



Office of Government-wide Policy

GSA Office of Government-wide Policy

NASASP Conference 2025 Overview and Update

July 31, 2025

Agenda

- Policy Overview
- Federal Management Regulation (FMR) Updates
- Computers for Veterans and Students Act (COVS)
- Discussion

Policy Overview

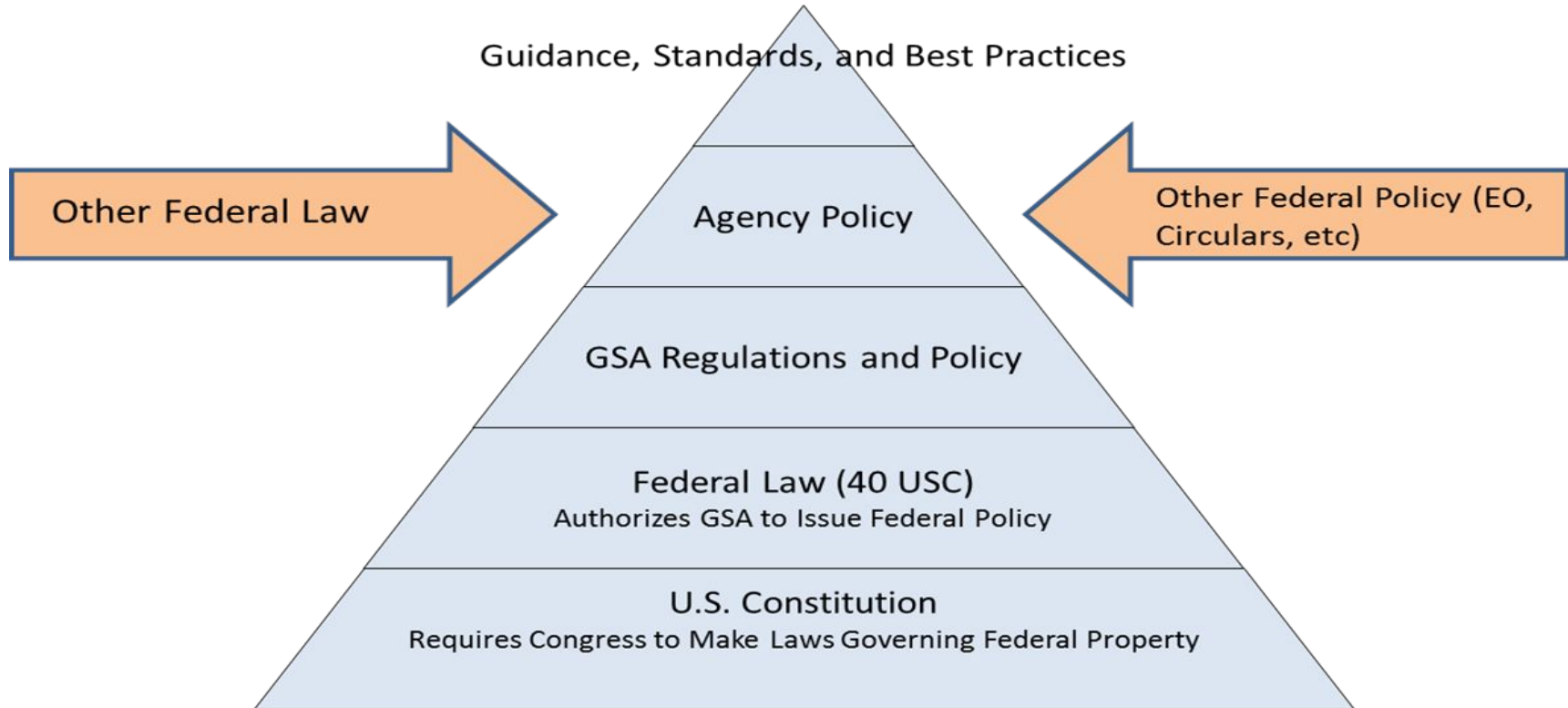
Overview

- 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

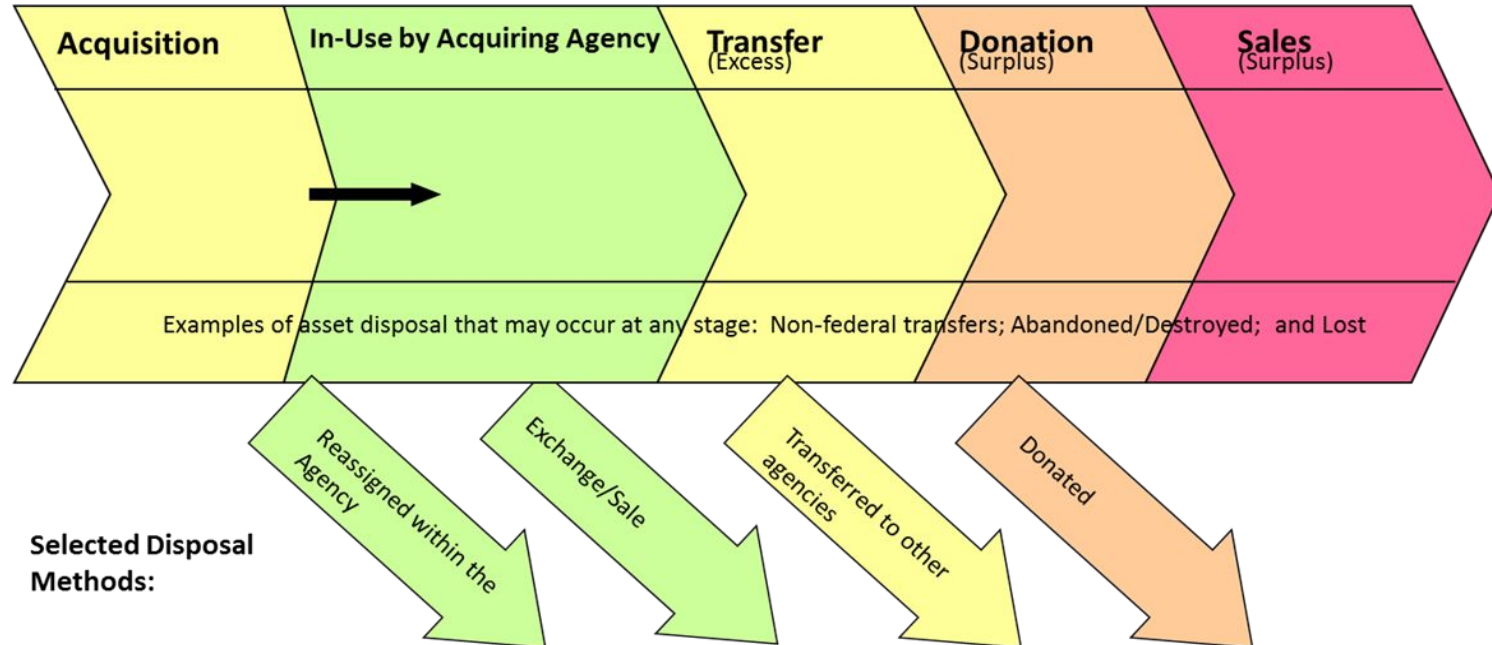
- The Federal Government owns personal property assets valued over \$2.01 Trillion (FY 2024 Financial Report of the U.S.).
- Personal Property covers all physical and intangible property, generally, except land and buildings (real property), Federal records, and large naval vessels.
- Policies encourage use within the acquiring agency, other Federal agencies and public bodies before being sold or otherwise being disposed of outside the Federal community.
- Some agencies have unique disposal authorities.

GSA's Role in Personal Property Policy



“Typical” Asset Life Cycle

Stage of Asset Life Cycle:



Constitutional Origins

- Article 4, Section 3, Clause 2
 - 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...;

Congress Implements (40 USC)

40 U.S. Code § 524 - Duties of executive agencies

(b)Required as Far as Practicable.—Each executive agency, as far as practicable, shall—

- (1)reassign property to another activity within the agency when the property is no longer required for the purposes of the appropriation used to make the purchase;
- (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.

Congress Implements (40 USC)

40 U.S. Code § 121 - Administrative

(c) Regulations by Administrator.—

(1) General authority.—

The Administrator may prescribe regulations to carry out this subtitle.

(2) Required regulations and orders.—

The Administrator shall prescribe regulations that the Administrator considers necessary to carry out the Administrator's functions under this subtitle and the head of each executive agency shall issue orders and directives that the agency head considers necessary to carry out the regulations.

Federal Management Regulation (FMR)

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

Federal Management Regulation (FMR) Updates

FMR Rewrite 2025

- **Background**

- Align with Administration's priorities:
 - EO 14192 - "Unleashing Prosperity Through Deregulation"
 - EO 14219 - "Ensuring Lawful Governance and Implementing the President's Deregulatory Initiative"
- Ensure adherence to statutory requirements and Administration policy
- Drafted a final rule to streamline and update all parts of the FMR for personal property (FMR Parts 102-35 through 102-42)
- Other areas of the FMR are being updated as well - aviation, Federal advisory committees, mail, motor vehicles, real property, and transportation

FMR Rewrite 2025

- **Highlights**

- Removed procedural instructions
- Revised and moved definitions to FMR Part 102-35
- Removed other statute references
- Removed GSA's donation of firearms to state and local government activities
- Updated requirements for the designation or authority to sell personal property
- Removed the reporting requirement for exchange/sale activity

FMR Rewrite 2025

- **Next Steps**

- Cleared GSA internal review and submitted to OMB/OIRA.
- OIRA sent the final rule to agencies for review and comment.
- GSA finalized responses to agency comments and sent back to OIRA for review.
- OIRA will send responses back to agencies.
- Rescinded regulations will be available, where appropriate, in non-regulatory guidance documents

FMR Rewrite 2025

- **Part 102-35-Disposition of Personal Property**
 - Consolidated and revised definitions from FMR Parts 102-36 through 102-42.
- **Part 102-36-Disposition of Excess Personal Property**
 - Revised and moved definitions to FMR Part 102-35.
 - Removed procedural instructions.
 - Removed GSA's donation of firearms to state and local government activities based on the cessation of the firearm donation program.

FMR Rewrite 2025

- **Part 102-37-Donation of Surplus Personal Property**
 - Revised and moved definitions to FMR Part 102-35.
 - Removed procedural instructions, including Appendices A, B, and C.
 - Appendix A: Miscellaneous Donation Statutes
 - Appendix B: Elements of a State Plan of Operation
 - Appendix C: Glossary of Terms for Determining Eligibility of Public Agencies and Nonprofit Organizations
 - Removed GSA's donation of firearms to state and local government activities based on the cessation of the firearm donation program.

FMR Rewrite 2025

- **Part 102-38-Sale of Personal Property**
 - Revised and moved definitions to FMR Part 102-35.
 - Removed procedural instructions.
 - Updated requirements for the designation or authority to sell personal property.

FMR Rewrite 2025

- **Part 102-39-Replacement of Personal Property Pursuant to the Exchange/Sale Authority**
 - Revised and moved definitions to FMR Part 102-35.
 - Removed procedural instructions.
 - Removed the reporting requirement for exchange/sale activity.

FMR Rewrite 2025

- **Part 102-40-Utilization and Disposition of Personal Property with Special Handling Requirements**
 - Revised and moved definitions to FMR Part 102-35.
 - Removed procedural instructions, including Appendices A and B.
 - Appendix A: Federal Supply Classes Composed Predominantly of Hazardous Items
 - Appendix B: Federal Supply Classes and Groups Which Contain a Significant Number of Hazardous Items
 - Removed GSA's donation of firearms to state and local government activities based on the cessation of the firearm donation program.

FMR Rewrite 2025

- **Part 102-41-Disposition of Seized, Forfeited, Voluntarily Abandoned, and Unclaimed Personal Property:**
 - Revised and moved definitions to FMR Part 102-35.
 - Removed procedural instructions.
- **Part 102-42-Utilization, Donation, and Disposal of Foreign Gifts and Decorations:**
 - Removed and reserved part.
 - Retained content now included in Part 102-35.

Computers for Veterans and Students Act (COVS)

Computers for Veterans and Students (COVS) Act

- **Background:**

- Consolidated Appropriations Act, 2023 (H.R. 2617)
 - Signed December 29th, 2022
- 40 USC 549a. Donation of personal property through nonprofit refurbishers

- **Goal:**

- Bridge the digital divide by providing refurbished computers to educational institutions, individuals with a disability, low-income individuals, students, seniors in need, and veterans

- **Status:**

- On hold due to regulatory freeze

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Personal Property Policy Website

- www.gsa.gov/personalpropertypolicy

