

that all data, information, and software has been removed from the equipment. Designated computer support personnel must indicate that the equipment has been sanitized by attaching a certification tag to the item. Sanitized ADPE will be utilized and disposed in accordance with the provisions of the FPMR.

**§ 109–43.307–54 Unsafe personal property.**

Personal property that is considered defective or unsafe must be mutilated prior to shipment for disposal.

**§ 109–43.312 Use of excess personal property on cost-reimbursement contracts.**

(a) [Reserved]

(b) It is DOE policy for designated contractors to use Government excess personal property to the maximum extent possible to reduce contract costs. However, the determination required in 41 CFR 101–43.312(b) does not apply to such contracts, and a DOE official is not required to execute transfer orders for authorized designated contractors. The procedures prescribed in 41 CFR 101–43.309–5 for execution of transfer orders apply.

**§ 109–43.313 Use of excess personal property on cooperative agreements.**

(a)–(c) [Reserved]

(d) Heads of field organizations shall ensure that required records are maintained in a current status.

**§ 109–43.314 Use of excess personal property on grants.**

(a)–(e) [Reserved]

(f) Heads of field organizations shall ensure that the records required by 41 CFR 101–43.314(f) are maintained.

**§ 109–43.315 Certification of non-Federal agency screeners.**

(a)–(c) [Reserved]

(d) Contracting officers shall maintain a record of the number of certified non-Federal agency screeners operating under their authority and shall immediately notify the appropriate GSA regional office of any changes in screening arrangements.

**Subpart 109–43.5—Utilization of Foreign Excess Personal Property**

**§ 109–43.502 Holding agency responsibilities.**

(a) [Reserved]

(b) Property which remains excess after utilization screening within the general foreign geographical area where the property is located shall be reported to the accountable field office or Headquarters program organization for consideration for return to the United States for further DOE or other Federal utilization. The decision to return property will be based on such factors as acquisition cost, residual value, condition, usefulness, and cost of transportation.

**Subpart 109–43.47—Reports**

**§ 109–43.4701 Performance reports.**

(a)–(b) [Reserved]

(c) The annual report of personal property furnished (e.g., transfers, gifts, loans, leases, license agreements, and sales) to non-Federal recipients, including elementary and secondary schools, is furnished to GSA by the DPMO. Feeder reports, using the format illustrated below, shall be submitted to the DPMO by November 15 of each year.

(1) Field office feeder reports shall include the following:

(i) Data for all excess personal property obtained from other Federal agencies and furnished to any DOE offsite or designated contractor or financial assistance recipient;

(ii) Data for all DOE personal property no longer needed by a DOE direct operation and subsequently furnished to any DOE offsite or designated contractor or financial assistance recipient.

(iii) Data for all personal property furnished to elementary and secondary schools and non-profit organizations under initiatives to support science and mathematics education.

(2) Field office feeder reports shall not include data for contractor inventory which is declared excess and subsequently redistributed through REAPS (or other means within DOE) to other DOE contractors or designated contractors' subcontractors.

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(3) The feeder report from the Office of Science Education Programs, using the following format, will include data for all personal property furnished to non-federal recipients and institutions of higher learning under the ERLE Grant Program.

Name and address of recipient	Recipient's status	Original cost of property	Digit federal supply classification group
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**Subpart 109-43.50—Utilization of Personal Property Held for Facilities in Standby**

**§ 109-43.5000 Scope of subpart.**

This subpart supplements 41 CFR part 101-43 by providing policies and procedures for the economic and efficient utilization of personal property associated with facilities placed in standby status.

**§ 109-43.5001 Definition.**

*Facility in standby* means a complete plant or section of a plant, which is neither in service or declared excess.

**§ 109-43.5002 Reviews to determine need for retaining items.**

Procedures and practices shall require an initial review at the time the plant is placed in standby to determine which items can be made available for use elsewhere within the established start-up criteria; periodic reviews (no less than biennially) to determine need for continued retention of property; and special reviews when a change in start-up time is made or when circumstances warrant. Such procedures should recognize that:

- (a) Equipment, spares, stores items, and materials peculiar to a plant should be retained for possible future operation of the plant;
- (b) Where practicable, common-use stores should be removed and used elsewhere; and
- (c) Uninstalled equipment and other personal property not required should be utilized elsewhere on-site or be disposed of as excess.

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**PART 109-44—DONATION OF PERSONAL PROPERTY**

**Subpart 109-44.7—Donations of Property to Public Bodies**

- Sec.
- 109-44.701 Findings justifying donation to public bodies.
  - 109-44.702 Donations to public bodies.
  - 109-44.702-3 Hazardous materials.

AUTHORITY: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

SOURCE: 63 FR 19643, Apr. 20, 1998, unless otherwise noted.

**Subpart 109-44.7—Donations of Property to Public Bodies**

**§ 109-44.701 Findings justifying donation to public bodies.**

The Director, Office of Administrative Services and heads of field organizations shall appoint officials to make required findings and reviews.

**§ 109-44.702 Donations to public bodies.**

**§ 109-44.702-3 Hazardous materials.**

The Director, Office of Administrative Services and heads of field organizations shall be responsible for the safeguards, notifications, and certifications required by 41 CFR part 101-42 and part 109-42 of this chapter, as well as compliance with all other requirements therein.

**PART 109-45—SALE, ABANDONMENT, OR DESTRUCTION OF PERSONAL PROPERTY**

**Subpart 109-45.1—General**

- Sec.
- 109-45.105 Exclusions and exemptions.
  - 109-45.105-3 Exemptions.

**Subpart 109-45.3—Sale of Personal Property**

- 109-45.300-50 Sales by designated contractors.
- 109-45.301-51 Export/import clause.
- 109-45.302 Sale to Government employees.
- 109-45.302-50 Sales to DOE employees and designated contractor employees.
- 109-45.303 Reporting property for sale.
- 109-45.303-3 Delivery.
- 109-45.304 Sales methods and procedures.