

States otherwise than by court decree, it may, in the event that the property is not ordered by competent authority to be returned to any claimant, and in lieu of being disposed of as otherwise provided by law (including advertisement for sale, and sale), be retained by such agency and devoted to official use only. If such agency shall not desire so to retain such property, the head thereof shall forthwith notify the Administrator to that effect, and such property shall—

(a) in the event that it is not ordered by competent authority to be returned to any claimant, and in lieu of being disposed of as otherwise provided by law (including advertisement for sale, and sale), be delivered by such agency, upon order of the Administrator given within a reasonable time, to any other agency which requests and in the judgment of the Administrator should be given the property, or

(b) upon order of the Administrator given within a reasonable time, be disposed of as otherwise provided by law.

(Aug. 27, 1935, ch. 740, title III, § 303, 49 Stat. 879; June 30, 1949, ch. 288, title I, § 102(a), 63 Stat. 380.)

TRANSFER OF FUNCTIONS

Functions of Director of Bureau of Federal Supply transferred to Administrator of General Services and office of Director abolished by section 102(a) of act June 30, 1949, which is classified to section 752 of this title.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Transfer of functions by act June 30, 1949, effective July 1, 1949, see section 605 of act June 30, 1949, set out as an Effective Date note under section 471 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 304f, 304j, 304k, 304l, 304m of this title; title 18 section 3668.

§ 304i. Disposition of property subject to pending court proceedings for forfeiture

In the event that proceedings are or have been commenced for the forfeiture of any property by court decree, the agency which seized such property shall forthwith notify the Administrator and may at the same time file with him a request for such property for its official use. The Administrator shall, before entry of a decree, apply to the court to order delivery of such property—

(a) to the agency filing such request; or

(b) if no such request has been filed, to any other agency which requests and in the judgment of the Administrator should be given such property; or

(c) if the agency which seized such property has not requested it, and no other agency has requested and in the judgment of the Administrator should be given such property, and if in the judgment of the Administrator the property may later become necessary to any agency for official use, to the seizing agency to be retained in its custody. Thereafter, the Administrator shall, within a reasonable time, order such agency to deliver the property to any other agency which requests and in his judgment should be given such property, or to dispose of it as otherwise provided by law,

and if forfeiture thereof is decreed, the court shall, in the event that the property is not ordered by competent authority to be returned to any claimant, order delivery accordingly. All the property for which no such application is made shall be disposed of by the court in accordance with law.

(Aug. 27, 1935, ch. 740, title III, § 304, 49 Stat. 880; June 30, 1949, ch. 288, title I, § 102(a), 63 Stat. 380.)

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§ 304j. Appropriation available for maintenance, etc., of abandoned and forfeited property, payment of liens and other charges

The appropriation available to any agency for the purchase, hire, operation, maintenance, and repair of property of any kind shall be available for the payment of expenses of operation, maintenance, and repair of property of the same kind received by it under any provision of sections 304f to 304m of this title for official use; for the payment of any lien recognized and allowed pursuant to law, and for the payment of all moneys found to be due any person upon the duly authorized remission or mitigation of any forfeiture; and for reimbursement of other agencies as hereafter provided. The costs of hauling, transporting, towing, and storage of such property shall be paid by the agency which has seized such property or to which it has been abandoned; and, if such property is later delivered to another agency for official use under sections 304g to 304i of this title, the latter shall make reimbursement for all such costs incurred prior to the date of delivery to it of such property.

(Aug. 27, 1935, ch. 740, title III, § 305, 49 Stat. 880.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 304f, 304l, 304m of this title; title 18 section 3668.

§ 304k. Retention or delivery of abandoned or forfeited property deemed sale with respect to informer's fees and mitigation of forfeiture

Retention or delivery of forfeited or abandoned property under sections 304f to 304m of this title shall be regarded as the sale thereof for the purpose of laws providing for informer's fees or remission or mitigation of any forfeiture. Any property so acquired when no longer needed for official use shall be disposed of in the same manner as other surplus property.

(Aug. 27, 1935, ch. 740, title III, § 306, 49 Stat. 880.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 304f, 304j, 304l, 304m of this title; title 18 section 3668.