

Repl. by - 2A

**CHANGE**

**AC NO:** 150/5150-2 CHG 1

**DATE:** 4/22/69



# ADVISORY CIRCULAR

## DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

**SUBJECT:** FEDERAL SURPLUS PERSONAL PROPERTY FOR PUBLIC AIRPORT PURPOSES

1. PURPOSE. This change transmits revised pages to be incorporated in the subject advisory circular. The substance of the change is to revise the flow of copies of the SF 123 to provide for more accurate review of donated property.

PAGE CONTROL CHART			
Remove Page	Dated	Insert Page	Dated
13	6/27/68	13	4/22/69
APPENDIX 4		APPENDIX 4	
3	6/27/68	3	4/22/69

A handwritten signature in cursive script, reading "Chester G. Bowers".

Chester G. Bowers  
Director, Airports Service

AC NO: *HQ-630*  
150/5150-2

DATE: 6/27/68



# ADVISORY CIRCULAR

## DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

**SUBJECT:** FEDERAL SURPLUS PERSONAL PROPERTY FOR PUBLIC AIRPORT PURPOSES

---

1. PURPOSE. This advisory circular attempts to acquaint public airport owners and other interested parties with the Federal Surplus Personal Property Program for public airports and to outline procedures to be used in applying for and acquiring surplus personal property for this purpose.
2. CANCELLATION. AC 150/5150-1 published in October 1962 is cancelled.
3. HOW TO GET THIS PUBLICATION. Copies of this circular AC 150/5150-2, Federal Surplus Personal Property for Public Airport Purposes, may be obtained from the Department of Transportation, TAD-484.3, Washington, D. C. 20590.

A handwritten signature in cursive script, reading "Chester G. Bowers", is positioned above the printed name and title.

Chester G. Bowers  
Director, Airports Service

---

TABLE OF CONTENTS

SECTION 1. PURPOSE AND AUTHORITY	<u>Page No.</u>
1. Purpose	1
2. Legislative Authority	1
SECTION 2. SURPLUS PERSONAL PROPERTY DECLARATION PROCESS	
3. Declaration as Excess to Needs of Owning Agency	1
4. Types of Excess Property	2
5. Declaration as Surplus	2
6. Priority for Public Airports	2
7. Use of GSA Excess Property Catalogs	3
SECTION 3. THE SCREENING PROCESS	
8. Screening of Surplus Property	3
9. Condition of Property	3
10. Additional Screening Information	4
11. Identification of Screeners	4
12. Collective Screening	5
SECTION 4. APPLICATION PROCEDURES	
13. Legal Basis for Conveyance	5
14. Preparation of the Application	5
15. Civil Rights Assurance	6
16. Delegation as Applicant's Agent	6
17. Suggested Procedures when Airport is Represented by State or Associational Agent	6
18. Conveyances to State Aeronautical Agencies	7
SECTION 5. ELIGIBILITY	
19. Certification Procedure	9
20. Guidelines for Eligibility	9
21. Unapproved Items	11
22. Approval and Transmittal to GSA	11 -
SECTION 6. CLAIMING AND IDENTIFYING SURPLUS	
23. Pickup or Shipping Arrangements	12
24. Obligation Upon Taking Possession	12
SECTION 7. ACCOUNTABILITY FOR PROPERTY	
25. Record of Surplus Property	13
26. Nonaccountable Items	13

Page No.

APPENDIX 1.	FEDERAL AVIATION ADMINISTRATION REGIONAL, AREA AND DISTRICT OFFICES	(5 pages)	1
APPENDIX 2.	REGIONAL DIRECTORS UTILIZATION AND DISPOSAL SERVICE GENERAL SERVICES ADMINISTRATION	(2 pages)	1
APPENDIX 3.	MEANINGS OF CONDITION CODES	(3 pages)	1
APPENDIX 4.	STANDARD FORM 123, APPLICATION FOR DONATION OF SURPLUS PERSONAL PROPERTY	(3 pages)	1
Figure 1.	Flow Chart for Processing Standard Form 123 "Application for Donation of Surplus Personal Property"		3

## SECTION 1. PURPOSE AND AUTHORITY

1. PURPOSE. This circular outlines the procedures to be followed by state and local agencies in applying for and acquiring surplus Federal personal property available for public airport purposes. This property is the type required for the development, improvement, operation, or maintenance of a public airport.
2. LEGISLATIVE AUTHORITY. The Federal Property and Administrative Services Act of 1949, as amended, is the legislative authority for the Federal Surplus Personal Property Disposal Program. By this Act the General Services Administrator is responsible for supervising and directing the disposal of personal property which becomes surplus to the needs of the Government. One of the authorized means of disposal is by donation of property to certain classes of recipients who become eligible under specific provisions of law.

Among other things, the Federal Property and Administrative Services Act of 1949 specifically continues in effect the provisions of Section 13(g) of the Surplus Property Act of 1944 as amended (Public Law 80-289). This section authorizes the conveyance to any state, political subdivision, municipality, or tax-supported institution of all the right, title, and interest of the United States in and to any surplus real or personal property which, in the determination of the Administrator, Federal Aviation Administration, (acting under the authority delegated by the Secretary of Transportation) is essential, suitable, or desirable for the development, improvement, operation, or maintenance of a public airport as defined in the Federal Airport Act. The conveyance so authorized is without monetary consideration to the United States but is subject to certain terms and conditions as provided for in Section 13(g) of the Act.

## SECTION 2. SURPLUS PERSONAL PROPERTY DECLARATION PROCESS

3. DECLARATION AS EXCESS TO NEEDS OF OWNING AGENCY. Agencies and departments of the Federal Government from time to time find that they own more personal property than they require.

When a Federal agency determines that it has no further need for property under its jurisdiction such property is declared excess to its needs. Inquiry is then made of other agencies and departments of the Government to determine whether one or more of them has need for the property. Any excess property for which a Federal agency or department determines it has a need is transferred to such agency upon request.

4. TYPES OF EXCESS PROPERTY. Excess personal property is divided into two categories -- "Reported" and "Nonreported."

Reported personal property is excess property that must be formally reported to the General Services Administration and made available by GSA to other Federal agencies and departments. It is personal property of the type or category which, because of its monetary value, location, condition, transportability, etc., has high utilization potential for other Federal agencies.

Nonreported personal property is excess property that is not required to be formally reported to the General Services Administration for utilization screening. It is personal property of the type or category which, because of its specialized nature, low monetary value, condition, transportability, etc., has limited utilization potential by another Federal agency.

5. DECLARATION AS SURPLUS. As a general rule, Federal agencies have approximately 60 days within which to apply for reported excess property and 15 days for nonreported excess property. If no Federal agency or department has a need for either type of property the Administrator of the General Services Administration is authorized to declare it surplus property and it is thereafter available for disposal outside the Federal Government.

The date on which any item of excess personal property becomes surplus to the overall needs of the Federal Government is referred to as the Surplus Release Date (SRD). For 15 days following the SRD, Federal surplus personal property is legally available for donation under those programs authorized by law, including the program for donating such property for public airport purposes. All surplus property that is not disposed of to eligible donees under such programs within the 15-day donation screening period will become available for sale to the general public.

6. PRIORITY FOR PUBLIC AIRPORTS. The Federal Property Management Regulations issued by the GSA provide that during the first five (5) days (including the weekends) of the 15-day donation screening period, applications for surplus personal property to be used for public airport purposes must be given preference over applications for other purposes authorized by the Federal Property and Administrative Services Act. Any public agency responsible for operating one or more public airports may apply directly or through its representative for a donation of Federal surplus personal property. In addition, a state aeronautical

agency, when specifically so empowered by state legislation, may apply for the donation of surplus personal property under the special conditions outlined in paragraph 18 of this advisory circular.

7. USE OF GSA EXCESS PROPERTY CATALOGS. As a means to facilitate screening by Federal agencies the regional offices of GSA prepare cataloged listings of those items which are required to be formally reported to it (reported excess). Normally, the regional catalogs will list excess property at least 30 days before the SRD. The GSA catalogs thus are a prime source of information regarding excess material being screened by other Federal agencies prior to becoming available to non-Federal activities as "surplus." It is not a responsibility of the FAA to screen, locate, acquire title to, or deliver surplus property eligible for conveyance for airport purposes. However, through arrangements with GSA, each FAA area office will receive current copies of the GSA catalogs and make them available for review by owners of public airports. In addition, FAA personnel will assist airport owners by explaining the disposal procedures outlined in this circular and will maintain a stock of the required application forms.

### SECTION 3. THE SCREENING PROCESS

8. SCREENING OF SURPLUS PROPERTY. The opportunity for eligible agencies to acquire excess property at no cost during the limited 15-day donation screening period results in active competition. Each state has established a Surplus Property Agency which works directly with the Department of Health, Education and Welfare (HEW) to locate, screen, and acquire property needed for eligible health and educational institutions within the state. Under the Federal Property and Administrative Services Act of 1949, these state agencies may recover from the ultimate donee fees and charges to cover their own administrative costs as well as screening and transportation expenses in moving the material. Although airport applicants enjoy a priority for the first five days of the donation screening period, there is no authority under P.L. 80-289 for any agency other than the ultimate grantee to acquire such property. Consequently, an airport applicant must be alert and knowledgeable as to the location and Surplus Release Date (SRD) of suitable property to utilize this program effectively.
9. CONDITION OF PROPERTY. Airport owners seeking to acquire surplus property should understand that all such property is offered on an "as is, where is" basis. No warranties are expressed or implied. Normally the property will be available for inspection during the "excess" period to enable the applicant to determine whether the items

6/27/68

are suitable and worth the effort and expense of acquisition. The catalog listings of the GSA contain a condition code indicative of the reported status of the property. (For an explanation of the condition codes, see Appendix 3.) It should be explained, however, that the condition code used in the reporting of material to GSA is primarily related to the criteria of the holding agency governing its declaration as excess. The actual condition of the item, its anticipated useful life, and its suitability for use on a civil airport may be inferred but not conclusively determined from the condition codes reported by the owning agency to GSA.

10. ADDITIONAL SCREENING INFORMATION. Responsibility for locating available property, determining its condition and suitability, submitting required application forms, and assumption of the costs of packing, shipping, and delivery rests with the applicant/donee. Furthermore, unlike the donations available to schools, libraries, hospitals, civil defense, etc., authorized by the Federal Property and Administrative Services Act of 1949, property to be donated for airport purposes under Public Law 80-289 may be transferred only to the ultimate owner. There is no provision for HEW, FAA or any other Federal or state agency to acquire or to "freeze" title to any property for subsequent distribution to airports. Some screeners have developed an arrangement with Property Disposal Officers (PDO) at installations generating large amounts of surplus property under which the PDO will entertain "want lists" as a matter of accommodation. Frequently, the PDO, pursuant to a reversed charge understanding, may advise the screener of the availability or prospective availability of items of property appearing on the want list. The lead time afforded by advance notification is helpful to airport applicants in view of the short five day priority period; however, care should be taken that the Form 123 is not delivered to the GSA office before the SRD.
11. IDENTIFICATION OF SCREENERS. At some military installations where surplus personal property is located, the applicant, or its representative, may require a special clearance to gain entrance to the facility for the purpose of screening the property. The Airports Branch of the FAA area office will assist in identifying the screener. Where the FAA has determined that the person to be identified is the one selected by the applicant airport owner or its state or association representative, a statement similar to the following will be provided.

"This is to advise that NAME, whose signature appears below, is the person designated by PUBLIC AGENCY, ASSOCIATION, or AIRPORT AUTHORITY, to screen surplus property for public airport purposes."

---

FAA

---

Screener



If such a statement is used, it should be signed in triplicate by the airport representative. Upon return to the FAA all three copies will be signed indicating approval of the representative. The original will be used as identification, one copy will be sent to the PDO concerned for verification purposes, and FAA will retain one copy for record purposes. An extra copy may be provided for the PDO of other installations at which property will be screened by the representative.

12. COLLECTIVE SCREENING. Regional and local associations of airport owners, as well as the official aeronautical commissions or departments of the several states, may frequently be in a position to screen and locate available surplus property suitable for conveyance to public airports. The FAA area office will cooperate with such efforts and will endeavor to obtain copies of the Excess Property Catalog for such assisting agencies.

#### SECTION 4. APPLICATION PROCEDURES

13. LEGAL BASIS FOR CONVEYANCE. Public Law 80-289 authorizes property to be conveyed for airport purposes subject to certain terms and conditions. Under the Act and by the authority delegated to him by the Secretary of the Department of Transportation, the Administrator, FAA, may recommend to the appropriate disposal agency, changes, modifications, deletions, and amendments to the covenants specified in the Act. Under this broad authority, and to achieve simplification in the procedures as they relate to surplus personal property, the Administrator of the FAA has agreed to accept the assurances printed on the reverse side of the GSA application, Form SF 123, as covenants of promised performance by the grantee. Appendix 4 of this circular is a reproduction of the current SF 123 "Application for Donation of Surplus Personal Property." When the applicant signs the SF 123, he is making an offer of performance with respect to the requested property which will become a contract if, and when, the Government releases the property to him. The terms of this offer are spelled out in paragraph 1c on the reverse side of the Form.
14. PREPARATION OF THE APPLICATION. The Form SF 123 will be available in interleaved carbon sets at area offices of the FAA. Instructions for the completion of the form will be available at the Airports Branch of these offices. Whether the applicant is a state aeronautical agency or an airport owner applying for the property personally or through a designated agent, the authorized signature in the appropriate block constitutes a binding and continuing contract with the Government for the useful life of the property. To facilitate GSA processing procedures, reportable items with different Surplus Release Dates should be requested by separate Forms SF 123.

15. CIVIL RIGHTS ASSURANCE. The regulations implementing Title VI of the Civil Rights Act of 1964 require assurances by the recipients of any Federal loan, grant, or other assistance that there will be no discrimination in enjoying the benefits of such assistance on the basis of race, color, or national origin. To facilitate the surplus personal property donation program, the Administrator, FAA, has agreed with the Administrator, GSA, that the necessary assurances will be attached to or contained on the reverse side of the application Form SF 123. Applicants must understand that such assurances also become part of the contract which results upon release of the surplus property to them.
16. DELEGATION AS APPLICANT'S AGENT. In some instances, owners of airports may find it advantageous to designate a state official, or recognized official of a collective association not only to screen surplus property, but to actually apply for the property as its agent. In preparing the SF 123, therefore, Block 13a "Donee" must be prepared in the name and address of the public airport which will take title to the property. The airport owner, if acting on its own behalf through its own official, will sign its name in Block 13b of the SF 123 and enter the official title below the signature. If an agent is executing the application on behalf of the airport, he will sign in Block 13b but enter below his signature the words "Donee Agent, \_\_\_\_\_ Aeronautical Commission," or similar agency representation. In the preparation of applications which are made by a state agency as principal, the name and address of the state agency will appear in Block 13a as "Donee." GSA will accept applications for conveyance of surplus property for airport purposes presented in these several ways. For detailed instructions on the completion of the SF 123, see paragraphs 14 and 15.
17. SUGGESTED PROCEDURES WHEN AIRPORT IS REPRESENTED BY STATE OR ASSOCIATIONAL AGENT. When the applicant is represented by an agent, screening, preparation, and processing of applications can be expedited by using the following procedures where compatible with state law:
  - a. An airport owner who wishes to use an agent should prepare a formal delegation of authority empowering the named representative to apply for, screen, and request property on his behalf and to commit the airport owner to the obligations listed in paragraph 24. Copies of this delegation should be given to the agent and to the FAA area office.
  - b. An airport owner should furnish its agent with a "want list" of general categories of surplus property desired for the airport. The owner should forward an information copy of the list to the FAA area office. The agent should screen the current Excess Property Catalogs and Bulletins and determine the possible availability of items desired by the airport owners.

- c. The agent should visit the site of the surplus property which is to be released and determine its suitability to fill the airport owner's requirements.
- d. Prior to the execution and filing of a Form 123 on behalf of an airport owner the agent should communicate with his principal and ascertain that the property concerned is still wanted and, in the light of its condition and location, will be accepted in the event the application is approved.
- e. Based upon the circumstances, the agent, if appropriate, should prepare a Form 123 on behalf of the airport applicant, obtain the required certification from the FAA area office and forward it to GSA, or deliver it to FAA for certification and forwarding to GSA, whichever procedure has been agreed upon. It may prove helpful for the airport owner to furnish the agent with reproduced copies of the agency designation for attachment to the original of each application.

#### 18. CONVEYANCES TO STATE AERONAUTICAL AGENCIES.

- a. Basis for Transfers. Frequently owners of small public airports have a one-time requirement for the use of heavy construction equipment to accomplish major repairs, improvements, or further development of their facility. The permanent transfer of costly construction equipment to an airport to fill such a requirement ordinarily cannot be economically justified. Consequently, in the past these airports have been at a disadvantage in obtaining surplus heavy equipment to fill nonrecurrent needs of this kind. Where a state aeronautical agency conducts a program of assistance to local public airports in accomplishing such projects, the FAA may approve the transfer of limited types of such equipment to the state agency for such use on public airports.
- b. Eligibility of State Programs. Before applying for the equipment, a state aeronautical agency should file with the FAA the details of its program for using the equipment on public airports. The airports need not be specifically named, but there must be evidence that the equipment will fill a need, that it will be loaned or made available only to publicly owned airports, that it will be kept in serviceable condition, and that it will not be used for other than airport purposes. Thereafter, application for the equipment pursuant to this plan may be made by the state

6/27/68

agency on the Form 123. The State program may include appropriate provisions to recover from benefiting airports the cost of equipment maintenance, operation, where provided, and necessary transportation. No administrative costs, surcharges, or other fees may be imposed.

- c. Program Limited to Airport Purposes. Surplus property will not be transferred to a state aeronautical agency for any public purpose other than for loan or use at public airports. Administrative use of such property by the state agency is expressly prohibited. Use of the equipment for nonairport purposes, whether with or without state agency approval, will be considered a breach of the terms under which it was donated to the agency.
- d. Ownership Responsibility of State Agency. When the equipment is transferred to a state aeronautical agency, the agency becomes the donee owner and is solely responsible to FAA for compliance with all terms and conditions of the conveyance. This is true even though the agency, in the operation of its program, may have only recurrent possession of the equipment. Under the terms of its agreement with the Government, the state agency must assure conformity by airport owners to the compliance requirements applicable to actual use of the property.
- e. Equipment Eligible for State Airport Loan or Use Programs. Equipment eligible for transfer for state airport programs will be limited to heavy construction types associated with excavating, hauling, clearing, and building projects commonly carried out on airports. This will include drayage equipment necessary to move donated property about the state pursuant to a loan or use program. The following are examples of the types of construction equipment which may be recommended for transfer for state loan or use programs.

Aggregate Plants	Cranes
Back Hoes	Earth Boring Equipment
Bituminous Equipment	Graders and Attachments
Buckets	Land Clearing Equipment
Concrete Producing Equipment	Pile Driving Equipment
Rollers	Tractors
Trucks	Trenching Machine

The above listing is not necessarily all inclusive. Items which are not on this list may be requested if definitely required as a

part of construction work. Office equipment, vehicles, aircraft, or other items required primarily for the administration of the state program will not be approved for donation.

#### SECTION 5. ELIGIBILITY

19. CERTIFICATION PROCEDURE. Under Public Law 80-289, the FAA is required to certify whether the surplus property listed on the application is essential, suitable or desirable for, or reasonably necessary to fulfill the immediate or foreseeable future requirements of the grantee for the development, improvement, operation, or maintenance of a public airport. When the designated FAA representative reviews an application for surplus personal property, he makes a determination as to the need for the requested property and, if appropriate, certifies to it upon the application form. No priority is established between public airports and state aeronautical agencies, and applications will be considered and processed by the FAA without preference or discrimination.
20. GUIDELINES FOR ELIGIBILITY.
  - a. Must be Need for the Property. To be eligible there must be an airport need for each requested item. Requests received from a public airport will be checked against the FAA inventory record of surplus property previously conveyed to the same airport (See Section 7). Requests received from a state aeronautical agency for property which is to be used at public airports within the state will be checked against inventory records of surplus property previously conveyed to the state agency and must be in conformity with an approved state loan or use program on file with the FAA.
  - b. Need Must be Direct. The need for the item must be one which the item can directly fulfill. Surplus personal property - unlike surplus real property - will not be recommended for donation in order to permit the owner to derive revenue, even for an airport, by renting or using it for a nonairport purpose. In this connection, property required by an aeronautical activity (e.g., engine stands, aircraft starters, wing jacks, etc.) will not be recommended by FAA since such property is not directly needed to develop or maintain the airport. In fact, an airport manager/fixed-base operator who received such property would have an unfair competitive advantage over other fixed-base operators.

- c. Typical Eligible Surplus Property. The following are examples of the types of personal property which may be requested for public airport purposes:

sweepers	fire trucks	wind direction indicators
rollers	crash trucks	cable
mowers	beacons	arresting barriers
concrete mixers	runway, taxiway and	blast fences
asphalt kettles	apron lighting	fencing
air compressors	fixtures & equipment	utility systems/components
rakes	approach lights	buildings
blitzers	boundary lights	hangars
dump trucks	wind cones	T-hangars
trucks	wind socks	radio equipment
tractors	tetrahedrons	navigational aids
jeeps	wind tees	
snow plows	segmented circles	

The items listed above are examples of types of equipment required for the development, improvement, operation, or maintenance of a public airport; the listing is not intended to be all inclusive. Items not on this list may be obtained if available by submitting a written statement with the application explaining why they are needed. Such justification should reveal the present inventory of similar airport equipment, the specific use for which the items are requested, the procedures to be relied on to assure their continued availability for airport purposes, and the means by which they will be maintained in serviceable condition.

- d. Surplus Aircraft. Flyable aircraft are specifically excluded from donation. Requests may be approved for use by airport owners of cannibalized and demilitarized aircraft for firefighting and rescue training.
- e. Factors to Consider in Requesting Unusual Items. Under a liberal interpretation of the language of the Surplus Property Act practically any item of property or equipment could be considered in some way "essential, suitable, or desirable" for airport purposes. In keeping with the intent of the Act, however, FAA will, as a matter of policy, limit its recommendations to such items as are listed in paragraph 20c above or to items having a similarly direct and primary application to the airport owner's continuing responsibility to operate, preserve, maintain, develop, and improve public airport facilities. Each request must be evaluated on its

own merits. However, the FAA, in certifying an airport owner's need for specific items of Federal surplus property, will consider the following factors:

- (1) Relevance to Airport Facilities. Many common items such as office equipment, passenger vehicles, printing and reproduction equipment, etc., may be needed to satisfy a general requirement of the owner of a public airport. However, FAA recommendations will be limited to items which will normally be used directly and primarily in the preservation, maintenance, operation, or development of basic airport facilities.
- (2) Capability to Maintain. Grantees of surplus Federal property will be required to maintain such property throughout its useful life. Some items, particularly complex heavy construction equipment, are costly to maintain. In certifying the need for such equipment at a small airport or at one with limited maintenance capabilities, the FAA will inquire as to the applicant's plans for maintaining it. A clear understanding should be reached that the grantee will not be relieved of his maintenance responsibility because he lacks the maintenance capability normally required for such equipment. It should also be understood that the maintenance obligation does not extend into the indefinite future, but rather only as long as the property can, with proper care, be economically maintained in good working order. If there is any evidence that the grantee plans to request authority to trade in the item rather than maintain and use it, the initial request will not be approved. However, approval may be granted for the transfer of selected items of equipment listed in paragraph 20c if needed to provide replacement components for similar items on hand.

21. UNAPPROVED ITEMS. Items not approved will be lined out and initialed. If the FAA representative determines that there is no need for any of the items applied for, he will return the application through the channels by which it was received.
22. APPROVAL AND TRANSMITTAL TO GSA. If one or more of the items applied for on the Form SF 123 are approved, the FAA representative will indicate his approval by signing the application in the space provided (block 14b). He will retain one copy and forward the original and three copies to the GSA regional office for the area in which the property is located. If the application is approved by GSA, one copy of the approved application will be returned to the FAA, one will be forwarded to the PDO of the installation where surplus is located, and one will be returned to the applicant. (See Flow Chart, Appendix 5.)

6/27/68

SECTION 6. CLAIMING AND IDENTIFYING SURPLUS

23. PICKUP OR SHIPPING ARRANGEMENTS. Surplus personal property at the various disposal locations is under the jurisdiction of the PDO at military installations and Utilization Officers at the GSA regional offices.

It is the responsibility of the applicant or its agent to make arrangements with the PDO or the Utilization Officer, whichever is appropriate, for pickup or shipment of the property. Instructions for pickup or shipping should be inserted in the appropriate block on Form SF 123. Generally, the holding agency will retain the property for a period not to exceed 40 calendar days after the SRD.

If the fully approved application is not received within the 40-day period or pickup is not accomplished within 15 working days following notification of availability, other disposition of the property may be made by the PDO. Accordingly, the PDO should be alerted to the arrival of an application if expiration of the time period is imminent.

24. OBLIGATION UPON TAKING POSSESSION. Under the contract by which an applicant receives surplus property, he is obligated:

- a. To maintain the identification of each item, by marking, painting, labelling, etc., as reasonably appropriate to indicate that it has been conveyed for airport purposes. To facilitate meeting this requirement the FAA will make available suitable decals which can be applied to the property and which contain the words:

FEDERAL SURPLUS PROPERTY  
To Be Used For Airport Purposes

- b. To keep the property in good repair and to make it available for inspection by FAA upon request;
- c. Not to sell, salvage, or dispose of it without the consent of the FAA.
- d. Not to use it for nonairport purposes except when all the following conditions are met:



- (1) The use is for public purposes, and
- (2) The use does not result in personal profit, and
- (3) The use does not interfere with the continued availability of the property for airport purposes, and
- (4) The airport account is fully credited with the fair rental value of the property and reimbursed for any cost of repairs attributable to the permitted nonairport use.

The exceptions stated in d., above, are inapplicable to surplus property donated to a state aeronautical agency for a loan use program (see paragraph 18c).

#### SECTION 7. ACCOUNTABILITY FOR PROPERTY

- \*25. RECORD OF SURPLUS PROPERTY. Upon approving an application and releasing the requested property, GSA returns two completed copies of Form 123 to the FAA. The FAA forwards one of these to the applicant as notice that the property will be shipped or that the PDO will advise when it may be picked up. When the property is actually received, the applicant will so certify on his original file copy of Form 123 (Copy 7, see Flow Chart, Appendix 4) and send it to the FAA. This copy plus any other pertinent records will be added to the inventory of surplus personal property held by that applicant. This inventory is the basis for periodic FAA reviews to assure that the terms and conditions of the donations are being met. \*

Donees will not be held accountable for surplus personal property for more than four years from the date of donation. In certain circumstances they may be relieved of accountability at an earlier date by the FAA upon presentation of adequate justification.

26. NONACCOUNTABLE ITEMS. Continuing accountability will not be maintained for the following types of surplus personal property:
- (1) Property which is to be disassembled and its component parts used for replacement in the repair of similar units.
  - (2) Consumable property such as paint, plywood, nails, bolts, screws, wrenches, electrical wire and accessories, pipe and fittings, paper, etc.
  - (3) Property having a functional value of less than \$100 (micrometer, chain hoist, belt sander, etc.).

APPENDIX I

FEDERAL AVIATION ADMINISTRATION REGIONAL, AREA  
AND DISTRICT OFFICES

EASTERN REGION

Chief, Airports Division, Federal Aviation Administration, Federal Building,  
Room 327, John F. Kennedy International Airport, Jamaica, New York 11430

Location	Area Served
Chief, Airports Branch Federal Aviation Administration 154 Middlesex Street Burlington, Massachusetts 01803	Maine New Hampshire Vermont Massachusetts Rhode Island Connecticut New York (except NYC metro area)
Chief, Airports Branch Federal Aviation Administration Federal Building - Room 368 John F. Kennedy International Airport Jamaica, New York 11430	New York City Metro. New Jersey Delaware Eastern Pennsylvania
Chief, Airports Branch Federal Aviation Administration 900 South Washington Street Falls Church, Virginia 22046	Maryland Virginia West Virginia District of Columbia
Chief, Airports Branch Federal Aviation Administration Westview Building 21010 Center Ridge Road Rocky River, Ohio 44116	Ohio Kentucky W. Pennsylvania

SOUTHERN REGION

Chief, Airports Division, Federal Aviation Administration, P. O. Box 20636,  
Atlanta, Georgia 30320

Chief, Airports Branch  
Federal Aviation Administration  
3400 Whipple Street  
P. O. Box 20636  
Atlanta, Georgia

Georgia  
North Carolina  
South Carolina

Chief, Airports Branch  
Federal Aviation Administration  
3400 Democrat Road  
P. O. Box 18097  
Memphis, Tennessee 38118

Alabama  
Tennessee  
Mississippi

Chief, Airport District Office  
Federal Aviation Administration  
FAA Building  
Jackson Municipal Airport  
P. O. Box 1727  
Jackson, Mississippi 39205

Mississippi

Chief, Airports Branch  
Federal Aviation Administration  
FAA/WB Building  
Miami International Airport  
P. O. Box 2014 AMF Branch  
Miami, Florida 33159

Florida  
Puerto Rico  
Virgin Islands

SOUTHWEST REGION

Chief, Airports Division, Federal Aviation Administration, P. O. Box 1689,  
Fort Worth, Texas 76101

Chief, Airports Branch  
Federal Aviation Administration  
Federal Building  
819 Taylor Street  
Fort Worth, Texas 76102

Arkansas  
Oklahoma  
NE Texas

Chief, Airport District Office  
Federal Aviation Administration  
Federal Building - Room 704  
Wiley Post Airport  
Bethany, Oklahoma 73008

Oklahoma

Chief, Airports Branch  
Federal Aviation Administration  
First National Bank Building, East  
P.O. Box 8502  
Albuquerque, New Mexico 87108

New Mexico  
West Texas

Chief, Airports Branch  
Federal Aviation Administration  
Bradley Building  
8345 Telephone Road  
P. O. Box 60470  
Houston, Texas 77060

Louisiana  
South Texas

CENTRAL REGION

Chief, Airports Division, Federal Aviation Administration, Federal Building,  
601 East 12th Street, Kansas City, Missouri 64106

Chief, Airports Branch  
Federal Aviation Administration  
4747 Troost Avenue  
Kansas City, Missouri 64110

Kansas  
Missouri  
Iowa  
Nebraska

Chief, Airport District Office  
Federal Aviation Administration  
General Aviation Building  
Lincoln Municipal Airport  
Lincoln, Nebraska 68524

Nebraska

Chief, Airports Branch  
Federal Aviation Administration  
3166 Des Plaines Avenue  
Des Plaines, Illinois 60018

Illinois  
Indiana  
Michigan

Chief, Airport District Office  
Federal Aviation Administration  
Room 526, Mutual Building  
208 North Capitol Avenue  
Lansing, Michigan 48933

Michigan

Chief, Airports Branch  
Federal Aviation Administration  
6301 34th Avenue South  
Minneapolis, Minnesota 55450

Wisconsin  
Minnesota  
Montana  
North Dakota  
South Dakota

Chief, Airport District Office  
Federal Aviation Administration  
FAA Building  
Helena County Airport  
Helena, Montana 59601

Montana

WESTERN REGION

Chief, Airports Division, Federal Aviation Administration, P. O. Box 90007,  
Airport Station, Los Angeles, California 90009

Chief, Airports Branch  
Federal Aviation Administration  
P. O. Box 45018  
Westchester Station  
Los Angeles, California 90045

Southern California  
Arizona

Chief, Airports Branch  
Federal Aviation Administration  
831 Mitten Road  
Burlingame, California 94010

Northern California

Chief, Airports Branch  
Federal Aviation Administration  
FAA Building, Boeing Field  
Seattle, Washington 98108

Washington  
Oregon

Chief, Airports Branch  
Federal Aviation Administration  
8055 East 32nd Avenue  
Stapleton International Airport  
Denver, Colorado 80207

Colorado  
Wyoming

Chief, Airports Branch  
Federal Aviation Administration  
2398 W.N. Temple  
Salt Lake City, Utah 84103

Utah  
Idaho  
Nevada

ALASKAN REGION

Chief, Airports Division, Federal Aviation Administration, Headquarters  
Building, 632 Sixth Avenue, Anchorage, Alaska 99501

No area branch or airport district offices.

PACIFIC REGION

Chief, Airports Division, Federal Aviation Administration, Room 823,  
1833 Kalakaua, Honolulu, Hawaii 96812

No area branch or airport district offices.

APPENDIX 2

REGIONAL DIRECTORS  
UTILIZATION AND DISPOSAL SERVICE  
GENERAL SERVICES ADMINISTRATION

REGION

- (1) Maine, N.H., Vt., Conn., Mass., and R.I.  
P. O. and Court House  
Boston, Massachusetts 02109  
Phone: Area Code 617  
223-2751
- (2) N.Y., N.J., Penn., Del., P.R., V.I.  
30 Church Street  
New York, N.Y. 10007  
Phone: Area Code 212  
264-2662
- (3) D.C., Md., Va., W. Va.  
7th and D Streets, S. W.  
Washington, D. C. 20407  
Phone: Area Code 202  
962-3501
- (4) Ala., Fla., Ga., Miss., N.C., S.C., Tenn.  
1776 Peachtree Street, N. W.  
Atlanta, Georgia 30309  
Phone: Area Code 404  
526-5767
- (5) Ill., Ind., Ky., Mich., Ohio., Wis.  
219 South Dearborn Street  
Chicago, Illinois 60604  
Phone: Area Code 312  
828-6040
- (6) Iowa, Kansas, Minn., Mo., N.D., S.D., Neb.  
1500 E. Vannister Road  
Kansas City, Missouri 64131  
Phone: Area Code 816  
361-7280

- (7) Ark., Texas, La., Okla.  
Room 5A31  
819 Taylor Street  
Fort Worth, Texas 76102  
Phone: Area Code 817  
334-2328
- (8) Ariz., Colo., Utah, N. Mex., Wyo.  
Bldg. 41 Denver Federal Ctr.  
Denver, Colorado 80225  
Phone: Area Code 303  
233-8266
- (9) Calif., Hawaii, Nev.  
49 49th Street  
San Francisco, Calif. 94103  
Phone: Area Code 415  
556-4904
- (10) Alaska, Idaho, Mont., Ore., Wash.  
GSA Center  
Auburn, Washington 98002  
Phone: Area Code 206  
833-5203



APPENDIX 3  
MEANINGS OF CONDITION CODES

<u>CONDITION CODE</u>	<u>BRIEF DEFINITION</u>	<u>EXPANDED DEFINITION</u>
N-1	New - Excellent	New or unused property in excellent condition. Ready for use and identical or interchangeable with new items delivered by a manufacturer or normal source of supply.
N-2	New - Good	New or unused property in good condition. Does not quite qualify for N-1 (because slightly shopworn, soiled, or similar), but condition does not impair utility.
N-3	New - Fair	New or unused property in fair condition. Soiled, shopworn, rusted, deteriorated or damaged to the extent that utility is slightly impaired.
N-4	New - Poor	New or unused property, soiled, rusted, mildewed, deteriorated or damaged, condition is poor still having some utility, but cannot be classed as salvaged.
E-1	Used-Reconditioned-Excellent	Used property, but repaired or renovated and in excellent condition.
E-2	Used-Reconditioned-Good	Used property which has been repaired or renovated and, while still in good usable condition, has become worn from further use and cannot qualify for excellent condition.
E-3	Used-Reconditioned-Fair	Used property which has been repaired or renovated but has deteriorated since reconditioning and is only in fair condition. Further repairs or renovation required or expected to be needed in near future.
E-4	Used-Reconditioned-Poor	Used property which has been repaired or renovated and is in poor condition from serious deterioration such as from major wear and tear, corrosion, exposure to weather or mildew.

<u>CONDITION CODE</u>	<u>BRIEF DEFINITION</u>	<u>EXPANDED DEFINITION</u>
O-1	Used-Usable Without Repairs-Excellent	Property which has been slightly or moderately used, no repairs required, and still in excellent condition.
O-2	Used-Usable Without Repairs-Good	Used property, more worn than O-1 but still in good condition with considerable use left before any important repairs would be required.
O-3	Used-Usable Without Repairs-Fair	Used property which is still in fair condition and usable without repairs; however, somewhat deteriorated, with some parts (or portion) worn and should be replaced.
O-4	Used-Usable Without Repairs-Poor	Used property which is still usable without repairs but in poor condition and undependable or uneconomical in use. Parts badly worn and deteriorated.
R-1	Used-Repairs Required-Excellent	Used property, still in excellent condition, but minor repairs required. Estimated repairs would not cost more than 10% of acquisition cost.
R-2	Used-Repairs Required-Good	Used property, in good condition but considerable repairs required. Estimated cost of repairs would be from 11% to 25% of acquisition cost.
R-3	Used-Repairs Required-Fair	Used property, in fair condition but extensive repairs required. Estimated repair cost would be from 26 % to 40% of acquisition cost.
R-4	Used-Repairs Required-Poor	Used property, in poor condition and requiring major repairs. Badly worn, and would still be in doubtful condition of dependability and uneconomical in use if repaired. Estimated repair costs between 41% and 65% of acquisition cost.

<u>CONDITION CODE</u>	<u>BRIEF DEFINITION</u>	<u>EXPANDED DEFINITION</u>
X	Salvage	Salvage. Personal property that has some value in excess of its basic material content but which is in such condition that it has no reasonable prospect of use for any purpose as a unit (either by the holding or any other Federal agency) and its repair or rehabilitation for use as a unit (either by the holding or any other Federal agency) is clearly impracticable. Repairs or rehabilitation estimated to cost in excess of 65% of acquisition cost would be considered "clearly impracticable" for purposes of this definition.
S	Scrap	Material that has no value except for its basic material content.

§ 101-44.4901 Standard Form 123, Application for Donation of Surplus Personal Property.

(a) Page 1 of Standard Form 123.

Standard Form 123 JULY 1958 Edition Gen. Serv. Admin. FPMR(41 CFR)101-44.306		APPLICATION FOR DONATION OF SURPLUS PERSONAL PROPERTY		FORM APPROVED BUDGET BUREAU NO. 29-R0167	
1. APPLICATION NO(S).		PAGE		1 of	
2. TYPE OF APPLICATION <input type="checkbox"/> DHEW <input type="checkbox"/> DOD (SEA) <input type="checkbox"/> FAA		3. SURPLUS RELEASE DATE		4. SET ASIDE DATE	
5. <input type="checkbox"/> NONREPORTABLE <input type="checkbox"/> REPORTABLE		6. TOTAL ACQUISITION COST			
7. TO: General Services Administration, PMDS Personal Property Division*		8. LOCATION OF PROPERTY*			
9. HOLDING AGENCY (Name and address)*		10. ORGANIZATIONAL UNIT CONTROLLING PROPERTY*			
11. PICKUP OR SHIPPING INSTRUCTIONS*					
12. L/F No. (a)	IDENTIFICATION NUMBER(S) (b)	DESCRIPTION (c)	COND. CODE (d)	QUANTITY AND UNIT (e)	ACQUISITION COST (f) Unit (f) Total (g)
13. DONEE ACTION Donee certifies and agrees to the terms, conditions, and assurances as specified on reverse.					
a. DONEE (Name and address of SASP, SEA, or public airport)*		b. SIGNATURE AND TITLE OF DONEE OR SASP REPRESENTATIVE		c. DATE	
		d. SIGNATURE OF NATIONAL SEA OFFICER		e. DATE	
14. ADMINISTRATIVE ACTION I certify that the administrative actions pertinent to this application, as specified on reverse, have been and are being taken.		a. DETERMINING OFFICER (DHEW, DOD, or FAA)*		b. SIGNATURE OF DETERMINING OFFICER	
		c. DATE			
d. GSA APPROVING OFFICER		e. SIGNATURE OF APPROVING OFFICER		f. DATE	

\* Please include "ZIP Codes" in all address blocks.

123-103

## PART 101-44 DONATION OF PERSONAL PROPERTY

101-44, 4901

(b) Page 2 of Standard Form 123.

### CERTIFICATIONS, AGREEMENTS, AND ASSURANCES

The donee specified in block 13a on the reverse of this application, in consideration of and for the purpose of obtaining the donation of any or all property covered by such application, recognizes and agrees that any such donation will be made by the United States in reliance on the following certifications, agreements, and assurances:

#### 1. OFFICIAL SIGNING IN BLOCK 13b AS REPRESENTATIVE OF:

a. **STATE AGENCY FOR SURPLUS PROPERTY.** (1) As a condition of the allocation of property listed in block 12, the State agency, for itself, and, with respect to any such property to be distributed in an adjacent State, pursuant to an approved inter-State Distribution Agreement as agent for an authorized representative of the State agency of the adjacent State, hereby certifies:

(a) It is the agency of the State designated under State law and as such has legal authority within the meaning of section 203(d) of the Federal Property and Administrative Services Act of 1949, 63 Stat. 386, as amended (hereinafter referred to as the Act), and the regulations of the Department of Health, Education, and Welfare to receive surplus property for distribution within the State to eligible donees within the meaning of said Act and regulations.

(b) The property listed on this document or attachments hereto is usable and needed for educational, public health, or civil defense purposes, including research for any such purpose, in the State.

(c) When the property is picked up by or shipped to a State agency, the State certifies that it has available adequate funds, facilities, and personnel to effect accountability, warehousing, proper maintenance, and distribution of the property listed on this document or attachments hereto.

(d) When property is distributed by a State agency to a donee, or when delivery is made direct from a holding agency to a donee, the State certifies that the donee who is acquiring the property is eligible within the meaning of the Act and the regulations of the Department of Health, Education, and Welfare, and that such property is usable and needed by the donee.

(2) With respect to property picked up by or shipped to State agencies, the State agency agrees to the following:

(a) The right to possession only is granted and the State agrees to make prompt Statewide distribution of the same, on the basis of education, public health, or civil defense usability and need, to donees eligible to acquire property under section 203(d) of the Act and regulations of the Department of Health, Education, and Welfare, after such eligible donees have properly executed the required certifications and appropriate agreements.

(b) Title to such property shall remain in the United States of America although the State shall have taken possession thereof, except as to record title where State licensing laws require that title pass in order that State licensing or registration of the property may be effected. Title to the property shall pass to the eligible donee when it executes the required certifications and appropriate agreements and has taken possession of the property.

(c) The State further agrees that it will pay the cost of care, handling, and shipping incident to taking possession of such property and that during the time that title remains in the United States of America it will be responsible, as a bailee for mutual benefit, for such property from the time it is released to the State or to the transportation agent designated by the State; and that in the event of any loss of, or damage

to any or all of the property, it will file such claim and/or institute and prosecute to conclusion such proceedings as may be necessary to recover, for the account of the United States of America, the fair value of any such property lost or damaged.

b. **SERVICE EDUCATIONAL ACTIVITY.** Pursuant to section 203(d) of the Act and regulations promulgated thereunder, and a designation of the organization by the Secretary of Defense as an educational activity of special interest to the armed services, donation of the surplus personal property listed in block 12 is requested. It is hereby certified that (a) the signer is appropriately authorized; (b) the property is usable and necessary to carry out the educational purposes of the applicant, is required for use to fill an existing need, and will be used for such purposes within 1 year after it is obtained; and (c) funds are available and will be paid, when requested to cover cost of care and handling incident to the donation, including packing, preparation for shipment, loading, and transporting such property.

c. **PUBLIC AIRPORT.** Pursuant to the Act and section 13(a) of the Surplus Property Act of 1944, 58 Stat. 770, as amended, and regulations promulgated thereunder, application is hereby made for the property listed in block 12. The applicant agrees that (a) funds are available to pay the costs of care and handling incident to donation, including packing, preparation for shipping, loading, and transporting such property; and (b) if such property is donated to the applicant it will (1) not be used, sold, salvaged, or disposed of for other than airport purposes without the consent of the Federal Aviation Administration; (2) be kept in good repair; (3) be used for airport purposes; (4) be appropriately marked as Federal Surplus Property and will be made available for inspection upon request; and (5) at the option of the United States, revert to the United States, in its then existing condition, if all the aforesaid conditions are not met, observed, or complied with.

d. **SERVICE EDUCATIONAL ACTIVITY OR PUBLIC AIRPORT.**

#### Assurance of Compliance With GSA Regulations Under Title VI of the Civil Rights Act of 1964

The donee agrees that (1) the program for or in connection with which any property covered by this application is donated to the donee will be conducted in compliance with, and the donee will comply with and will require any other person (any legal entity) who through contract or other arrangements with the donee is authorized to provide services or benefits under said program to comply with, all requirements imposed by or pursuant to the regulations of the General Services Administration (41 CFR Subpart 101-6.2) issued under the provisions of Title VI of the Civil Rights Act of 1964; (2) this agreement shall be subject in all respects to the provisions of said regulations; (3) this agreement shall obligate the donee for the period during which it retains ownership or possession of any such property; (4) the donee will promptly take, and continue to take, such action as may be necessary to effectuate this agreement; (5) the United States shall have the right to seek judicial enforcement of this agreement; and (6) this agreement shall be binding upon any successor in interest of the donee and the word "donee," as used herein, includes any such successor in interest.

### STATEMENT OF ADMINISTRATIVE ACTIONS

#### 2. OFFICIAL SIGNING IN BLOCK 14b AS REPRESENTATIVE OF:

a. **DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE.** Pursuant to the Act, and regulations promulgated thereunder, and pursuant to the authority delegated to him by the Secretary of the Army, the Secretary of Health, Education, and Welfare has determined that the property listed in block 12 is usable and necessary for educational, public health, or civil defense purposes, including research for any such purpose; that the applicant is eligible to receive such property in accordance with the Act, and that such property is hereby allocated to the applicant State Surplus Property Agency or Agencies, indicated in block 13a or attachments hereto, on the basis of need and usability; that funds are available to pay the costs of care and handling incurred incident to the donation; and that the terms, certifications, and conditions contained in the regulations of the Department of Health, Education, and Welfare, and the regulations of the Department of the Army in the case of civil defense, will govern the acquisition, use, and disposal of items listed in block 12 or on attachments hereto, which are approved for donation.

b. **DEPARTMENT OF DEFENSE (PROPERTY DISPOSAL OFFICER).** The personal property listed in block 12 is surplus and available for donation to the service educational activity designated in block 13a (subject to any interim request by a Federal agency).

c. **FEDERAL AVIATION ADMINISTRATION.** The Administrator of the Federal Aviation Administration has determined that the surplus personal property listed in block 12 is essential, suitable, or desirable for the development, improvement, operation, or maintenance of a public airport, or reasonably necessary to fulfill the immediate and/or foreseeable future requirements of the grantee for the development, improvement, operation, or maintenance of a public airport.

3. **OFFICIAL SIGNING IN BLOCK 14c AS REPRESENTATIVE OF GENERAL SERVICES ADMINISTRATION.** The surplus personal property listed in block 12, except any disapproved items, is approved for donation, and will be held by the holding agency for a period not to exceed 40 calendar days from the surplus release date pending receipt of pickup or shipping instructions, whereupon it will be released to the donee.

(Reverse of SF 123, JULY 1968 Edition)

FLOW CHART FOR PROCESSING STANDARD FORM 123  
"APPLICATION FOR DONATION OF SURPLUS PERSONAL PROPERTY"

