

**PT. 102-39**

- (1) Public police departments.
- (2) Sheriffs' offices.
- (3) The courts.
- (4) Penal and correctional institutions (including juvenile facilities).
- (5) State and local civil defense organizations.
- (6) Fire departments and rescue squads (including volunteer fire departments and rescue squads supported in whole or in part with public funds).

*School (except schools for the mentally or physically disabled)* means a public or nonprofit approved or accredited organizational entity devoted primarily to approved academic, vocational, or professional study and instruction, that operates primarily for educational purposes on a full-time basis for a minimum school year and employs a full-time staff of qualified instructors.

*School for the mentally or physically disabled* means a facility or institution operated primarily to provide specialized instruction to students of limited mental or physical capacity. It must be public or nonprofit and must operate on a full-time basis for the equivalent of a minimum school year prescribed for public school instruction for the mentally or physically disabled, have a staff of qualified instructors, and demonstrate that the facility meets the health and safety standards of the State or local government.

*University* means a public or nonprofit approved or accredited institution for instruction and study in the higher branches of learning and empowered to confer degrees in special departments or colleges.

**PARTS 102-38 [RESERVED]**

**PART 102-39—REPLACEMENT OF PERSONAL PROPERTY PURSUANT TO THE EXCHANGE/SALE AUTHORITY**

**Subpart A—General**

Sec.

- 102-39.5 How are the terms “I” and “you” used in this part?
- 102-39.10 What does this part cover?
- 102-39.15 Why should I use the exchange/sale authority?
- 102-39.20 What definitions apply to this part?
- 102-39.25 How do I request a deviation from this part?

**Subpart B—Exchange/Sale Considerations**

- 102-39.30 When should I not use the exchange/sale authority?
- 102-39.35 How do I determine whether to do an exchange or a sale?

**41 CFR Ch. 102 (7-1-03 Edition)**

- 102-39.40 When should I arrange for a reimbursable transfer of exchange/sale property to a Federal agency or other eligible organization, or sell such property to a State Agency for Surplus Property?
- 102-39.45 What prohibitions apply to the exchange/sale of personal property?
- 102-39.50 What conditions apply to the exchange/sale of personal property?
- 102-39.55 What exceptions apply to the conditions for exchange/sale in § 102-39.50?

**Subpart C—Exchange/Sale Methods and Reports**

- 102-39.60 What are the exchange methods?
- 102-39.65 What are the sales methods?
- 102-39.70 What are the accounting requirements for the proceeds of sale?
- 102-39.75 What information am I required to report?

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**Subpart A—General**

**§ 102-39.5 How are the terms “I” and “you” used in this part?**

Use of pronouns “I” and “you” throughout this part refer to executive agencies.

**§ 102-39.10 What does this part cover?**

This part covers the exchange/sale authority, and applies to all personal property owned by executive agencies worldwide. For the exchange/sale of aircraft parts and hazardous materials, you must meet the requirements in this part and in parts 101-37 and 101-42 of this title.

**§ 102-39.15 Why should I use the exchange/sale authority?**

You should use the exchange/sale authority to:

- (a) Reduce the cost of replacement personal property. If you have personal property that needs to be replaced, you can exchange or sell that property and apply the exchange allowance or sales proceeds to reduce the cost of similar replacement property. By contrast, if you choose not to replace the property using the exchange/sale authority, you may declare it excess and dispose of it through the normal disposal process. Any sales proceeds from the eventual