

Foreign Excess Personal Property

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Foreign Excess Personal Property

102-36.380 Who is responsible for disposing of foreign excess personal property?

Your agency is responsible for disposing of your foreign excess personal property, as provided by title IV of the Property Act.

110-36.380 Holding agency responsibilities.

Excess property located in a foreign country which appears to have sufficient value so that its return to the United States would be economically feasible shall be reported electronically via the excess module in the PROP system to DEPPC in St. Louis, Missouri, for screening within the Department and other eligible entities.

102-36.385 What are our responsibilities in the disposal of foreign excess personal property?

When disposing of foreign excess personal property you must:

(a) Determine whether it is in the interest of the U.S. Government to return foreign excess personal property to the U.S. for further re-use or to dispose of the property overseas.

(b) Ensure that any disposal of property overseas conforms to the foreign policy of the United States and the terms and conditions of any applicable Host Nation Agreement.

(c) Ensure that, when foreign excess personal property is donated or sold overseas, donation/sales conditions include a requirement for compliance with U.S. Department of Commerce and Department of Agriculture regulations when transporting any personal property back to the U.S.

(d) Inform the U.S. State Department of any disposal of property to any foreign governments or entities.

102-36.390 How may we dispose of foreign excess personal property?

To dispose of foreign excess personal property, you may:

- (a) Offer the property for re-use by U.S. Federal agencies overseas;
- (b) Return the property to the U.S. for re-use by eligible recipients;
- (c) Sell, exchange, lease, or transfer such property for cash, credit, or other property;

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(d) Donate medical materials or supplies to nonprofit medical or health organizations, including those qualified under sections 214(b) and 607 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2174, 2357); or

(e) Abandon, destroy or donate such property when you determine that it has no commercial value or the estimated cost of care and handling would exceed the estimated proceeds from its sale, in accordance with sec. 402(a) of the Property Act. Abandonment, destruction or donation actions must also comply with the laws of the country in which the property is located.

110-36.390(c) Sale of foreign excess.

The sale of U.S. Government property in foreign countries involves certain special requirements and restrictions not applicable to the sale of such property in the United States. Where a determination is made to dispose of foreign excess property by sale, the party concerned should request the appropriate United States diplomatic or consular mission to sell the property. If the mission elects not to sell foreign excess property, then the agency shall dispose of such property by sale or abandonment or destruction in accordance with FMR 102-38 and 102-36.305.

102-36.395 How may GSA assist us in disposing of foreign excess personal property?

You may request GSA's assistance in the screening of foreign excess personal property for possible re-use by eligible recipients within the U.S. GSA may, after consultation with you, designate property for return to the United States for transfer or donation purposes.

102-36.400 Who pays for the transportation costs when foreign excess personal property is returned to the United States?

When foreign excess property is to be returned to the U.S. for the purpose of an approved transfer or donation under the provisions of Sections 202 and 203 of the Property Act, the receiving agency is responsible for all direct costs involved in the transfer, which include packing, handling, crating, and transportation.