



The Federal Surplus Personal Property Donation Program:

Veteran Owned Small
Businesses (VOSBs)

- Overview of Donation Program
- Highlights of VOSB program MOA
- Demo on how to screen available property

Federal Donation Program: In Brief

- At the completion of screening for Federal use, property not transferred is declared surplus and becomes eligible for donation.
- Property is donated from GSA to state, local, and non-profit organizations through State Agencies for Surplus Property (SASP)

Federal Donation Program: Authority

- 40 USC 549 states in part:
 - The Administrator of General Services, in the Administrator's discretion and under regulations the Administrator may prescribe, may transfer property...to a state agency.
 - The term "state agency" means an agency designated under state law as the agency responsible for fair and equitable distribution, through donation, of property transferred under this section.

Federal Donation Program: Requirements

- Property must be surplus - 40 USC 549 (b)(2)(A)(ii)
 - “Surplus personal property” means excess personal property no longer required by the Federal agencies as determined by GSA.
- GSA shall allocate property among the States on a fair and equitable basis - 40 USC 549 (c)(2)
- Allocating Factors: - 41 CFR 102-37.100
 - Extraordinary needs caused by disasters or emergency situations
 - Donation Performance
 - Specific need -- letter of justification from the donee
 - Receipt of similar property in the past
 - Relative need of each state based on population and per capita income

Federal Donation Program: Eligible Recipients

- Public Agencies
- Nonprofit and Public Programs for the Elderly
- Veterans Organizations
- 8(a) Organizations
 - Available for certain 8(a) organizations in participating states.
- Veteran Owned Small Business
 - The Small Business Administration (SBA) and GSA have implemented the Veterans Small Business Enhancement Act of 2018 with participating states.
- Public Airports

Federal Donation Program: Eligible Recipients

- Nonprofit Educational or Public Health Institutions, such as:
- Medical institutions, hospitals, clinics, and health centers
- Drug- or alcohol-abuse treatment centers
- Providers of assistance to homeless individuals and impoverished families or individuals
- Schools, colleges, and universities
- Schools for students with disabilities
- Child care centers
- Radio and television stations licensed by the Federal Communications Commission (FCC) as educational radio or educational television stations
- Museums attended by the public
- Libraries that serve all residents of a community, district, state, or region free-of-charge
- Historic light stations

Federal Donation Program: Eligible Recipients

Service Educational Activities (SEAs) -- educational activities of special interest to the Department of Defense (DoD):

- American Red Cross
- Armed Services YMCA of the USA
- Big Brothers Big Sisters
- Boy Scouts of America
- Boys & Girls Clubs of America
- Camp Fire USA
- The Center for Excellence in Education
- Corporation for the Promotion of Rifle Practice and Firearms Safety
- Girl Scouts of the USA
- Little League Baseball, Inc.
- Marine Cadets of America
- Marine Corps League
- National Association for Equal Opportunity in Higher Education
- National Ski Patrol System
- United Service Organizations, Inc.
- United States Olympic Committee
- U.S. Naval Sea Cadet Corps
- Young Marines of the Marine Corps League

Federal Donation Program: SASP Responsibilities

- Utilization reviews to ensure property is being properly used
- If a review or other information indicates noncompliance with donation terms and conditions
 - Promptly investigate any suspected failure to comply with the conditions;
 - Temporarily defer any further donations of property and:
 - Take steps to correct the noncompliance or otherwise enforce the conditions imposed on use of the property if a donee is found to be in noncompliance
- 41 CFR 102-37.480 and 485

Federal Donation Program: Donee Responsibilities

- Meet and maintain eligibility
- Pay SASP service charges (if applicable)
- Pay shipping and handling and/or transportation costs
- Put property into use within one year
- Use for full period of compliance (1+ years)
 - Title passes once restrictions are met

Federal Donation Program: Donated Property



Memorandum of Agreement (MOA)

Purpose:

Sets forth the terms and conditions with respect to Federal surplus personal property which is transferred to Veteran Owned Small Businesses (VOSBs).

Authority:

- The Veterans Small Business Enhancement Act provides that eligible Veteran Owned Small Businesses may receive Federal surplus property in accordance with 15 U.S.C. § 657b (g) and 13 CFR § 125.100.
- Must be certified by VA's VETS First Verification Program:
<https://www.va.gov/osdbu/verification/>

Conditions/Use:

VOSBs may obtain Federal surplus property from the SASP in the State where the property will be primarily located and placed in use, provided the VOSB represents and agrees in writing:

- (1) That the VOSB is located and operated within the State;
- (2) That the small business is unconditionally owned and controlled by one or more eligible veterans, service-disabled veterans, or surviving spouses;
- (3) Has registered and is in “verified” status in the VA’s VETS First Verification Program database under the procedures found in 38 C.F.R. § 74.

Conditions/Use:

- (4) That it will use the acquired surplus personal property in the normal conduct of its business activities. Personal or non-business use is prohibited.
- (5) That it will not sell, transfer, loan, lease, encumber or otherwise dispose of the property during the period of restriction unless it has received express written authorization from the SASP, GSA, and SBA pursuant to 41 CFR §102-37.
- (6) That it will obtain permission from the donating SASP before permanently removing the property from the State (41 CFR §102-37.450).

Conditions/Use:

- (7) That it will use the property as intended within one year of receipt;
- (8) That it will maintain its eligibility with the VA under the procedures found in 38 C.F.R. § 74 and with the SASP for the duration of the applicable Federal period of restriction for donated property (41 CFR §102-37.410)
- (9) That it will give SBA, GSA, and/or the SASP access to inspect the property and all records pertaining to it; and

Conditions/Use:

(10) That should the VOSB violate any of the paragraphs above, the VOSB will return the property to the donating SASP at the VOSB's expense, or if the VOSB has sold, transferred, or otherwise disposed of the acquired surplus property in violation of the agreement covering sale and disposal, the VOSB will be liable to the Federal Government for the Fair Market Value (as determined by GSA or the donating SASP) or the sale price of the property, whichever is greater.

Next Steps:

- Find Your SASP:
- Visit www.nasasp.org
- Choose “Find my State!”
- Choose the appropriate state.
- Contact the POC for more information / to enroll

Screening Surplus Personal Property: Demo

- [GSAXcess® Home - Welcome to GSAXcess®](#)

• Q&A

Arming Our Vets to Win

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