

the transfer order by the holding activity in the case of domestic shipments, or 45 calendar days in the case of export shipments. The holding activity will communicate failure to receive such shipping instructions to the GSA regional office which approved the transfer. If the transfer order indicates the property is to be picked up by the transferee agency, the action must be accomplished within 20 calendar days from the time such agency is notified by the holding activity that the shipment is ready. The holding activity will communicate with the GSA regional office concerning the failure of the transferee agency to pick up property within the allotted time.

(1) Holding activities will carry out shipping instructions within 20 calendar days from receipt or make property available for pickup promptly

(2) If the holding activity is unable to ship or deliver as required, the ordering activity must be advised of the reason for delay and a new scheduled shipping or delivery date.

(h) Whenever a transfer order covers excess personal property which has deteriorated materially below the reported condition, the holding agency shall advise the GSA regional office of its current condition. The GSA regional office will so advise the ordering agency. Shipment will not be made until the ordering agency has advised the GSA regional office that the existing condition is acceptable and the GSA regional office has so advised the holding agency.

(i) Whenever an excess item of equipment is transferred, any available operating manual, parts list, circuit or wiring diagram, maintenance record, log, or other instructional or informational publication or brochure pertaining to the equipment shall accompany and be transferred with the item of equipment.

(j) Use of the SF 97, Certificate of Release of a Motor Vehicle, is restricted to situations where title to the vehicle leaves the Federal Government (see subpart 101-38.7).

§ 101-43.310 Costs and proceeds.

§ 101-43.310-1 Cost of care and handling.

Each holding agency shall be responsible for and bear the costs of performing care and handling of excess property pending disposition. Direct costs incurred incident to transfer shall be borne by the recipient if billed by the holding agency. Overhead or administrative costs or charges shall not be included. Only costs incurred in the actual packing, preparation for shipment, loading, and shipment may be recovered by the holding agency. Where such costs are incurred, they shall be reimbursed by the recipient upon appropriate billing unless the holding agency waives the amount involved. Billing by a holding agency for direct costs of less than \$100 for any single shipment would appear to be uneconomical and should be avoided.

§ 101-43.310-2 Proceeds.

(a) The proceeds of a reimbursable transfer shall be paid to the transferor agency where:

(1) The transferor agency acquired the property with funds not appropriated from the general fund of the Treasury;

(2) The transferor agency is the USPS;

(3) The transferor agency is a wholly owned or a mixed-ownership Government corporation as defined in the Government Corporation Control Act (31 U.S.C. 841);

(4) The transferor agency is the municipal government of the District of Columbia;

(5) The transferor agency is a non-Federal agency for which GSA procures;

(6) The transferor agency acquired the property with appropriated funds, but by law is authorized to recover the proceeds;

(7) The property is transferred under the exchange/sale authority; or

(8) The property transferred is the private property of a nonappropriated fund activity.

(b) The proceeds of a reimbursable transfer shall be deposited to miscellaneous receipts in the U.S. Treasury by the transferee agency in all cases where the transferor agency acquired the property with appropriated funds but has no specific authority to recover the proceeds. A copy of the deposit action shall be furnished to the transferor agency.

§ 101-43.311 Determination of excess as surplus.

§ 101-43.311-1 Reportable property.

Excess personal property, when reported to GSA in accordance with § 101-43.304 and not transferred to other Federal agencies, shall become surplus at the close of business on the surplus release date, which should be evidenced on the report of excess personal property. The surplus release date will be established to occur 60 calendar days or less after receipt of the report of excess personal property in the appropriate GSA regional office unless the property is held for redistribution in accordance with § 101-43.309-4. The appropriate GSA regional office will coordinate surplus release date extensions with the reporting activity to minimize impact on the utilization and disposal process.

§ 101-43.311-2 Nonreportable property.

(a) Property excepted from the reporting requirements of § 101-43.304 shall become surplus when it has been made available by the holding agency for Federal use for a minimum of 21 calendar days after excess determination and has not been selected for transfer to other Federal agencies. Holding agencies shall annotate property records in a manner that will indicate to authorized Federal agency representatives the date of the excess determination. The property will become surplus at the close of business on the surplus release date, which normally will occur 21 calendar days after the holding agency determines the property to be available for screening as excess unless extended by GSA. Authorized Federal agency representatives may request and, with the approval of GSA, holding agencies will grant additional time not to exceed 30 calendar

days, unless otherwise agreed upon by the holding agency and the GSA regional office concerned. The release as surplus of property not transferred to other Federal agencies will be deferred by the same lengths of time.

(b) During the screening period following the determination that the property is excess, no holding agency shall take for its use any property in its custody which has been selected by a GSA area utilization officer for further screening or transfer for utilization, except with the approval of the appropriate GSA regional office; provided that holding activities may withdraw such property to meet their essential emergency requirements without this prior approval. The appropriate GSA regional office shall be notified of any such actions.

(c) This section is applicable to all nonreportable excess property other than perishables, dangerous property, classified property, trading stamps, and Nuclear Regulatory Commission-controlled materials.

§ 101-43.311-3 Property not utilized.

Property determined to be surplus as provided in §§ 101-43.311-1 and 101-43.311-2 shall be held available for donation program screening in accordance with part 101-44 before it shall be assigned for sale, abandonment, or destruction in accordance with part 101-45. Property which requires reimbursement upon transfer, when determined surplus, shall not be available for donation but may be disposed of as provided in part 101-45.

§ 101-43.311-4 Hazardous materials.

Hazardous materials shall be reported to GSA in accordance with part 101-42.

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§ 101-43.312 Use of excess personal property on cost-reimbursement contracts.

(a) Excess personal property may be used to reduce the Government's contract costs and shall be considered for this purpose whenever possible. When preparing contract documents, Federal agencies shall ensure that appropriate provisions are included therein to accommodate the furnishing of excess