

### Subpart 101-43.1—General Provisions

SOURCE: 53 FR 16092, May 5, 1988, unless otherwise noted.

#### § 101-43.101 Agency utilization reviews.

Each executive agency shall continuously survey property under its control to assure maximum use and shall promptly make personal property that is excess to its needs available for transfer in accordance with this part.

#### § 101-43.102 Reassignment of personal property.

(a) When property is determined to no longer be required for the purpose of the appropriation from which it was purchased or for the use to which it has been applied, an executive agency shall, to the maximum extent feasible, reassign the property within its activities, including its cost-reimbursement contractors as described in 48 CFR subpart 16.3, and shall immediately discontinue procurement of items for which the property can be substituted or adapted.

(b) Federal agencies in the legislative and judicial branches are encouraged to report and transfer excess personal property and fill their requirements from excess personal property or other Federal agencies. In reporting personal property as excess, each Federal agency shall comply with the provisions of this part.

#### § 101-43.103 Agency utilization officials.

To promote the maximum utilization of excess personal property, agencies are requested to designate national and regional utilization officials who will be responsible for promoting the acquisition and profitable use of available excess.

### Subpart 101-43.2 [Reserved]

### Subpart 101-43.3—Utilization of Excess

SOURCE: 53 FR 16092, May 5, 1988, unless otherwise noted.

#### § 101-43.301 Federal Government procedure.

The first source of supply is excess personal property, which shall be used by executive agencies to the fullest extent practicable as prescribed in this part. A requirement for personal property expressed by an authorized Federal activity identified in § 101-43.309-1 shall supersede any disposal action. This means that Federal transfers may be accomplished for surplus property if the holding or selling agency is notified prior to shipment or delivery of donated property or prior to actual removal of property from Government control in the case of sale.

#### § 101-43.302 Agency responsibility.

(a) To obtain maximum utilization and to minimize the procurement of new items, each executive agency shall be responsible for making excess personal property available and for facilitating the transfer of the property to other Federal agencies for direct use or for use by their authorized cost-reimbursement contractors, cooperatives, and project grantees, and to the organizations specified in § 101-43.309-1. Each executive agency shall, to the maximum practicable extent, fulfill its requirements for property by obtaining excess personal property from other Federal agencies instead of initiating a new procurement.

(b) Agencies receiving or transferring excess personal property shall establish controls over the processing of transfer orders and shall establish and maintain an adequate system of property accountability. Each Federal agency shall develop and maintain an effective system for the prevention and detection of situations involving the nonuse, improper use, or unauthorized disposal or destruction of excess personal property received by the agency. This responsibility should include compliance reviews, field inspections, audits, and other procedures to monitor the excess personal property controlled by an agency. The system of accountability for excess personal property should be in accordance with agency procedures, and records subject to audit by an internal audit group of the Federal agency and made available to the General Accounting Office upon request.