



# GSA's Federal Supply Schedule: Programs for State and Local Governments

**L. Elaine Halchin**

Specialist in American National Government

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Under certain circumstances, state and local governments may use the Federal Supply Schedule (FSS), established and maintained by the General Services Administration (GSA), to purchase goods or services. One such circumstance is the declaration of a public health emergency by the Secretary of Health and Human Services, which occurred on January 31, 2020, regarding COVID-19. The four supply-schedule-related purchasing programs available to state and local governments are the Cooperative Purchasing Program, the Disaster Purchasing Program, the Public Health Emergencies Program, and the 1122 Program.

## What Is the Federal Supply Schedule?

The supply schedule is an online catalog available through [GSA Advantage](#). Thousands of vendors (contractors) [who have been awarded contracts](#) by GSA sell a variety of goods and services to executive branch agencies and other authorized users through GSA Advantage. Categories of goods include furniture and furnishings, office equipment, scientific and medical equipment, and janitorial and sanitation supplies. The list of categories of services includes environmental, technology, security, law enforcement, and energy. [GSA states](#) that its schedule provides “access to more than 11 million commercial supplies (products) and services at volume discount pricing” and can “save [federal agencies and other authorized users] time and money.” When ordering from the supply schedule, authorized users are required to comply with applicable ordering procedures, which can vary by type of authorized user and purchasing program.

GSA is in the process of [transitioning from 24 supply schedules to a single schedule](#). Some GSA webpages continue to refer to these legacy schedules (e.g., Schedule 70, Schedule 57) or use the word *schedules* in lieu of *schedule*.

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## Supply-Schedule-Related Purchasing Programs

### Cooperative Purchasing Program

Under [Title 40, Section 502\(c\), of the \*United States Code\*](#), the Administrator of General Services “may provide for use [of the schedule] by state and local governments” to purchase certain categories of goods and services. The [two categories](#) are (1) information technology supplies, equipment, services, firmware, and software; and (2) law enforcement and security equipment, supplies, and services for personal, vehicular, facility, and marine applications.

A vendor is not required to sell to state or local governments.

The [ordering activity](#) (e.g., a state government) is responsible for following certain procedures in its own procurement regulations, and if federal grant funds are used, the ordering activity must also comply with “the regulations and procedures outlined by the granting agency.”

The applicable [definition of state or local government](#) for this program includes “any State, local, regional, or tribal government, or any instrumentality thereof (including any local educational agency or institution of higher education).”

### Disaster Purchasing Program

Under [Title 40, Section 502\(d\), of the \*U.S. Code\*](#), the Administrator of General Services “may provide for the use of the supply schedule by state or local governments for the purchase of products and services to be used to facilitate recovery from major disasters declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to facilitate disaster preparedness or response, or to facilitate recovery from terrorism, or nuclear, biological, chemical, or radiological attack.” The [Secretary of Homeland Security](#), who has authority to determine “which goods and services qualify” for purchase by state and local governments, has determined that all goods and services on GSA’s schedule should be available under this program.

A supply schedule vendor [may decline an order](#) from a state or local government for any reason.

The [ordering procedures and the definition of state or local government](#) are similar to those for the Cooperative Purchasing Program.

### Public Health Emergencies Program

The head of GSA, in conjunction with the Secretary of Health and Human Services, has [granted authorization](#) for state, tribal, and local governments to use GSA’s supply schedule when the Secretary declares a public health emergency (PHE) pursuant to [Title 42, Section 247d, of the \*U.S. Code\*](#). [PHE program purchases](#) are made using federal grant funds in response to a declared PHE. [When making purchases](#) for a PHE, the ordering activity (e.g., a state government) is to “follow the ordering and competitive procedures” found in its own procurement regulations as well as “any requirements stipulated in the grant funding.” As with the Cooperative Purchasing Program and Disaster Purchasing Program, [schedule vendors](#) are not required to sell to state and local governments under the PHE Program.

The [definition of state](#) “includes, in addition to the several States, only the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.” A [tribal government](#) is a “‘tribal organization’ [that is] the recognized governing body of any Indian tribe.” The definition of [local government](#) found in [Title 5, Section 3371\(2\)\(A\), of the \*U.S. Code\*](#)—“any political subdivision, instrumentality, or authority of a State”—can be inferred as the applicable definition for this program.

## 1122 Program

Although the Department of Defense (DOD) is responsible for the 1122 Program and has established the procedures for it, GSA, in coordination with DOD, produces and maintains the catalog of products available under this program, pursuant to [Title 10, Section 281, of the U.S. Code](#). The catalog includes equipment “suitable for counter-drug, homeland security, and emergency response activities.” [Schedule vendors](#) are not required to sell to state and local governments.

[States and local governments](#) are permitted to participate in this program. In this context, the definition of *state* also includes the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, and any territory or possession of the United States. Section 281 defines *unit of local government* as “any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State; an Indian tribe which performs law enforcement or emergency response functions as determined by the Secretary of the Interior; or any agency of the District of Columbia government or the United States Government performing law enforcement or emergency response functions in and for the District of Columbia or the Trust Territory of the Pacific Islands.”

State and local governments are supposed to [comply with their own procurement regulations](#) when ordering equipment and, when using federal grant funds for purchases, comply with the applicable federal agency’s regulations and procedures governing the grant funds. [A state must have a certified point of contact](#) in order to make purchases under the 1122 Program. Two-thirds of the states are listed on GSA’s [list of state points of contact](#).

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