* may do so by sale, exchange, lease, permit, or transfer, for cash, credit, or other *property*, with or without warranty, and upon such other terms and conditions as the *Administrator* deems proper, and it may execute such documents for the transfer of title or other interest in *property* and take such other action as it deems necessary or proper

evaluate the report and make any comments and recommendations to the Congress thereon, as he deems necessary or desirable.

(FOOTNOTE 4) So in original. Probably should be paragraph "(1)".

(p) Transfer or conveyance of *property* for correctional facility use; consideration-free transfers; reimbursement for interim transfers; law enforcement or emergency management response purposes; reversion option; terms and conditions

(1) (A) Under such regulations as he may prescribe, the **Administrator** is authorized in his discretion to transfer or convey to the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, the Commonwealth of the Northern Mariana Islands, or any political subdivision or instrumentality thereof, surplus real and related personal *property* determined by the Attorney General to be required for correctional facility use by the authorized transferee or grantee under an appropriate program or project for the care or rehabilitation of criminal offenders as approved by the Attorney General. Transfers or conveyance under this authority shall be made by the **Administrator** without monetary consideration to the United States. If the Attorney General determines that any surplus *property* transferred or conveyed pursuant to an agreement entered into between March 1, 1982, and the enactment of this subsection was suitable for transfer or conveyance under this subsection, the **Administrator** shall reimburse the transferee for any monetary consideration paid to the United States for such transfer or conveyance.

(B) (i) The **Administrator** may exercise the authority under subparagraph (A) with respect to such surplus real and related *property* needed by the transferee or grantee for -

(I) law enforcement purposes, as determined by the Attorney General; or

(II) emergency management response purposes, including fire and rescue services, as determined by the Director of the Federal

Emergency Management Agency.

(ii) The authority provided under this subparagraph shall terminate on December 31, 1999.

(2) The deed of conveyance of any surplus real and related personal property disposed of under the provisions of this subsection -

(A) shall provide that all such property shall be used and maintained for the purpose for which it was conveyed in perpetuity, and that in the event the property ceases to be used or maintained for that purpose, all or any portion of the property shall, in its then existing condition, at the option of the United States, revert to the United States; and

(B) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Administrator to be necessary to safeguard the interests of the United States.

(3) With respect to surplus real and related personal property conveyed pursuant to this subsection, the Administrator is authorized and directed -

(A) to determine and enforce compliance with the terms, conditions, reservations, and restrictions contained in any instrument by which such transfer was made;

(B) to reform, correct, or amend any such instrument by the execution of a corrective reformatory or amendatory instrument where necessary to correct such instrument or to conform such transfer to the requirements of applicable law; and

(C) to (i) grant releases from any of the terms, conditions, reservations, and restrictions contained in, and (ii) convey, quitclaim, or release to the transferee or other eligible user any right or interest reserved to the United States by any instrument by which such transfer was made, if he determines that the property so transferred no longer serves the purpose for which it was transferred, or that such release, conveyance, or quitclaim deed will not prevent accomplishment of the purpose for