

Federal Property Management Regulations

§ 101-45.103-3

101-45.4903 Optional forms.
101-45.4903-15 Optional Form 15, poster, Sale of Government Property.
101-45.4903-16 Optional Form 16, Sales Slip, Sale of Government Personal Property.
101-45.4903-20 Optional Form 20, Notice to Surety—Deposit Bond—Annual Sale of Government Personal Property.

AUTHORITY: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c), §§101-45.400 to 101-45.405 also issued under sec. 307, 49 Stat. 880; 40 U.S.C. 304f.

SOURCE: 30 FR 2930, Mar. 6, 1965, unless otherwise noted.

§ 101-45.000 Scope of part.

This part prescribes policies and methods governing the disposal by public sale, or abandonment or destruction of personal property (including salvage, scrap, and waste materials) owned by the Government except foreign excess property and the recovery of precious metals. Additional guidelines regarding the sale, abandonment, or destruction of hazardous materials are prescribed in part 101-42.

[57 FR 39137, Aug. 28, 1992]

§ 101-45.001 Requests for deviations.

Deviations from the regulations in this part shall only be granted by the Administrator of General Services (or designee). Requests for deviations shall be made in writing to the General Services Administration (FB), Washington, DC 20406, with complete justification. A copy of the authorizing statement for each deviation, including the nature of the deviation, the reasons for such special action, and the Administrator's or designee's approval, will be available for public inspection in accordance with subpart 105-60.3.

[53 FR 16120, May 5, 1988. Redesignated at 59 FR 50696, Oct. 5, 1994]

Subpart 101-45.1—General

§ 101-45.101 Applicability.

(a) This part 101-45 applies to all agencies in the executive, legislative, and judicial branches of the Government, except the Senate, the House of Representatives, and the Architect of the Capitol and any activities under his direction, to the extent provided in the Federal Property and Administrative Services Act of 1949, as amended

(hereinafter generally referred to in this part 101-45 as "the Act").

(b) The provisions of this part 101-45, relating specifically to sales of surplus personal property, do not apply to sales by the Secretary of Defense made pursuant to 10 U.S.C. 2576.

[34 FR 5172, Mar. 13, 1969]

§ 101-45.102 Needs of Federal agencies paramount.

Any need for personal property expressed by any Federal agency shall be paramount to any disposal, if such need is made known to the holding or selling agency prior to actual removal of the property from Government control in the case of sale.

[53 FR 16121, May 5, 1988]

§ 101-45.103 Sales responsibilities.

§ 101-45.103-1 Conduct of sales.

Heads of Federal agencies, or their designees, are responsible for determining whether their agencies will (a) report their personal property to the General Services Administration (GSA) for sale for a fee for services rendered or (b) conduct or contract for the sale of their own property. If agencies elect to sell their own property, a designation indicating such shall be entered on their reports of excess personal property to prevent GSA from automatically programming the property for sale.

[59 FR 50696, Oct. 5, 1994]

§ 101-45.103-2 Holding agency sales.

All provisions of Parts 101-45 and 101-46 shall be followed in conducting sales of Government-owned personal property. Agency internal procedures shall be issued to ensure compliance and uniformity and to protect the integrity of the sales process.

[59 FR 50697, Oct. 5, 1994]

§ 101-45.103-3 Sales by GSA.

(a) For property reported to GSA for disposal, the following basic services will be provided at reimbursable rates established by GSA on an annual basis.

(1) Auction and spot bid sales. The following services are covered under the basic rate: