

the dollar value of each cooperative agreement under which excess personal property has been furnished.

(e) Excess personal property furnished to a cooperative shall be accounted for and disposed of in accordance with the specific provisions of the cooperative agreement and procedures established by the sponsoring executive agency to govern the accountability and disposition of excess personal property acquired under cooperative agreements. The cooperative agreement shall contain adequate safeguards and assurances relative to use, maintenance, consumption, disposition, unauthorized use, and redelivery of custody to the Government of excess personal property furnished under the agreement.

(f) Property furnished to a cooperative is subject to the annual reporting requirements of § 101-43.4701(c).

§ 101-43.314 Use of excess personal property on grants.

(a) Federal agencies may obtain excess personal property for the purpose of furnishing such property to agency grantees only when the non-Federal recipient is an institution or organization which is the holder of a Federally sponsored project grant and is a public agency as defined in § 101-43.001-26 or is nonprofit and exempt from taxation under section 501 of the Internal Revenue Code of 1954.

(b) Excess personal property is transferred between Federal agencies as provided in § 101-43.309-4 and may be furnished to project grantees: *Provided*, authorization for the grantee to use excess property is contained in the grant document; a written determination is made by the sponsoring Federal agency that the acquisition will result in a reduction in the cost to the Government of the grant or an enhancement of the product or the benefit from the grant; the property will not be stockpiled by the grantee but will be placed into use within a reasonable period of time following acquisition as directed in writing by the granting agency; and the transfer is approved by an authorized Federal official of the granting agency. Transfers to grantees are further subject to the following conditions:

(1) A Federal agency may obtain excess personal property for transfer to a project grantee when the sponsoring Federal agency pays an amount equal to 25 percent of the original acquisition cost (except for costs of care and handling) of the property, such funds to be deposited into the U.S. Treasury as miscellaneous receipts. Title to excess personal property so furnished shall vest in the grantee. Property obtained by a Federal agency from excess sources and placed in direct official use for a period of at least 1 year may subsequently be furnished to a grantee without reimbursement provided the official use was valid and not for the purpose of circumventing the reimbursement requirement. Title to excess personal property so furnished shall be retained by the grantor agency unless specific statutory authority exists to vest title in the grantee.

(2) The provisions of paragraph (b)(1) of this section, shall not apply to the following:

(i) Excess personal property transferred under section 608 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2358), when and to the extent that property to be transferred under that Act is not needed for donation under the provisions of subparts 101-44.2 and 101-44.4 as determined by GSA. (This restriction shall not apply to excess personal property transferred for development loan programs under section 608 of the Foreign Assistance Act of 1961 which may be accomplished prior to donation screening.)

(ii) Excess personal property furnished under section 203 of the Department of Agriculture Organic Act of 1944 (16 U.S.C. 580a) through the U.S. Forest Service in connection with cooperative State forest fire control programs, provided title to such property is retained in the Government.

(iii) Excess personal property furnished by Federal agencies in connection with grants to Indian tribes, as defined in section 3(c) of the Indian Financing Act (25 U.S.C. 1452(c)) as eligible for services from the Department of the Interior, Bureau of Indian Affairs. Title to this property shall remain vested in the Government unless the title is vested under specific statutory authority.

(iv) Excess scientific equipment transferred pursuant to section 11(e) of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1870) (e). GSA will consider items of personal property as scientific equipment for transfer without reimbursement to the National Science Foundation (NSF) for use by a project grantee when the property requested is within FSC groups 12 (Fire Control Equipment), 14 (Guided Missiles), 43 (Pumps and Compressors), 48 (Valves), 58 (Communication, Detection, and Coherent Radiation Equipment), 59 (Electrical and Electronic Equipment Components), 65 (Medical Dental, and Veterinary Equipment and Supplies) 66 (Instruments and Laboratory Equipment), 67 (Photographic Equipment), 68 (Chemicals and Chemical Products), or 70 (General Purpose Automatic Data Processing Equipment (Including Firmware), Software, Supplies, and Support Equipment). Excess ADPE other than auxiliary or accessorial items with a unit acquisition cost of \$1,500 or more must be obtained under FIRMR part 201-33 (41 CFR part 201-33) provisions. GSA will give consideration to transfer without reimbursement of items of excess property in other FSC groups when NSF certifies the item requested is a component of or related to piece of scientific equipment or is an otherwise difficult-to-acquire item needed for scientific research. Items of property determined by GSA to be common-use of general purpose property, regardless of classification, shall not be transferred to NSF for use by a project grantee without reimbursement.

(v) Excess personal property furnished by the U.S. Department of Agriculture to State or county extension services or agricultural research cooperatives under 40 U.S.C. 483(d)(2)(E), provided that title to such property remains vested in the Government.

(3) The exceptions listed in paragraph (b)(2) of this section, shall not preclude any Federal agency from obtaining excess personal property and furnishing it to a project grantee of that agency under the provisions of paragraph (b)(1) of this section.

(4) Excess property furnished as provided in paragraphs (b) (1) through (3) of this section shall be accounted for

and disposed of in accordance with specific grant document provisions and procedures that are established by the granting agency to govern the accountability and disposition of personal property acquired under grant agreements.

(c) To ensure that all excess personal property transferred to project grantees is for the specific purpose authorized by the grantor agency, all transfer orders for excess personal property to be furnished to project grantees shall be signed by the Federal agency accountable officer and shall state the purpose of the transfer, the name of the project grantee, the grant number, the dollar amount of reimbursement required (if any), and the scheduled date of grant termination. If the grant expires in less than 60 calendar days, the transfer order will not be approved unless the grantor agency certifies the grant will be extended or renewed, or other written justification is provided. Upon receipt of the property, the grantor agency shall ensure that deposits are made to the U.S. Treasury as required by paragraph (b)(1) of section.

(d) With the exception of consumable items and within the limitations of § 101-43.314(b)(2)(iv), Federal grantor agencies may make available to their project grantees excess personal property that is determined by the granting agency to be necessary and usable for the purpose of the grant. Requests for transfer of a consumable item to a Federal agency for use by a project grantee will be considered by GSA provided adequate justification accompanies such requests. For the purpose of this section the term "consumable items" means those items which are intended for one-time use and are actually consumed in that one time; *e.g.*, drugs, medicines, surgical dressings, cleaning and preserving materials, and fuels. When a question arises regarding the consumability of an item of excess personal property for transfer to a project grantee, final determination shall rest with the appropriate GSA regional office. Excess personal property may be transferred to a project grantee for the purpose of cannibalization when the granting Federal agency accompanies the transfer request with a supporting statement which clearly indicates that

disassembly of the requested item for secondary use of its component parts, or for repair and maintenance of a similar item, has greater potential benefit than utilization of the item in its existing form and that a clear cost savings to the Government will result, subject to final determination by GSA. When circumstances warrant, agencies may set economic quantities for orders processed or set minimum life expectancies for excess personal property made available to grantees.

(e) To help ensure an equitable distribution of property among project grantees. Federal grantor agencies shall limit the amount of excess personal property (in terms of original acquisition cost) transferred to project grantee to the dollar value of the grant. Any higher percentage of excess personal property transferred to a project grantee shall be subject to approval by an official at an administrative level in the Federal grantor agency higher than the project officer administering the grant. It is expected that agencies will consider all factors in determining whether to approve or disapprove transfers to grantees of excess personal property above the dollar value of the grant. Pro forma approvals or disapprovals shall not be given.

(f) Federal grantor agencies shall include the following information in their grants recordkeeping systems: Total original acquisition cost of excess property furnished for use by all project grantees; original acquisition cost of each excess property item furnished for use by each project grantee; name and address of each project grantee; date of grant termination; dollar value of the grant; and original acquisition cost of excess property furnished, expressed as a percentage of the total dollar value of the grant.

(g) Each Federal grantor agency shall develop and maintain an effective system for the prevention or detection of situations involving the nonuse, improper use, or unauthorized disposal or destruction of excess personal property furnished to grantees, whether or not title to that property is vested in the grantee. Grantor agencies shall publish procedures which clearly delineate the obligations of grantees with respect to the use and consumption or return to

Government custody of property acquired from excess sources.

(h) Property furnished to project grantees is subject to the annual reporting requirements of § 101-43.4701(c).

§ 101-43.315 Certification of non-Federal agency screeners.

(a) To minimize delays in screening excess personal property at holding activities and to make property available quickly and efficiently, all non-Federal agency screeners shall be subject to certification by Federal authority.

(b) The sponsoring Federal agency recommending designation of a non-Federal agency screener shall prepare a request covering each designation and forward it for evaluation and approval to the GSA regional office for the region in which the intended screener is located (see § 101-43.4802 for regional office addresses and assigned areas). The request shall state the applicant's qualifications to screen excess personal property and shall indicate the name, number, and termination date of the specific contract, agreement, or grant to which the screener is to be assigned. Since certification is normally approved on a regional basis, a request for certification for interregional screening shall specify the additional regions for which certification is requested. The GSA regional office handling the request will coordinate as necessary with other GSA regional offices and advise the requesting agency of actions taken on each request.

(c) Sponsoring Federal agencies shall include GSA Form 2946, Screener's Identification, with each non-Federal agency screener request. GSA Form 2946 must contain the typed names of both the screener's organization and the sponsoring Federal agency, the signature of the sponsoring Federal agency official, the typed name and signature of the proposed non-Federal agency screener, and an affixed passport-style photograph of the screener.

(d) Following approval, the GSA regional office will complete the GSA Form 2946 and return it to the sponsoring Federal agency for issuance to the screener. When the request is for an applicant whose screening activities are confined to a single cost-reimbursement contract, cooperative agreement,