

(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.

(c) *Fair value reimbursement.* (1) When a transfer is determined to be reimbursable and paragraph (b) of this section, is not applicable, fair value reimbursement, as determined in paragraphs (b) (2) through (4) of this section, is required to be paid by the transferee.

(2) To preclude the need of establishing the fair value to be reimbursed for each transfer subject to such reimbursement, fair value is defined to be 20 percent of the original acquisition cost of new or unused property in condition code 1 (condition codes are shown in §101-43.4801(e)) and zero percent for all other personal property.

(3) Where application of the above formula will not achieve the intended purpose because of special circumstances or the peculiar nature of the property, the holding agency may use other criteria for arriving at fair value if approved or directed by the appropriate GSA regional office.

(4) Where circumstances warrant and the agencies concerned agree thereto, fair value prices higher than those arrived at by use of the formula may be used.

(d) Transfer orders for property requiring reimbursement must be annotated with the amount of reimbursement required. Disagreements between agencies regarding reimbursement requirements shall be referred for final determination to the GSA Regional Administrator for the region in which the property is located.

§101-43.309-4 Transfer for redistribution.

Items reported as excess and determined by GSA to be suitable for redistribution within the Federal Government may be taken into physical custody by GSA or, upon notification by GSA, shall be retained by the holding agency for a period not to exceed 180 days. Items which are identical to or can be substituted for items listed in the GSA Supply Catalog shall be furnished to agencies through the GSA stock program at prices to be determined by GSA. To ensure maximum redistribution of items available from excess, GSA may require that all orders for such items be forwarded to a GSA

regional office until excess stocks are exhausted.

§101-43.309-5 Procedure for effecting transfers.

(a) All transfers of excess personal property between Federal agencies shall be by SF 122, Transfer Order Excess Personal Property (see §101-43.4901-122), or any other transfer order form approved by GSA. Automated requisitions on approved forms may be used for excess personal property transfers. However, Federal agencies using automated requisitions shall ensure that identifying codes are controlled and records maintained indicating the official authorized to approve property transfers. Each transferee agency shall forward the original and three copies of the transfer order to the appropriate GSA regional office (see §101-43.4802) for approval. An SF 120 is not required in addition to SF 122 for direct transfers. Prior approval by GSA is not required when the property involved in the given transaction is:

(1) Reportable under §101-43.304 but has not yet been reported to GSA, and its total acquisition cost does not exceed \$5,000, and the owning agency's regulations relative to internal redistribution have been satisfied; or

(2) Nonreportable under §101-43.305 and has not been reserved at the holding location for special screening by the appropriate GSA regional office, and its total acquisition cost does not exceed \$25,000; and

(3) The appropriate GSA regional office is furnished an information copy of each direct transfer order by the transferor agency within 10 workdays from receipt of the order.

(b) In those cases where a known requirement exists for excess personal property which exceeds the acquisition cost limitations for direct transfers in paragraphs (a)(1) and (a)(2) of this section, a request for approval of a prearranged transfer may be made. To effect a prearranged transfer, the requesting Federal agency must contact the appropriate GSA regional office for verbal approval. In considering such requests, GSA may apply the approval factors listed in paragraph (e) of this