Federal Personal Property Policy Overview

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The GSA has authority to issue policy for the acquisition of assets, and the disposal of assets. The agencies are responsible for the management of their assets that are “in use”, except for aircraft and fleet assets, where GSA has expanded policy authorities.
GSA’s Role in Federal Asset Management Policy

Guidance, Standards, and Best Practices

- Other Federal Law
- Other Federal Policy (EO, Circulars, etc)

Agency Policy

GSA Regulations and Policy

Federal Law (40 USC)
   Authorizes GSA to Issue Federal Policy

U.S. Constitution
   Requires Congress to Make Laws Governing Federal Property
Constitutional Origins

• Article 4, Section 3

• The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States...;
Sec. 524. Duties of executive agencies

...  
  (b) REQUIRED AS FAR AS PRACTICABLE- Each executive agency, as far as practicable, shall—  
(continued)

...  
  (2) transfer excess property under its control to other federal agencies and to organizations specified in section 321(c)(2) of this title; and  
  (3) obtain excess property from other federal agencies.
Sec. 121. Administrative
...

c) REGULATIONS BY ADMINISTRATOR-

(1) GENERAL AUTHORITY- The Administrator may prescribe regulations to carry out this subtitle.
Federal Personal Property Management Act of 2018
(P.L. 115-419)

To amend chapter 5 of title 40, United States Code, to improve the management of Federal personal property.

(a) INVENTORY ASSESSING AND IDENTIFYING EXCESS PERSONAL PROPERTY.—Section 524(a) of title 40, United States Code, is amended—

“(A) on an annual basis, conduct an inventory and assessment of capitalized personal property to identify excess capitalized personal property under its control, including evaluating—
“(i) the age and condition of the personal property;
“(ii) the extent to which the executive agency utilizes the personal property;
“(iii) the extent to which the mission of the executive agency is dependent on the personal property; and
“(iv) any other aspect of the personal property that the Administrator determines is useful or necessary for the executive agency to evaluate; and
“(B) on a regular basis, conduct an inventory and assessment of accountable personal property under its control, including evaluating—
“(i) the age and condition of the personal property;
“(ii) the extent to which the executive agency utilizes the personal property;
“(iii) the extent to which the mission of the executive agency is dependent on the personal property; and
“(iv) any other aspect of the personal property that the Administrator determines is useful or necessary for the executive agency to evaluate.”.
(b) THRESHOLDS FOR CAPITALIZATION AND ACCOUNTABILITY.—

Section 506(a)(1) of title 40, United States Code, is amended by adding at the end the following:

“(E) CAPITALIZATION THRESHOLDS.—Establish thresholds for acquisitions of personal property for which executive agencies shall capitalize the personal property.

“(F) ACCOUNTABILITY THRESHOLDS.—Not withstanding section 121(b), for the management and accountability of personal property, establish thresholds for acquisitions of personal property for which executive agencies shall establish and maintain property records in a centralized system.”
Federal Asset Management Environment

• The Federal Government owns personal property assets valued over $1.6 Trillion. (FY 2016 Financial Report of the U.S.)

• Policies and Best Practices – GSA OGP.

• Operations – GSA FAS.
Federal Asset Management Environment

• Personal Property covers all physical and intangible property, generally, except land and buildings (real property), Federal records, and large naval vessels.

• Policies encourage use within the acquiring agency, other federal agencies and public bodies before being sold.

• Some agencies have unique laws.
“Typical” Asset Life Cycle

Stage of Asset Life Cycle:

Acquisition | In-Use by Acquiring Agency | Transfer (Excess) | Donation (Surplus) | Sales (Surplus)

Examples of asset disposal that may occur at any stage: Non-federal transfers; Abandoned/Destroyed; and Lost

Selected Disposal Methods:
- Reassigned within the Agency
- Exchange/Sale
- Transferred to other agencies
- Donated
Federal Regulations

• Topic
  – General (FMR 102-35)
  – Utilization (FMR 102-36)
  – Donation (FMR 102-37)
  – Sale (FMR 102-38)
  – Exchange/sale (FMR 102-39)
  – Hazardous (FMR 102-40)
  – Abandoned/forfeited (FMR 102-41)
  – Foreign Gifts (FMR 102-42)
  – Supply/Procurement (subchapter E FPMR)
FMR Bulletins - Guidance

• Topic
  – Foreign Gift Minimal Value (B-41)
  – Bulletins “In Effect” (B-40)
  – Disposal of Electronic Equipment (B-34)
  – Annual Reports (B-27)
  – Accountability/Stewardship (B-26)
  – Property Obtained with Charge Card (B-25)
  – Use of Voluntary Consensus Standards (B-18)
What’s New?

• Recent/Imminent
  – Revised Bulletin on Annual Reports
  – Bulletin on Warehousing Practices
  – ASTM Standard on Warehousing
  – Bulletin on Activity Address Codes (AACs)
Where to Find Help?

Regulations and Bulletins  www.gsa.gov/FMR

Personal Property Policy  www.gsa.gov/personalpropertypolicy

- Overview
- Personal Property Awards
- Personal Property Library
- Foreign Gifts
- Exchange/Sales
What’s New

Ongoing

- Regulation Reform Initiative
- Increased use of data to inform policy making.
- Increased Collaboration and one-on-one Agency Meetings
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