

§ 102-35.25

Federal agency, and whose care and handling will be the responsibility of that agency until final ownership is determined by the judicial process.

Sensitive Personal Property includes all items, regardless of value, that require special control and accountability due to unusual rates of loss, theft or misuse, or due to national security or export control considerations. Such property includes weapons, ammunition, explosives, information technology equipment with memory capability, cameras, and communications equipment. These classifications do not preclude agencies from specifying additional personal property classifications to effectively manage their programs.

Surplus personal property (see § 102-37.25 of this subchapter B).

Utilization means the identification, reporting, and transfer of excess personal property among Federal agencies.

§ 102-35.25 What management reports must we provide?

(a) There are three reports that must be provided. The report summarizing the property provided to non-Federal recipients and the report summarizing exchange/sale transactions (see §§ 102-36.295 and 102-39.75 respectively of this subchapter B) must be provided every year (negative reports are required). In addition, if you conduct negotiated sales of surplus personal property valued over \$5,000 in any year, you must report this transaction in accordance with § 102-38.115 (negative reports are not required for this report).

(b) The General Services Administration (GSA) may request other reports as authorized by 40 U.S.C. 506(a)(1)(A).

§ 102-35.30 What actions must I take or am I authorized to take regardless of the property disposition method?

Regardless of the disposition method used:

(a) You must maintain property in a safe, secure, and cost-effective manner until final disposition.

(b) You have authority to use the abandonment/ destruction provisions at any stage of the disposal process (see §§ 102-36.305 through 102-36.330 and § 102-38.70 of this subchapter B).

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(c) You must implement policies and procedures to remove sensitive or classified information from property prior to disposal. Agency-affixed markings should be removed, if at all possible, prior to personal property permanently leaving your agency's control.

(d) Government-owned personal property may only be used as authorized by your agency. Title to Government-owned personal property cannot be transferred to a non-Federal entity unless through official procedures specifically authorized by law.

PART 102-36—DISPOSITION OF EXCESS PERSONAL PROPERTY

Subpart A—General Provisions

Sec.

102-36.5 What is the governing authority for this part?

102-36.10 What does this part cover?

102-36.15 Who must comply with the provisions of this part?

102-36.20 To whom do “we”, “you”, and their variants refer?

102-36.25 How do we request a deviation from these requirements and who can approve it?

102-36.30 When is personal property excess?

102-36.35 What is the typical process for disposing of excess personal property?

DEFINITIONS

102-36.40 What definitions apply to this part?

RESPONSIBILITY

102-36.45 What are our responsibilities in the management of excess personal property?

102-36.50 May we use a contractor to perform the functions of excess personal property disposal?

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Subpart B—Acquiring Excess Personal Property For Our Agency

ACQUIRING EXCESS

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102-36.65 Why must we use excess personal property instead of buying new property?

102-36.70 What must we consider when acquiring excess personal property?

102-36.75 Do we pay for excess personal property we acquire from another federal agency under a transfer?