

ABANDONMENT AND DESTRUCTION GUIDELINES

The policy and procedures contained in Subpart 101-45 of the Federal Property Management Regulations (FPMR), Abandonment or Destruction of Surplus Property, are confusing. This is evidenced by requests from our Regional Offices and overseas posts for help in processing and approving their abandonment or destruction actions

The authority for executive agencies to abandon or destroy personal property is contained in FPMR 101-45.5. When appropriate, GSA/GSO can determine that property has no commercial value, but cannot authorize another executive agency to abandon or destroy personal property .

Attached is a guideline that may be used when disposing of property by abandonment or destruction. This guideline is not meant to replace the policy or procedures governing abandonment or destruction. Its purpose is to provide an understandable, step-by-step outline on how an agency may dispose of property by abandonment or destruction. The instructions contained in the attached guidelines comply with the procedures contained in the FPMR.

For additional information regarding abandonment or destruction of personal property, please contact your regional GSA office listed in Attachment C.

ABANDONMENT OR DESTRUCTION GUIDELINES FOR HOLDING AGENCIES

A. GENERAL

1. The disposal process for Federal excess and surplus personal property is as follows:

- a. Utilization-another agency or office uses the furniture or equipment instead of disposal. Use the SF-122 to transfer the property to the accepting agency. See ATTACHMENT A, Forms SOP for detailed instructions for completing the form.
- b. Sale-the property has some commercial value, and all other avenues of excess have been exhausted and there are still no organizations interested in taking the property, it can now be sold. The items were originally reported on a local Embassy form or a memo produced by the Regional Office or overseas post.
- c. Donation-no government agencies (Federal, State, Local, etc.) want or need the excess property and it can be donated to a nonprofit organization. Donation will also be conducted using the SF-122.
- d. Abandonment or Destruction-the property has no commercial value and there are no interested parties willing to take the property for a nominal fee. You may now legally dispose the property locally.

2. Property declared excess by an executive agency enters the disposal process at the utilization step (l.a. above) and proceeds through the process until appropriate removal is effected. Normally, property reaches the abandonment or destruction cycle only after utilization, donation and sale efforts have produced no results.

In certain cases, disposal by abandonment or destruction is authorized by law, regulation, or agency directive for reasons of public health, safety, or security. Depending on the cited reason or authority, abandonment or destruction can be effected at any time during the disposal process.

3. Abandonment or destruction of Federal excess and surplus property must be documented properly and meet all audit trail requirements. Great care should be taken to fully justify, document, and ensure audit trail visibility of all abandonment or destruction dispositions.

B. PROCEDURES

1. The first requirement for a holding agency in preparing to dispose of property through abandonment or destruction is to determine the property authority. These authorities are:

- a. The property has no commercial value. No commercial value means a determination that the property has neither utility nor monetary value (either as an item or as scrap).
- b. The cost of care, handling, and preparation of the property for sale would be greater than the expected sale proceeds (estimated fair market value).
- c. A law, regulation, or directive requires abandonment or destruction action.
- d. Written instructions by a duly authorized official (health, safety, security) directs abandonment or destruction action.

2. Upon selection of the appropriate authority, the holding agency will prepare a written statement justifying the abandonment or destruction action (See 41 CFR 101-45.902a). The written finding will include:

- a. A detailed description of the property, condition, and total acquisition cost.
- b. The authority for the abandonment or destruction action along with any pertinent supporting documentation.
- c. A statement describing the proposed method of destruction (i.e., burning, burying, etc.) or the abandonment location.
- d. A statement that the proposed abandonment or destruction action will not be detrimental or dangerous to public health or safety, and will not infringe on the rights of other persons.
- e. The signature of the appropriate agency official approving the abandonment or destruction action.
- f. Request for abandonment or destruction approval, for property with an acquisition cost of over \$1,000, should include the title, telephone number, and signature of the agency reviewing authority.

3. Following appropriate approval, the holding agency must provide for public notice of the abandonment or destruction action. Public notice will be given in the area in which the property is located and should be for a period not less than 7 calendar days. The public notice will include:

- a. A general description of the property.
- b. The date and location of the abandonment or destruction action.

c. An offer to donate property to public bodies.

d. An offer to sell the property.

4. Public notice can be accomplished by posting announcements in public places, such as bulletin boards or publishing the announcement in organizational newsletters or in local newspapers. Sale of property pending abandonment or destruction action may be accomplished by the holding agency or the appropriate GSA regional sales office.

5. There are exceptions to the requirement for public notice of abandonment or destruction action. These exceptions are when:

a. In the best interest of the public, immediate abandonment or destruction is necessary or desirable because of the nature of the property or because of the difficulty or expense of its care and handling. In this case, the written justification and approval by the agency reviewing authority should indicate that:

(1) The value of the property is so little or the cost of care and handling is so great that its retention and advertising for sale is clearly uneconomical; or

(2) Immediate abandonment or destruction is required because of health, safety, or security considerations; or

(3) The property to be abandoned or destroyed is unserviceable expendable property, such as obsolete equipment, electric light bulbs, radio tubes, fuses, resistors, capacitors, air filters, dust cloths, etc., and the accumulation of this type of property is uneconomical and not in the best interest of the Government.

b. A single line item of property to be abandoned or destroyed at any one location at any one time has an acquisition cost of less than \$500.

c. Following the actual abandonment or destruction, a Certificate of Abandonment or Destruction should be prepared by the holding agency to document the action and satisfy audit trail requirements. This certification shall be made part of the holding agency property account records. The certification should read as follows:

I certify that (identify items) were (abandoned/ destroyed) in the manner authorized by the Federal Property management Regulations and other applicable regulations.

Agency Official

Date

I have witnessed the (abandonment/ destruction) of the described property in the manner and on the date stated herein.

Witness

Date

d. The certification will be signed by an authorized official of the holding agency and a holding agency employee that actually witnessed the abandonment or destruction action. For the destruction of surplus drugs, biologicals and reagents, the certification will be signed by an authorized holding agency official and two holding agency employees that actually witnessed the abandonment or destruction action.

PUBLIC NOTICE OF ABANDONMENT OR DESTRUCTION

1. NOTICE

NOTICE is hereby given that _____ proposes to initiate abandonment or destruction procedures for the following surplus Government property:

Item Name(s): _____

General Description: _____

NSN(s): _____

Quantity: _____

Condition(s): _____

Unit of Issue: _____

Total Acquisition Cost: _____

2. DONATION

Beginning on _____, until close of business _____, the above property will be available for donation to public bodies. After this time, all remaining property will be abandoned or destroyed in accordance with applicable Government disposal regulations.

3. SALE

Notwithstanding the above, commencing with the posting of this notice and so long as the property is available, the Government will consider the sale of all or any portion of this property to any or all interested parties on a first-come, first-served basis.

4. INSPECTION

This property is available for inspection at _____ from _____ to _____ Monday thru Friday, excluding holidays and weekends. Interested parties are invited to contact: _____, at phone: _____.