

(15) STATE AGENCY FOR SURPLUS PROPERTY.—The term “State agency for surplus property” has the meaning given the term “state agency” under section 549(a).

(16) STUDENT.—The term “student” means any individual enrolled in an educational institution, but not a public or private child care center.

(17) SURPLUS COMPUTER OR TECHNOLOGY EQUIPMENT.—The term “surplus computer or technology equipment” means computer or technology equipment that is property described under section 549(b)(2).

(18) TECHNOLOGY EQUIPMENT.—The term “technology equipment” means any physical asset related to a computer or information technology, including any peripheral component, tablet, communication device (such as a router, server, or cell phone), printer, scanner, uninterruptible power source, cable, or connection.

(19) VETERAN.—The term “veteran” has the meaning given that term in section 101 of title 38.

(Added Pub. L. 117-328, div. Z, §103(a), Dec. 29, 2022, 136 Stat. 5524.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (c)(3), is the date of enactment of Pub. L. 117-328, which was approved Dec. 29, 2022.

The Stevenson-Wydler Technology Innovation Act of 1980, referred to in subsec. (f), is Pub. L. 96-480, Oct. 21, 1980, 94 Stat. 2311, which is classified generally to chapter 63 (§3701 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 3701 of Title 15 and Tables.

Section 501 of the Internal Revenue Code of 1986, referred to in subsec. (g)(10), is classified to section 501 of Title 26, Internal Revenue Code.

Statutory Notes and Related Subsidiaries

FINDINGS

Pub. L. 117-328, div. Z, §102, Dec. 29, 2022, 136 Stat. 5523, provided that: “Congress finds the following:

“(1) Access to computers and computer technology is indispensable for success in the 21st century. Millions of Americans do not regularly use a computer and research shows that substantial disparities remain in both internet use and the quality of access, with the digital divide concentrated among older, less educated, less affluent populations, especially veterans, low-income students, and senior citizens.

“(2) The COVID-19 pandemic has highlighted the gap between those with computer access and those without. Millions of students, their families, and workers from across the economy were unable to do schoolwork, work remotely from home, or connect to loved ones and their communities because of the digital divide.

“(3) Any Federal program that distributes surplus, repairable Federal computers or technology equipment would benefit from a partnership with a non-profit organization whose mission is bridging the digital divide.”

§ 550. Disposal of real property for certain purposes

(a) DEFINITION.—In this section, the term “State” includes the District of Columbia, Puer-

to Rico, and the territories and possessions of the United States.

(b) ENFORCEMENT AND REVISION OF INSTRUMENTS TRANSFERRING PROPERTY UNDER THIS SECTION.—

(1) IN GENERAL.—Subject to disapproval by the Administrator of General Services within 30 days after notice of a proposed action to be taken under this section, except for personal property transferred pursuant to section 549 of this title, the official specified in paragraph (2) shall determine and enforce compliance with the terms, conditions, reservations, and restrictions contained in an instrument by which a transfer under this section is made. The official shall reform, correct, or amend the instrument if necessary to correct the instrument or to conform the transfer to the requirements of law. The official shall grant a release from any term, condition, reservation or restriction contained in the instrument, and shall convey, quitclaim, or release to the transferee (or other eligible user) any right or interest reserved to the Federal Government by the instrument, if the official determines that the property no longer serves the purpose for which it was transferred or that a release, conveyance, or quitclaim deed will not prevent accomplishment of that purpose. The release, conveyance, or quitclaim deed may be made subject to terms and conditions that the official considers necessary to protect or advance the interests of the Government.

(2) SPECIFIED OFFICIAL.—The official referred to in paragraph (1) is—

(A) the Secretary of Education, for property transferred under subsection (c) for school, classroom, or other educational use;

(B) the Secretary of Health and Human Services, for property transferred under subsection (d) for use in the protection of public health, including research;

(C) the Secretary of the Interior, for property transferred under subsection (e) for public park or recreation area use;

(D) the Secretary of Housing and Urban Development, for property transferred under subsection (f) to provide housing or housing assistance for low-income individuals or families; and

(E) the Secretary of the Interior, for property transferred under subsection (h) for use as a historic monument for the benefit of the public.

(c) PROPERTY FOR SCHOOL, CLASSROOM, OR OTHER EDUCATIONAL USE.—

(1) ASSIGNMENT.—The Administrator, in the Administrator’s discretion and under regulations that the Administrator may prescribe, may assign to the Secretary of Education for disposal surplus real property, including buildings, fixtures, and equipment situated on the property, that the Secretary recommends as needed for school, classroom, or other educational use.

(2) SALE OR LEASE.—Subject to disapproval by the Administrator within 30 days after notice to the Administrator by the Secretary of Education of a proposed transfer, the Secretary, for school, classroom, or other educational use, may sell or lease property as-

signed to the Secretary under paragraph (1) to a State, a political subdivision or instrumentality of a State, a tax-supported educational institution, or a nonprofit educational institution that has been held exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)).

(3) FIXING VALUE.—In fixing the sale or lease value of property disposed of under paragraph (2), the Secretary of Education shall take into consideration any benefit which has accrued or may accrue to the Government from the use of the property by the State, political subdivision or instrumentality, or institution.

(d) PROPERTY FOR USE IN THE PROTECTION OF PUBLIC HEALTH, INCLUDING RESEARCH.—

(1) ASSIGNMENT.—The Administrator, in the Administrator's discretion and under regulations that the Administrator may prescribe, may assign to the Secretary of Health and Human Services for disposal surplus real property, including buildings, fixtures, and equipment situated on the property, that the Secretary recommends as needed for use in the protection of public health, including research.

(2) SALE OR LEASE.—Subject to disapproval by the Administrator within 30 days after notice to the Administrator by the Secretary of Health and Human Services of a proposed transfer, the Secretary, for use in the protection of public health, including research, may sell or lease property assigned to the Secretary under paragraph (1) to a State, a political subdivision or instrumentality of a State, a tax-supported medical institution, or a hospital or similar institution not operated for profit that has been held exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)).

(3) FIXING VALUE.—In fixing the sale or lease value of property disposed of under paragraph (2), the Secretary of Health and Human Services shall take into consideration any benefit which has accrued or may accrue to the Government from the use of the property by the State, political subdivision or instrumentality, or institution.

(e) PROPERTY FOR USE AS A PUBLIC PARK OR RECREATION AREA.—

(1) ASSIGNMENT.—The Administrator, in the Administrator's discretion and under regulations that the Administrator may prescribe, may assign to the Secretary of the Interior for disposal surplus real property, including buildings, fixtures, and equipment situated on the property, that the Secretary recommends as needed for use as a public park or recreation area.

(2) SALE OR LEASE.—Subject to disapproval by the Administrator within 30 days after notice to the Administrator by the Secretary of the Interior of a proposed transfer, the Secretary, for public park or recreation area use, may sell or lease property assigned to the Secretary under paragraph (1) to a State, a political subdivision or instrumentality of a State, or a municipality.

(3) FIXING VALUE.—In fixing the sale or lease value of property disposed of under paragraph

(2), the Secretary of the Interior shall take into consideration any benefit which has accrued or may accrue to the Government from the use of the property by the State, political subdivision or instrumentality, or municipality.

(4) DEED OF CONVEYANCE.—The deed of conveyance of any surplus real property disposed of under this subsection—

(A) shall provide that all of the property be used and maintained for the purpose for which it was conveyed in perpetuity, and that if 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 Government, revert to the Government; and

(B) may contain additional terms, reservations, restrictions, and conditions the Secretary of the Interior determines are necessary to safeguard the interests of the Government.

(f) PROPERTY FOR LOW INCOME HOUSING ASSISTANCE.—

(1) ASSIGNMENT.—The Administrator, in the Administrator's discretion and under regulations that the Administrator may prescribe, may assign to the Secretary of Housing and Urban Development for disposal surplus real property, including buildings, fixtures, and equipment situated on the property, that the Secretary recommends as needed to provide housing or housing assistance for low-income individuals or families.

(2) SALE OR LEASE.—Subject to disapproval by the Administrator within 30 days after notice to the Administrator by the Secretary of Housing and Urban Development of a proposed transfer, the Secretary, to provide housing or housing assistance for low-income individuals or families, may sell or lease property assigned to the Secretary under paragraph (1) to a State, a political subdivision or instrumentality of a State, or a nonprofit organization that exists for the primary purpose of providing housing or housing assistance for low-income individuals or families.

(3) SELF-HELP HOUSING.—

(A) IN GENERAL.—The Administrator shall disapprove a proposed transfer of property under this subsection unless the Administrator determines that the property will be used for low-income housing opportunities through the construction, rehabilitation, or refurbishment of self-help housing, under terms requiring that—

(i) subject to subparagraph (B), an individual or family receiving housing or housing assistance through use of the property shall contribute a significant amount of labor toward the construction, rehabilitation, or refurbishment; and

(ii) dwellings constructed, rehabilitated, or refurbished through use of the property shall be quality dwellings that comply with local building and safety codes and standards and shall be available at prices below prevailing market prices.

(B) GUIDELINES FOR CONSIDERING DISABILITIES.—For purposes of fulfilling self-help re-

quirements under paragraph (3)(A)(i), the Administrator shall ensure that nonprofit organizations receiving property under paragraph (2) develop and use guidelines to consider any disability (as defined in section 3(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(2))).

(4) FIXING VALUE.—

(A) IN GENERAL.—In fixing the sale or lease value of property disposed of under paragraph (2), the Secretary of Housing and Urban Development shall take into consideration and discount the value for any benefit which has accrued or may accrue to the Government from the use of the property by the State, political subdivision or instrumentality, or nonprofit organization.

(B) AMOUNT OF DISCOUNT.—The amount of the discount under subparagraph (A) is 75 percent of the market value of the property, except that the Secretary of Housing and Urban Development may discount by a greater percentage if the Secretary, in consultation with the Administrator, determines that a higher percentage is justified.

(g) PROPERTY FOR NATIONAL SERVICE ACTIVITIES.—

(1) ASSIGNMENT.—The Administrator, in the Administrator’s discretion and under regulations that the Administrator may prescribe, may assign to the Chief Executive Officer of the Corporation for National and Community Service for disposal surplus property that the Chief Executive Officer recommends as needed for national service activities.

(2) SALE, LEASE, OR DONATION.—Subject to disapproval by the Administrator within 30 days after notice to the Administrator by the Chief Executive Officer of a proposed transfer, the Chief Executive Officer, for national service activities, may sell, lease, or donate property assigned to the Chief Executive Officer under paragraph (1) to an entity that receives financial assistance under the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.).

(3) FIXING VALUE.—In fixing the sale or lease value of property disposed of under paragraph (2), the Chief Executive Officer shall take into consideration any benefit which has accrued or may accrue to the Government from the use of the property by the entity receiving the property.

(h) PROPERTY FOR USE AS A HISTORIC MONUMENT.—

(1) CONVEYANCE.—

(A) IN GENERAL.—Without monetary consideration to the Government, the Administrator may convey to a State, a political subdivision or instrumentality of a State, or a municipality, the right, title, and interest of the Government in and to any surplus real and related personal property that the Secretary of the Interior determines is suitable and desirable for use as a historic monument for the benefit of the public.

(B) RECOMMENDATION BY NATIONAL PARK SYSTEM ADVISORY BOARD.—Property may be determined to be suitable and desirable for use as a historic monument only in con-

formity with a recommendation by the National Park System Advisory Board established under section 102303 of title 54. Only the portion of the property that is necessary for the preservation and proper observation of the property’s historic features may be determined to be suitable and desirable for use as a historic monument.

(2) REVENUE-PRODUCING ACTIVITY.—

(A) IN GENERAL.—The Administrator may authorize use of any property conveyed under this subsection for revenue-producing activities if the Secretary of the Interior—

(i) determines that the activities are compatible with use of the property for historic monument purposes;

(ii) approves the grantee’s plan for repair, rehabilitation, restoration, and maintenance of the property;

(iii) approves the grantee’s plan for financing the repair, rehabilitation, restoration, and maintenance of the property; and

(iv) examines and approves the accounting and financial procedures used by the grantee.

(B) USE OF EXCESS INCOME.—The Secretary of the Interior may approve a grantee’s financial plan only if the plan provides that the grantee shall use income exceeding the cost of repair, rehabilitation, restoration, and maintenance only for public historic preservation, park, or recreational purposes.

(C) AUDITS.—The Secretary of the Interior may periodically audit the records of the grantee that are directly related to the property conveyed.

(3) DEED OF CONVEYANCE.—The deed of conveyance of any surplus real property disposed of under this subsection—

(A) shall provide that all of the property be used and maintained for historical monument purposes in perpetuity, and that if the property ceases to be used or maintained for historical monument purposes, all or any portion of the property shall, in its then existing condition, at the option of the Government, revert to the Government; and

(B) may contain additional terms, reservations, restrictions, and conditions the Administrator determines are necessary to safeguard the interests of the Government.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1094; Pub. L. 113-287, §5(j)(2), Dec. 19, 2014, 128 Stat. 3269.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
550(a)	40:484(k)(1)(D).	June 30, 1949, ch. 288, title II, §203(k), 63 Stat. 387; July 12, 1952, ch. 703, §1(j), 66 Stat. 593; June 3, 1955, ch. 130, §6(a), (c), 69 Stat. 84, 85; July 3, 1956, ch. 513, §2, 70 Stat. 494; Pub. L. 91-485, §2, Oct. 22, 1970, 84 Stat. 1084; Pub. L. 92-362, §1, Aug. 4, 1972, 86 Stat. 503; Pub. L. 94-519, §1(2), Oct. 17, 1976, 90 Stat. 2453; Pub. L. 103-82, title II, §202(f), Sept. 21, 1993, 107 Stat. 888; Pub. L. 105-50, §2, Oct. 6, 1997, 111 Stat. 1167.

HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
550(b)	40:484(k)(4).	
550(c)	40:484(k)(1) (matter before (A) related to education), (A), (C) (related to education).	
550(d)	40:484(k)(1) (matter before (A) related to public health), (B), (C) (related to public health).	
550(e)	40:484(k)(2).	
550(f)	40:484(k)(6).	
550(g)	40:484(k)(5).	
550(h)	40:484(k)(3).	

In subsections (b)(2), (c), and (d), the words “Secretary of Education” and “Secretary of Health and Human Services” are substituted for “Secretary of Health, Education, and Welfare”, as appropriate, because of sections 301(a)(2)(P) and (b), 507, and 509(b) of the Department of Education Organization Act (20:3441(a)(2)(P) and (b), 3507, and 3508(b)).

In subsection (b)(2), the words “the Surplus Property Act of 1944, as amended”, and the text of 40:484(k)(4)(D), are omitted because the relevant provisions of the Surplus Property Act of 1944 (50 App.:1611 et seq.) have been repealed.

In subsection (e), the definition of “States” is omitted as unnecessary because of 40:484(k)(1)(D), restated in subsection (a).

In subsection (e)(4), the words “this subsection” are used to reflect the probable intent of Congress. In 40:484(k)(2)(C), the words “this subsection” should probably be “this paragraph”, meaning 40:484(k)(2). In the revised section, the reference to 40:484(k)(2) is translated as “this subsection” to reflect the restatement of 40:484(k)(2) as subsection (e) of the revised section.

In subsection (h), the definition of “States”, is omitted as unnecessary because of 40:484(k)(1)(D), restated in subsection (a).

In subsection (h)(1)(B), the words “National Park System Advisory Board” are substituted for “Advisory Board on National Parks, Historic Sites, Buildings and Monuments” because of the amendment of 16:463 by section 9 of the Act of August 18, 1970 (Public Law 91-383), as added by section 2 of the Act of October 7, 1976 (Public Law 94-458, 90 Stat. 1940).

In subsection (h)(2)(A), the words “this subsection” are used to reflect the probable intent of Congress. In 40:484(k)(3)(A), the words “this subsection” should probably be “this paragraph”, meaning 40:484(k)(3). In the revised section, the reference to 40:484(k)(3) is translated as “this subsection” to reflect the restatement of 40:484(k)(3) as subsection (h) of the revised section. The words “or the Surplus Property Act of 1944, as amended” are omitted because the relevant provisions of the Surplus Property Act of 1944 (50 App.:1611 et seq.) have been repealed.

In subsection (h)(3), the words “this subsection” are used to reflect the probable intent of Congress. In 40:484(k)(3)(B), the words “this subsection” should probably be “this paragraph”, meaning 40:484(k)(3). In the revised section, the reference to 40:484(k)(3) is translated as “this subsection” to reflect the restatement of 40:484(k)(3) as subsection (h) of the revised section.

Editorial Notes

REFERENCES IN TEXT

The National and Community Service Act of 1990, referred to in subsec.(g)(2), is Pub. L. 101-610, Nov. 16, 1990, 104 Stat. 3127, which is classified principally to chapter 129 (§12501 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 12501 of Title 42 and Tables.

AMENDMENTS

2014—Subsec. (h)(1)(B). Pub. L. 113-287, §5(j)(2), substituted “section 102303 of title 54” for “section 3 of the

Act of August 21, 1935 (16 U.S.C. 463) (known as the Historic Sites, Buildings, and Antiquities Act)”.

§ 551. Donations to American Red Cross

The Administrator of General Services, in the Administrator’s discretion and under regulations that the Administrator may prescribe, may donate to the American National Red Cross for charitable purposes property that the American National Red Cross processed, produced, or donated and that has been determined to be surplus property.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1099.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
551	40:484(l).	June 30, 1949, ch. 288, title II, §203(l), as added Aug. 1, 1955, ch. 442, 69 Stat. 430.

§ 552. Abandoned or unclaimed property on Government premises

(a) **AUTHORITY TO TAKE PROPERTY.**—The Administrator of General Services may take possession of abandoned or unclaimed property on premises owned or leased by the Federal Government and determine when title to the property vests in the Government. The Administrator may use, transfer, or otherwise dispose of the property.

(b) **CLAIM FILED BY FORMER OWNER.**—If a former owner files a proper claim within three years from the date that title to the property vests in the Government, the former owner shall be paid an amount—

(1) equal to the proceeds realized from the disposition of the property less costs incident to care and handling as determined by the Administrator; or

(2) if the property has been used or transferred, equal to the fair value of the property as of the time title vested in the Government less costs incident to care and handling as determined by the Administrator.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1099; Pub. L. 109-284, §6(3), Sept. 27, 2006, 120 Stat. 1212.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
552	40:484(m).	June 30, 1949, ch. 288, title II, §203(m), formerly §203(l), 63 Stat. 388; redesignated §203(m), Aug. 1, 1955, ch. 442, 69 Stat. 430.

Editorial Notes

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-284 substituted “(a) AUTHORITY TO TAKE PROPERTY.—The Administrator” for “(a) AUTHORITY TO TAKE PROPERTY Administrator”.

§ 553. Property for correctional facility, law enforcement, and emergency management response purposes

(a) **DEFINITION.**—In this section, the term “State” includes the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Is-