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## PURPOSE

This document provides an overview of the U.S. General Services Administration's (GSA) federal personal property disposition guidelines and requirements. All federal entities, including Federal Electronics Challenge (FEC) Partners, must follow these requirements when handling electronic equipment at end-of-life.

## OVERVIEW OF GSA PERSONAL PROPERTY DISPOSAL PROCESS

This resource is intended as an overview of the personal property disposal process, as it applies to electronics. This is not exhaustive guidance of federal personal property disposal requirements. Additional information is available in the References listed at the end of this resource.

The guidelines and requirements outlined in this overview apply to federal civilian agencies and their facilities. Military agencies follow a similar disposition process, but are required to follow the guidelines and requirements of the Defense Logistics Agency (DLA).

Federal personal property disposal is regulated under the Federal Management Regulation (FMR), Subchapter B - Personal Property 41 Code of Federal Regulations (CFR) 102. Disposition of federal electronic assets is specifically addressed in GSA FMR Bulletin B-34, *Disposal of Federal Electronic Assets*.

Federal agencies and facilities should also be aware of, and adhere to, relevant federal, state and local laws related to electronics reuse, recycling, and disposal.

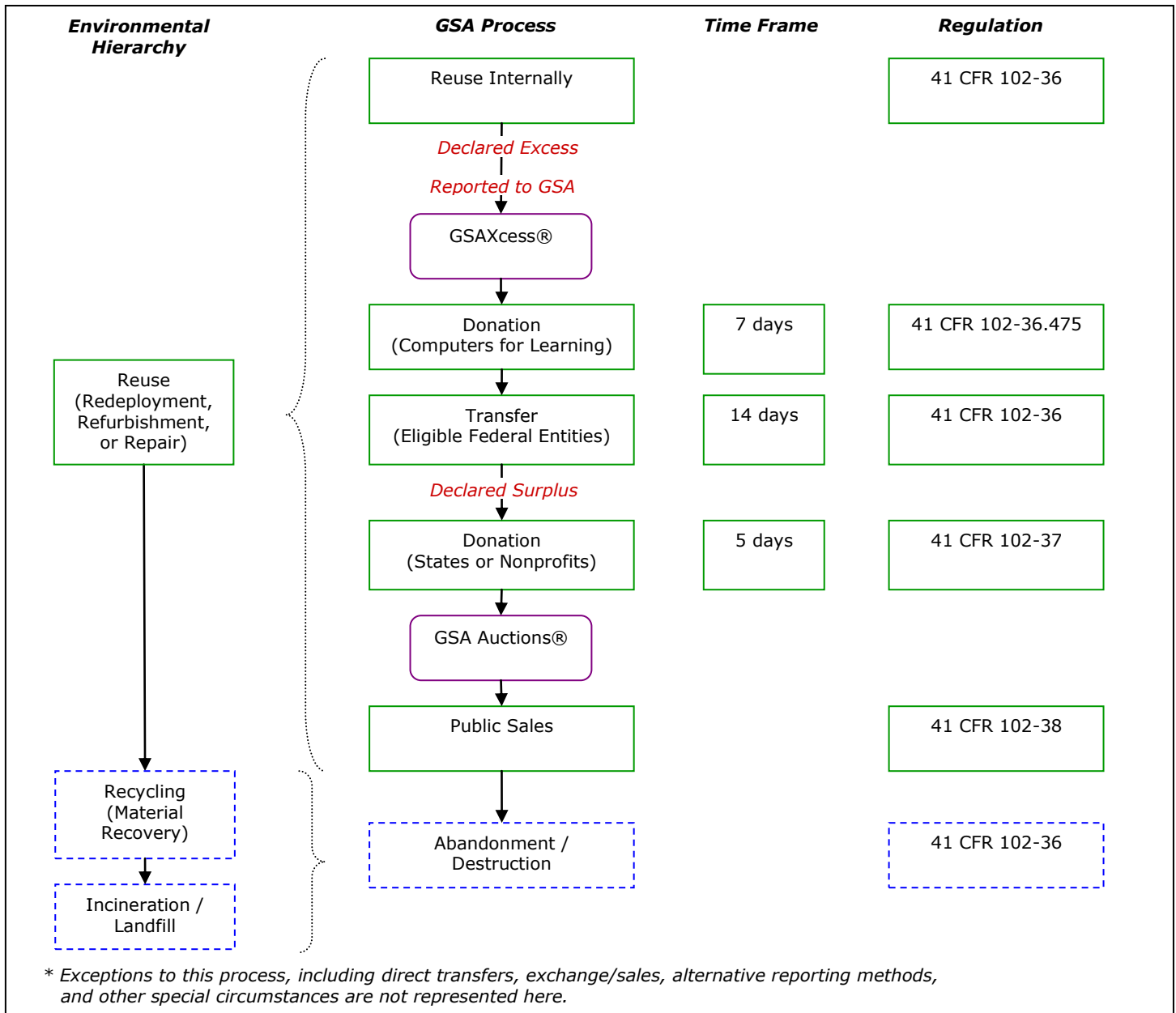
## DEFINITIONS

- *Disposal*: The processes that will result in the removal of personal property from official records by the retransfer, donation, or sale of usable excess and surplus property and the abandonment or destruction (or other actions) of non usable property.
- *Personal Property*: Any property, except real property (buildings/land). Personal property includes all electronics.
- *Excess Personal Property*: Any personal property under the control of any federal agency that is no longer required for that agency's needs, as determined by the agency head or designee.
- *Surplus Property*: Excess personal property no longer required by federal agencies as determined by GSA.

## DISPOSITION PROCESS FOR USED ELECTRONICS

The following flowchart outlines the GSA process for personal property disposition. Purple, rounded boxes represent GSA systems that may be used to facilitate disposition options.

The GSA recommends following the reuse process for all federal electronic equipment with condition codes 1 (new), 4 (usable), and 7 (repairable). The GSA recommends following the recycling process for all electronic equipment declared for abandonment and destruction, generally equipment with condition codes X (salvage) and S (scrap). The GSA recommends avoiding disposal of federal electronic equipment and components in landfills or incinerators.



These steps are described in further detail below. **Specific actions are check-marked and in green, IMPORTANT NOTES are capitalized and in red, and alternatives are described in blue boxes.**

## 1. Reuse Internally

Internal reuse is the first option for disposition of used federal electronics. Some federal agencies and facilities have processes in place to track, redistribute and reuse used electronics within a facility or agency.

- ✓ Look for opportunities to give your electronics a second (or third or fourth) life within your facility or agency.

## 2. Declared Excess and Reported to GSA

If your used electronics can not be reused inside your agency, they are considered excess personal property. Generally, excess property must be reported to GSA for possible transfer to and utilization by other federal agencies or authorized recipients.

GSAXcess® is a web-enabled platform that provides authorized users a means of electronically recording, tracking and controlling their worldwide inventory of federal excess and surplus property.

- ✓ Report excess electronics through GSAXcess®. Other options for reporting excess equipment, and exceptions to reporting requirements, are detailed in GSA's *Personal Property Disposal Guide*.

## 3. Donation through Computers for Learning

The Computers for Learning (CFL) program allows transfer of excess federal computer equipment to schools and educational nonprofit organizations, giving special consideration to those with the greatest need. The CFL program implements Executive Order (E.O.) 12999, *Educational Technology: Ensuring Opportunity for All Children in the Next Century*. E.O. 12999 directs federal agencies to give "highest preference to schools and nonprofit organizations in the transfer of educationally useful federal equipment."

- ✓ Excess electronics entered into GSAXcess® may be offered to eligible schools and educational nonprofits through the CFL program.
- ✓ Federal entities may opt to directly transfer electronic equipment to eligible schools and educational nonprofits (see side box). These direct transfers should be reported through CFL's Post Transaction Module.

## 4. Transfer to Eligible Federal Entities

Excess electronics entered into GSAXcess® that are not transferred under the CFL program are offered to eligible federal entities for reuse. Federal agencies, to the maximum extent practicable, must fill requirements for personal property by using existing agency property or by obtaining excess property from other federal agencies in lieu of new procurements.

*Direct transfers:* In lieu of reporting excess personal property to GSA, used electronics may be directly transferred to eligible CFL recipients or eligible federal entities. Certain restrictions and reporting requirements apply to direct transfers. See GSA's *Personal Property Disposal Guide* for more information.

- ✓ If excess electronics entered into GSAXcess® are not transferred under the CFL program, they are offered to eligible federal entities for transfer.
- ✓ Federal entities may opt to directly transfer excess personal property to eligible federal entities (see side box).

## 5. Declared Surplus

If your used electronics are not transferred under the CFL program and can not be reused by another federal entity, they are considered surplus personal property. Generally, surplus personal property is offered through the State Agencies for Surplus Property (SASPs) for further distribution.

- ✓ If excess electronics entered into GSAXcess® are not transferred to eligible CFL recipients or federal entities, they are declared surplus.

## 6. Donation to States or Nonprofit Organizations

Surplus electronics may be donated to state and local governments and eligible nonprofit organizations through the SASPs. The SASPs determine eligibility for participation in the donation program and assist eligible donees in locating, screening, and acquiring needed equipment.

- ✓ Surplus electronics in GSAXcess® are offered to state and local governments and eligible nonprofit organizations through the SASPs. Other options for donating surplus equipment are detailed in *GSA's Personal Property Disposal Guide*.

**IMPORTANT NOTE:** Be sure to notify recipients of their disposition options when their donated electronics become obsolete. Provide CFL recipients and other donees with the FEC resource, *Fact Sheet for Recipients of Donated Federal Electronic Equipment*, available at: <http://www2.epa.gov/fec/fact-sheet-recipients-donated-federal-electronic-equipment-722012>

GSA FMR Bulletin B-34 provides language that should be included in any documentation transferring ownership or custody of electronic equipment, and in any listing or advertisement of electronic equipment planned for disposal under any reuse option. This language is included in the fact sheet referenced above.

## 7. Public Sales

Surplus electronics that are not donated may be offered to the public for sale. Property sales give individuals and businesses an opportunity to buy items the federal government no longer needs.

GSA Auctions® is a web-enabled auction site that allows all registered participants to bid electronically on surplus personal property.

- ✓ Offer surplus electronics through GSA Auctions®. Other options for selling surplus equipment are detailed in *GSA's Personal Property Disposal Guide*.

*Exchange/Sales:* When replacing personal property with similar items, the value of the old items may be used to reduce the cost of the replacement item either by exchange (trade-in) or sale. Certain restrictions and reporting requirements apply to exchange/sales. See *GSA's Personal Property Disposal Guide* for more information.

**IMPORTANT NOTE:** Electronics sold to the public, including electronics sold to electronics recyclers, may not necessarily be disposed of in an environmentally sound manner. Executive Order (E.O.) 13514, *Federal Leadership in Environmental, Energy, and Economic Performance*, requires all federal agencies to use environmentally sound practices with respect to disposition of agency electronic equipment.

Under GSA FMR Bulletin B-34, federal organizations are strongly encouraged to only sell equipment in condition code 7 (repairable) if any needed repairs minimally impact equipment performance or repairs can reasonably be performed by a non-technical buyer. If your organization decides that electronic equipment in condition code 7 may be sold (rather than abandoned or destroyed), such equipment should be sold only as individual assets or as individual workstations to facilitate bidder inspection in the interest of encouraging continued use of the equipment after the sale.

## 8. Abandonment/Destruction

Abandonment or destruction of property is generally considered only when reuse, transfer, donation, or sale has been found to be impractical or not cost effective. Obsolete and broken electronics may also be labeled for abandonment/destruction prior to going through the GSA disposition process. This equipment is usually in condition code X (salvage) or S (scrap). Used electronics that have been labeled for abandonment/destruction should be recycled, following environmentally sound practices.

*Donating to UNICOR:* In lieu of abandonment/destruction, federal entities may donate used electronics to a public body without GSA approval. This allows federal agencies to donate their used electronics to UNICOR for reuse and recycling. See *GSA's Personal Property Disposal Guide* for more information.

- ✓ Designate electronics that are obsolete, broken or otherwise not able to be transferred, donated or sold for abandonment/destruction.
- ✓ Recycle electronics labeled for abandonment/destruction through a third-party certified electronics recycler or refurbisher (e.g., certified under the Responsible Recycling (R2) Practices for Use in Accredited Certification Programs for Electronics Recyclers, or the e-Stewards Standard for Responsible Recycling and Reuse of Electronic Equipment®).

**IMPORTANT NOTE:** GSA FMR Bulletin B-34 indicates that federal organizations should not dispose of electronic equipment in landfill or incinerators.

### MANUFACTURER TAKE-BACK SERVICES FOR ELECTRONICS DISPOSITION

In following this GSA disposition process, federal agencies and facilities may use manufacturer take-back services for electronics disposition through one of two methods:

- ✓ *Exchange/Sales:* When replacing personal property with similar items, the value of the old items may be used to reduce the cost of the replacement item either by exchange (trade-in) or sale with a manufacturer or vendor.
- ✓ *Abandonment/Destruction:* If the manufacturer is willing to take-back obsolete and/or broken equipment, federal agencies may declare the property for abandonment and destruction and use manufacturer take-back services.

**IMPORTANT NOTE:** Electronics taken-back by a manufacturer may not necessarily be reused, refurbished, recycled, or disposed of in an environmentally sound manner. Federal agencies and facilities must exercise due diligence when returning used electronics to manufacturers.

Under GSA FMR Bulletin B-34, federal organizations are strongly encouraged to only return electronic equipment to a manufacturer or vendor under a take-back program that uses third-party certified (e.g., R2 or e-Stewards certified) recyclers and/or refurbishers.

Certain restrictions and reporting requirements apply to exchange/sales and abandonment/destruction declarations. See GSA's *Personal Property Disposal Guide* for more information.

### REPORTING

Under GSA FMR Bulletin B-27, *Annual Executive Agency Reports on Excess and Exchange/Sale Personal Property*, federal agencies must submit an annual report of personal property furnished to non-Federal recipients (Non-Federal Recipients Report). The reporting tool captures disposal information regarding property provided or conveyed to a wide range of non-Federal entities, including, but not limited to, schools, state and local governments, contractors, grantees, donees, vendors (under either the exchange/sale provisions or under vendor take-back provisions), sales recipients, certified recyclers and refurbishers, landfills, incinerators, and trash disposal companies.

Data on the disposition of federal electronic assets is also necessary for reporting through the Agency Strategic Sustainability Performance Plan (SSPP); the Office of Management and Budget (OMB) Energy/Sustainability Scorecard; and the Federal FEC Annual Reporting Form.

### FOR MORE INFORMATION

- Contact your facility or agency personal property manager(s).
- Contact your GSA Regional Personal Property Management Office (<http://www.gsa.gov/portal/staffDirectory/topic/19@@>) or Area Property Officer (<http://www.gsa.gov/portal/staffDirectory/topic/17@@>).
- Check the References below.

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### REFERENCES

GSA FMR Bulletin B-34, *Disposal of Federal Electronic Assets* is available at: [http://www.gsa.gov/graphics/ogp/FMR\\_Bulletin\\_B-34.pdf](http://www.gsa.gov/graphics/ogp/FMR_Bulletin_B-34.pdf).

GSA FMR Bulletin B-27, *Annual Executive Agency Reports on Excess and Exchange/Sale Personal Property* is available at: <http://www.gsa.gov/graphics/ogp/FMRBulletinB-27.docx>.

GSA's *Personal Property Disposal Guide* is available at: [http://www.gsa.gov/graphics/fas/5-06-00389\\_R2-yWC-w\\_0Z5RDZ-i34K-pR.pdf](http://www.gsa.gov/graphics/fas/5-06-00389_R2-yWC-w_0Z5RDZ-i34K-pR.pdf).

More information about the GSA personal property disposal process is available at: <http://www.gsa.gov/portal/category/21045>.

More information about the DLA personal property disposal process is available at: <http://www.dla.mil/>.

The Federal Management Regulation (FMR) is available at: <http://www.gsa.gov/portal/category/21221>.

The National Center for Electronics Recycling provides a list of state electronics recycling laws in effect at: <http://www.electronicrecycling.org/public/ContentPage.aspx?pageid=14>.

Information about GSAXcess® is available at: <http://gsaccess.gov/>.

Information about Computer for Learning (CFL) is available at: <http://computersforlearning.gov/>.

The text of Executive Order 12999 is available at: <http://www.gsa.gov/portal/content/100841>.

A list of State Agencies for Surplus Property, with contact information, is available at: <http://www.gsa.gov/portal/content/100851>.

Information about GSA Auctions® is available at: <http://gsaauctions.gov/>.

The text of Executive Order 13514 is available at: <https://www.fedcenter.gov/programs/eo13514/>.

Information about the R2 Practices is available at: <http://www.r2solutions.org/>.

Information about the e-Stewards Standard is available at: <http://e-stewards.org/>.

### CONTACT INFORMATION

If you have questions related to this resource or need other assistance with the Federal Electronics Challenge, please contact your Regional Champion: <http://www2.epa.gov/fec/technical-assistance>.

Visit the FEC online: <http://www2.epa.gov/fec/>

E-mail the FEC: [fec@epa.gov](mailto:fec@epa.gov)