

be made at such time as to ensure that such medical materials or supplies can be transferred or otherwise disposed of in sufficient time to permit their use before their shelf life expires and the items are unfit for human use.

(b) Medical materials and supplies held by an agency for national emergency purposes and determined to be excess may be exchanged with another Federal agency without prior approval of GSA and without regard to the provisions of part 101-46. Such exchanges, however, shall be only for other medical materials or supplies to be held for national emergency purposes.

(c) Medical shelf-life items held for national emergency purposes which have a remaining useful life of 3 or more months before the expiration date and which are not otherwise exchanged as provided in paragraph (b) of this section shall be reported as excess in accordance with §101-43.304. Each agency may also report medical shelf-life items not required to be reported by §101-43.304. The excess report shall identify items as medical shelf-life items held for national emergency purposes by carrying the designating symbol "MSL" and by showing the shelf-life expiration date. Information shall also be furnished regarding whether the expiration date is the original or the extended date. Further, whenever medical shelf-life items held for national emergency purposes are reported as excess, any specialized storage requirements pertaining to the items listed thereon shall be noted on the report.

(d) Normally, medical shelf-life items held for national emergency purposes and reported in accordance with paragraph (c) of this section will be given a surplus release date effective 60 calendar days after the receipt of the report in the appropriate GSA office. This date may be shortened or extended according to utilization objectives and the remaining useful shelf life. However, GSA offices will handle the screening of medical shelf-life items to permit their use before the shelf life expires and the items are unfit for human use.

(e) Medical shelf-life items held for national emergency purposes which have a remaining useful life of 3 or

more months and which are not reportable in accordance with §101-43.4801 shall be made available for use by other Federal agencies as provided in §101-43.305. When such items are determined excess, a surplus release date shall be established by the holding agency providing a minimum of 21 calendar days for selection of the items for Federal use. For controlled substances (as defined in §101-43.001-4), each executive agency shall comply with §101-43.307-2.

(f) Transfers among Federal agencies of medical materials and supplies held for national emergency purposes and determined to be excess shall be accomplished in accordance with §101-43.309, except that such transfers shall be made upon such terms and prices as shall be agreed to by the Federal agencies concerned. Proceeds from such transfers may be credited to the current applicable appropriation or fund of the transferring agency and shall be available only for the purchase of medical materials or supplies for national emergency purposes.

§101-43.308 Withdrawals and corrections.

§101-43.308-1 Withdrawals.

Requests for withdrawal of property previously reported as excess shall be submitted to the GSA regional office to which the original report was forwarded. Withdrawal requests may be submitted on SF 120 or by any other method approved by GSA. Disposition of property shall not be made until after approval for withdrawal is received from GSA except in instances involving the physical transfer of property for purposes of major disaster relief.

§101-43.308-2 Corrections.

Corrections of reports of excess property shall be submitted on SF 120 or by any other method approved by GSA to the appropriate GSA regional office for necessary action.

§101-43.309 Transfers of excess personal property.

§101-43.309-1 Agencies eligible.

Transfers of excess personal property may be made among Federal agencies

(including their cost-reimbursement contractors, cooperatives, and project grantees), the Senate, the House of Representatives, the Architect of the Capitol and any activities under his direction, mixed-ownership Government corporations as defined in 31 U.S.C. 9101, the municipal government of the District of Columbia, or non-Federal agencies for which GSA procures.

§ 101-43.309-2 Information on availability.

There are several methods of obtaining reliable information regarding the availability of excess personal property:

(a) Personal contact with GSA or the holding installations;

(b) Review of excess personal property catalogs and bulletins circulated by GSA;

(c) Examination and inspection of reports and samples of excess personal property assembled for this purpose in GSA regional offices; and

(d) Submission of current and future requirements for excess personal property to the appropriate GSA regional office using GSA Form 1539, Request for Excess Personal Property, illustrated at § 101-43.4902-1539. Instructions for submission of requirements may be obtained from any GSA regional office. Wherever possible, the NSN should be included for each item requested. GSA will assist agencies in obtaining NSN's so that requirements may be incorporated into the automated matching system. If substitute items are acceptable, these should be furnished at the same time and identified by NSN. Requirements for NSN items may be submitted through ADP media. If not currently available as excess, property requirements identified by NSN's will be incorporated into GSA's automated requirements bank and will be retained for approximately 180 calendar days. Property reported excess during this time, if matched with recorded requirements, will be offered for immediate transfer. Normally, items for which needs are registered will not be offered in GSA excess property catalogs and bulletins. Agencies should update their lists of items at the end of each 180-calendar-day period to retain visibility in the requirements bank.

§ 101-43.309-3 Reimbursement.

(a) *General.* Transfers of excess personal property shall be without reimbursement (the costs specified in § 101-43.310-1 are chargeable to the transferee agency), except when:

(1) The property transferred was acquired with funds either not appropriated from the general fund of the U.S. Treasury or appropriated therefrom but by law reimbursable from assessment, tax, or other revenue or receipts, and payment is requested (it is the current policy of the executive branch of the Government that transfers of working capital fund property shall be without reimbursement);

(2) The transferor or the transferee agency (or the organizational unit affected is a wholly owned or mixed-ownership Government corporation as defined in the Government Corporation Control Act (31 U.S.C. 9101), is the municipal government of the District of Columbia, or is a non-Federal agency for which GSA procures;

(3) The transferor or the transferee agency is the U.S. Postal Service (USPS);

(4) The property is designated as exchange/sale property and is transferred pursuant to part 101-46;

(5) The transferee agency is acquiring the property for use by a project grantee which is a public agency or is non-profit and exempt from taxation under 26 U.S.C. 501; or

(6) Reimbursement is directed by GSA.

(b) *Fair market value reimbursement.* Reimbursement of the fair market value may be requested by the transferor agency when:

(1) The property being transferred was acquired with funds not appropriated from the general fund of the U.S. Treasury;

(2) The property is designated exchange/sale rather than excess;

(3) The transferor or transferee agency is the USPS (in this case, reimbursement is required by Executive Order 11672);

(4) The property being transferred is owned by a nonappropriated fund activity of a Federal agency; or

(5) Authorized or required by other specific authority.