



U.S. General Services Administration



# Personal Property Management & Exchange/Sale

Panelists: Cynthia Gardiner, Jessica Dreier, Deone McMillan, Diana Daniel

Facilitator: Rick Parker

[www.gsa.gov/FedFleet](http://www.gsa.gov/FedFleet) |  
January 2023

# Personal Property Management

---

## Policy Overview



# Overview

---

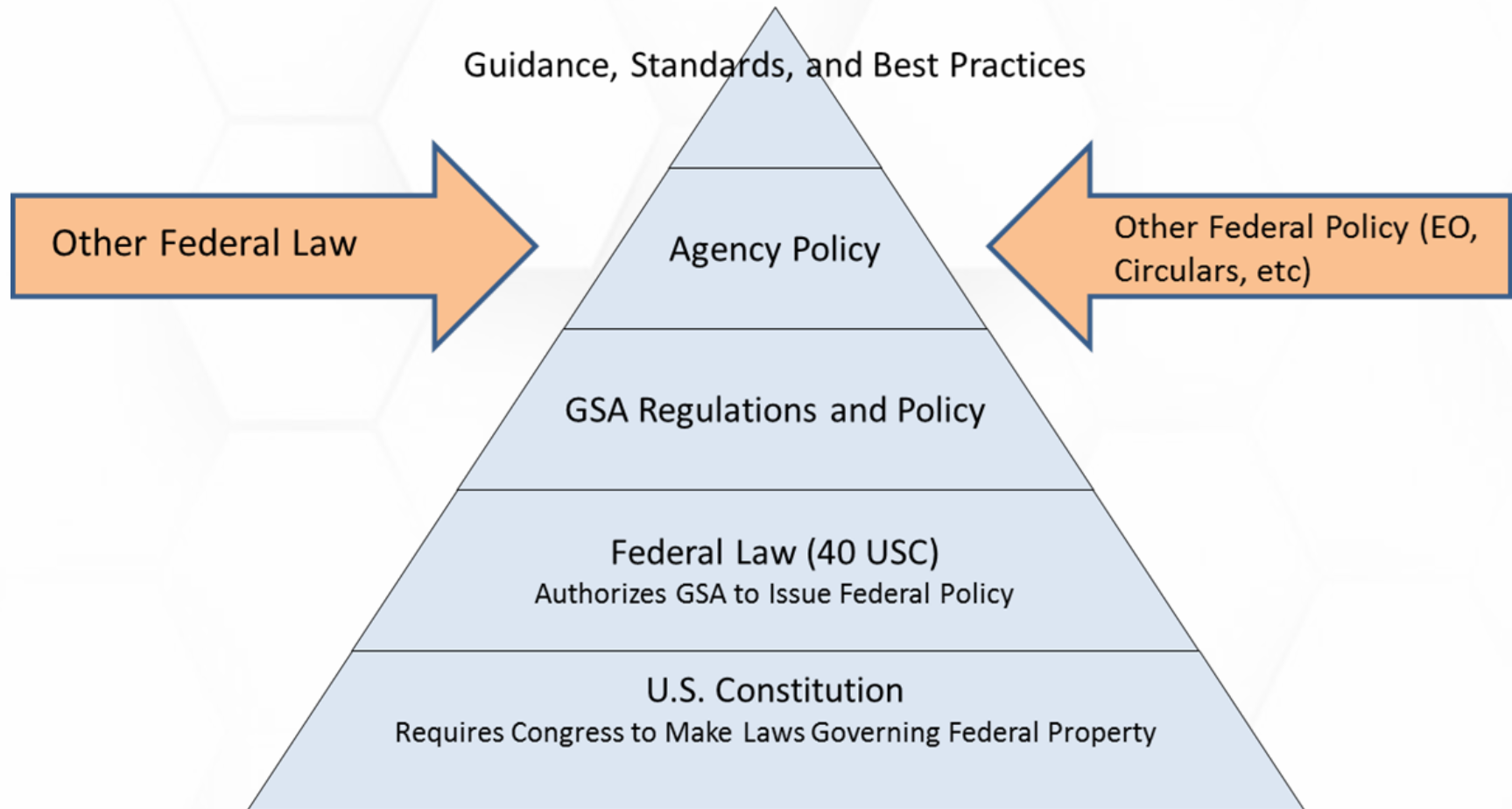
GSA has authority to issue policy for the acquisition of assets and the disposal of assets. Federal agencies are responsible for the management of their assets that are “in use,” except for aircraft and fleet assets, where GSA has expanded policy authorities.

# Federal Asset Management Environment

---

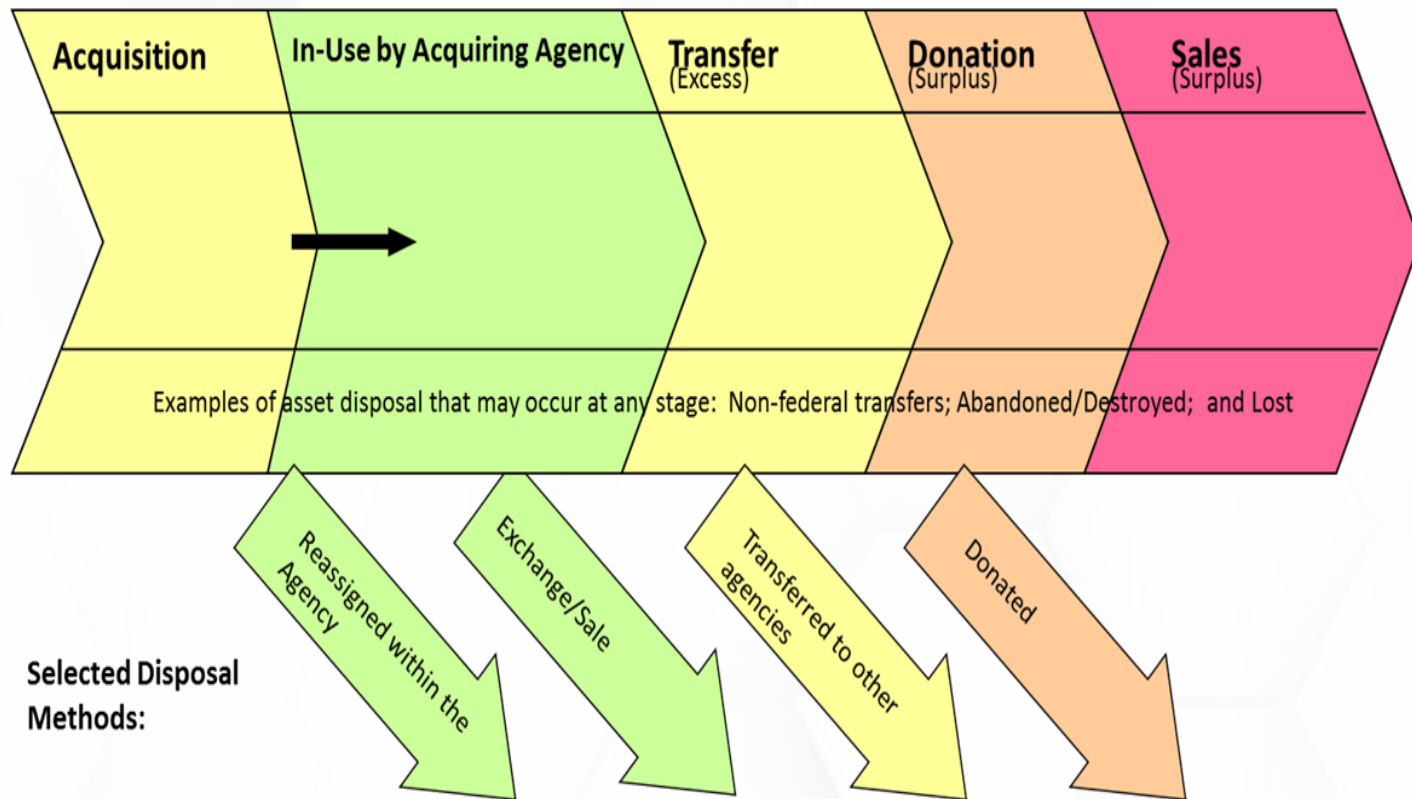
- The Federal Government owns personal property assets valued over \$1.9 Trillion. (FY 2021 Financial Report of the U.S.)
- Personal Property covers all physical and intangible property, generally, except land and buildings (real property), Federal records, and large naval vessels.
- Policies encourage use within the acquiring agency, other Federal agencies and public/nonprofit entities before being sold or otherwise being disposed of outside the Federal community.
- Some agencies have unique disposal authorities.
- Policies and Best Practices – GSA OGP; Operations – GSA FAS.

# GSA's Role in Personal Property Policy



# “Typical” Asset Life Cycle

## Stage of Asset Life Cycle:



# Federal Management Regulation (FMR)

---

<u>Topic</u>	<u>Where it can be found</u>
General	FMR 102-35
Utilization	FMR 102-36
Donation	FMR 102-37
Sale	FMR 102-38
Exchange/Sale	FMR 102-39
Special Handling	FMR 102-40
Abandoned/Forfeited	FMR 102-41
Foreign Gifts	FMR 102-42
Supply/Procurement	Subchapter E (FPMR)

# Exchange/Sale 102-39

---

## Overview





# Authority and Implementing Regulation

---

## Authority:

- Title 40 USC Section 503

## Implementing Regulation:

- FMR 102-39, *Replacement of Personal Property Pursuant to the Exchange/Sale Authority*

# Text from 40 USC 503

---

(a) AUTHORITY OF EXECUTIVE AGENCIES.—In acquiring personal property, an executive agency may exchange or sell similar items and may apply the exchange allowance or proceeds of sale in whole or in part payment for the property acquired.

(b) APPLICABLE REGULATION AND LAW.—

(1) REGULATIONS PRESCRIBED BY ADMINISTRATOR OF GENERAL SERVICES.—A transaction under subsection (a) must be carried out in accordance with regulations the Administrator of General Services prescribes, subject to regulations prescribed by the Administrator for Federal Procurement Policy under division B (except sections 1704 and 2303) of subtitle I of title 41.

(2) IN WRITING.—A transaction under subsection (a) must be evidenced in writing.

(3) SECTION 6101(b) TO (d) OF TITLE 41.—Section 6101(b) to (d) of title 41 applies to a sale of property under subsection (a), except that fixed price sales may be conducted in the same manner and subject to the same conditions as are applicable to the sale of property under section 545(d) of this title.

# What is the Exchange/Sale Authority?

---

“In acquiring personal property, an executive agency may exchange or sell similar items and may apply the exchange allowance or proceeds of sale in whole or in part payment for the property acquired.”



# What is the Exchange/Sale Authority? (cont.)

---

This Authority Allows the:

- Exchange
- Sale

of Eligible Personal Property

Proceeds must be used to purchase, rent *or* lease similar item(s)

# Do I Need Legal Office Approval?

---

It is highly recommended that you seek the advice of your Office of General Counsel prior to conducting an Exchange/Sale transaction. This will protect you and ensure compliance with law.

GSA has experience in the Exchange/Sale authority, and ultimately makes the interpretation of 40 USC 503 contained in FMR 102-39.

# What are “*Similar*” Assets?

---

Similar: the acquired item and the replaced item:

1. Are identical;
2. Are designed and constructed for the same purpose;
3. Constitute parts or containers for identical or similar end items; or
4. Fall within a single Federal Supply Classification (FSC) group of property that is eligible for handling under the exchange/sale authority.

# Why use the Exchange/Sale Authority?

---

- To reduce your Agency's cost of replacing personal property.
- But remember, you MUST use the money or exchange allowance from Exchange/Sale to acquire a “*similar*” item to the item exchanged or sold.

# When *not* to use Exchange/Sale Authority?

---

- Do NOT use Exchange/Sale if the estimated sales proceeds will be unreasonably low.
- Can NOT use Exchange/Sale for certain groups of property.



# What is *not* eligible for Exchange/Sale?

---

The following Federal Supply Class Groups are...  
**NOT** to be sold/exchanged *without a waiver* :

- 10 Weapons
- 11 Nuclear ordnance
- 42 Firefighting, rescue eq.
- 44 Nuclear reactors
- 51 Hand tools
- 54 Prefab structures
- 68 Chemicals
- 84 Clothing

# FY19-FY21 Exchange/Sale Data- FSG 23

---

## FY19

- Exchange allowance: \$11M
- Net proceeds: \$415M
- Total: \$426M

## FY20

- Exchange allowance: \$15M
- Net proceeds: \$262M
- Total: \$277M

## FY21

- Exchange allowance: \$32M
- Net proceeds: \$536M
- Total: \$567M

# Reporting Exchange/Sale Data

---

- Reports are due 90 days after close of Fiscal Year (December 30 of the calendar year)
- Report using template provided in the Personal Property Reporting Tool (PPRT)
- PPRT found at: [www.property.reporting.gov](http://www.property.reporting.gov)
- Help desk support: [help.PPRT@gsa.gov](mailto:help.PPRT@gsa.gov)

# Panel Question - #1

---

What are some of the Value Added Services (VAS) that GSA provides? Can you walk me through the VAS process?

# Panel Question - #2

---

What fees are there for using the Value Added Service and how does the owning agency pay them?

# Panel Question - #3

---

What accounting information is needed in order to receive sale proceeds reimbursement?

# Panel Question - #4

---

Does Personal Property Management sell vehicles without issuing a title (SF97)?

# Panel Question - #5

---

Can vehicles that are condition code scrap be sold as exchange/sale?



# Panel Question - #6

---

Can you sell a vehicle if it has a lien on it?

# Panel Question - #7

---

What is the difference in returning my vehicle to GSA Fleet vs using GSA Personal Property Management Disposal?

# Panel Question - #8

---

What is a fixed price sale and when is it conducted?

# Panel Question - #9

---

Can I purchase property with Bitcoin?

# Panel Question - #10

---

What funding documents are required in order to have Personal Property sell our vehicles?

# Resources

---

Regulations and Bulletins - [www.gsa.gov/FMR](http://www.gsa.gov/FMR)

Personal Property Policy -  
[www.gsa.gov/personalpropertypolicy](http://www.gsa.gov/personalpropertypolicy)

Personal Property Management -  
[www.gsa.gov/property](http://www.gsa.gov/property)

[Vehicle Reporting Checklist](#)

# Contacts

---

## Personal Property Policy

- Cindy Gardiner
  - [cynthia.gardiner@gsa.gov](mailto:cynthia.gardiner@gsa.gov)
- Jessica Dreier
  - [jessica.dreier@gsa.gov](mailto:jessica.dreier@gsa.gov)

## Personal Property Management

- Deone McMillan
  - [deone.mcmillan@gsa.gov](mailto:deone.mcmillan@gsa.gov)
- Diana Daniel
  - [diana.daniel@gsa.gov](mailto:diana.daniel@gsa.gov)
- Rick Parker
  - [rick.parker@gsa.gov](mailto:rick.parker@gsa.gov)

