# Forest Service Handbook
# National Headquarters - Washington Office
# Washington, DC

## Forest Service Handbook 3109.12 – Property Acquisition Assistance Handbook
## Zero Code

**Amendment:** 3109.12-2012-1

**Effective date:** February 24, 2012

**Duration:** This amendment is effective until superseded or removed.

**Approved by:** Robin L. Thompson, Associate Deputy Chief

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**Responsible Staff:**

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**Posting Instructions:** Amendments are numbered consecutively by handbook number and calendar year. Post by document; remove the entire document and replace it with this amendment. Retain this transmittal as the first page(s) of this document.

**Digest:** Following is an explanation of the changes throughout the directive by section.

**Zero Code:** Makes major editorial changes to fit organizational structure and revises direction for clarity throughout the chapter.

**04:** Clarifies areas of responsibility and adds references to the Federal Excess Property Management Information System (FEPMIS) as a tool developed to assist State cooperators in managing Forest Service personal property.

**05:** Adds definitions for the following terms: "Accountable Officer," "Acquisition Date," "Agency Acquisition Management System (AAMS)," "Change of Status," "Cooperator," "Demilitarization (DEMIL)," "Donee," "Emergency," "Expendable Property," "Federal Excess Property Management Information System (FEPMIS)," "Fire Program," "Flight Safety Critical Aircraft Part (FSCAP,)" "GSA Xcess," "Incidental Use," "Inventoried Property," "Modification," "Mutilate," "Negligence," "Ninety/Ten rule," "Non-expendable Property," "Property Management Officer (PMO)," "Public Body," "Reimbursable Property," "Report Number," "Rolling Stock," "Review," "Screen," "Separation of Duties," "Technical Assistance," "Transfer," and "Unsalvageable Aircraft Part."

Removes obsolete terms: "Exchange/Sale Property," "Non-accountable Property," "Non-reportable Excess Personal Property," "Reportable Excess Personal Property," and "Standard Price."

**06:** Updates references to include Web hyperlinks.

**10:** Makes major editorial changes to fit organizational structure throughout the chapter. Revises direction for clarity and adds references to the Federal Excess Property Management Information System (FEPMIS) as the method for processing acquisitions.

**20:** Makes major editorial changes to fit organizational structure throughout the chapter. Revises direction for clarity, adds references to the Federal Excess Property Management Information System (FEPMIS) as the method of processing acquisition, management, and disposal of excess property, and adds direction for use of new form; FS-3100-9; Request for Cannibalization, Modification and Deregistration of Forest Service Owned Property.

**30:** Makes major editorial changes to fit organizational structure and revises direction for clarity throughout the chapter. Adds references to the Federal Excess Property Management Information System (FEPMIS) as the method to facilitate disposition of Federal Excess Personal Property (FEPP) property.

**40:** Makes major editorial changes to fit organizational structure and revises direction for clarity throughout the chapter. Adds references to the Federal Excess Property Management Information System (FEPMIS) as the method to facilitate acquiring, managing, and disposing of excess aviation property. Adds direction for use of the form; FS-3100-9; Request for Cannibalization, Modification and Deregistration of Forest Service Owned Property.

**50:** Makes major editorial changes to fit organizational structure and revises direction for clarity throughout the chapter. Adds references to the Federal Excess Property Management Information System (FEPMIS) as the method of processing acquisition, management, and disposal of excess property. Adds direction for use of form FS-3100-9, Request for Cannibalization, Modification and Deregistration of Forest Service Owned Property.

**60:** Makes major editorial changes to fit organizational structure, revises direction for clarity, and adds references to the Federal Excess Property Management Information System (FEPMIS) as the source for needed forms for Federal Excess Personal Property (FEPP) throughout the chapter.

**62.1:** Updates the requirements for the Annual Non-Federal Recipients report.

**63.1:** Adds the FEPP Review Checklist exhibit.

**63.2:** Updates the disposal codes for FEPP.

## Table of Contents

## 01 - Authority

1. The Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483), as amended. In order to minimize the expenditures for property, executive agencies shall provide for the transfer of excess property among Federal agencies.

2. Title 40 United States Code 40 – Public Buildings, Property and Works and Section 10 of the Cooperative Forestry Assistance Act of 1978, (16 U.S.C. 2101 (note)). Authorizes and encourages the Secretary of Agriculture to loan Federal Excess Personal Property to State and local fire forces for use in rural fire prevention and control activities. All Federal property acquisition, use, and disposal are governed by Title 41 CFR 101 and the Federal Management Regulations (FMR) Title 41 CFR 102.

## 02 - Objective

Ensure efficient and economical rural community and wildland fire protection through the loan of Federal Excess Personal Property to State forestry agencies.

## 03 - Policy

State agency accountable officers may acquire, use, and dispose of Federal Excess Personal Property (FEPP) after entering into a cooperative agreement with the Forest Service (FSM 3171.2). Cooperative agreements exist between the Forest Service and each of the 50 States, Guam, Puerto Rico, the Virgin Islands, American Samoa, the Federated States of Micronesia, and the Northern Mariana Islands. Personal use of any FEPP and non-fire use (with the exception of emergency use to prevent loss of life or property and no more than 10 percent of total usage for non-fire related functions) is prohibited, (sec. 21.1 of this handbook). Failure to follow the instructions in this handbook may result in the suspension of a State FEPP program.

## 04 - Responsibility

Administration of this Federal-State cooperative program is the joint responsibility of the Forest Service, the State agency accountable officer, and the General Services Administration.

### 04.1 - Accountable Officer

The accountable officer for each State shall:

1. Implement cooperative agreements with the Forest Service regional forester or Area Director that outline terms and conditions of the loan of Federal Excess Personal Property (FEPP).

2. Appoint, in writing on State letterhead, personnel authorized to act as the accountable officers' representative to perform functions of the FEPP program.

3. Provide an acquisition plan biennially to notify the Forest Service property management officer (PMO) of items typically used within the State forestry agencies fire protection program.

4. Implement cooperative agreements with the recipients of sub-loaned FEPP that outline terms and conditions of the FEPP program.

5. Perform, or cause to be performed, a 100 percent physical inventory biennially and submit results to the Forest Service regional/Area PMO no later than March 31 of the year due.

6. Certify, in writing, that the inventory reconciliation has been completed no later than June 30 of the year due.

7. Ensure the Federal Government retains title to all FEPP equipment on loan to them.

8. Requisition only FEPP that the State fire program can and will use, or will assign to a rural fire protection district or department (sec. 21.1 of this handbook).

9. Submit requisitions electronically with the required certification to the Forest Service for acquisitions of FEPP in the Federal Excess Property Management Information System (FEPMIS) database (sec. 11.3 of this handbook).

10. Maintain records of FEPP in accordance with this handbook (sec. 22.6 and sec. 43 of this handbook).

11. Ensure that FEPP is not available for rent or lease and allow only incidental use of FEPP outside the State's fire program (sec 21.5 of this handbook).

12. Dispose of FEPP only as provided in this handbook (ch. 30 of this handbook).

13. Report, promptly, all FEPP that is no longer needed as excess to the Forest Service regional/Area PMO (ch. 30 of this handbook).

14. Provide adequate protection for all FEPP, including property awaiting disposal (sec. 21.2 of this handbook).

15. Permit authorized representatives of other agencies and potential buyers to screen FEPP items reported to the Forest Service for disposal.

16. Label, physically, or otherwise identify FEPP (sec. 22.5 of this handbook).

17. Ensure safe use of all FEPP (sec. 21.8 of this handbook).

18. Report to the Forest Service all accidents involving FEPP (FSM 5723 and FSH 6709.12).

19. Use State administrative procedures to reprimand or discipline State employees who are negligent in using FEPP (sec. 21.6 of this handbook).

20. Use economic efficiency as one criterion in the acquisition and continued use of FEPP.

**04.2 - Administrator, General Services Administration (GSA)**

As a cooperator in this joint program, the GSA administrator shall:

1. Transfer excess personal property to the Forest Service (FMR 102-36.60 (a)).

2. Authorize physical transfer of FEPP items from the holding agency to an accountable officer upon approval by an authorized Forest Service representative of this program (sec. 11.3 of this handbook).

3. Prescribe the amount of reimbursement required from the accountable officer for the transfer of FEPP from the holding agency.

4. Issue access codes and passwords to the Forest Service regional/Area property management officers (PMOs) in the GSA database (Xcess), which is used to search and select property for acquisition.

5. Assist in disposition of excess and scrap FEPP property items.

6. Issue Activity Address Codes (AACs) to State forestry offices, and State supported volunteer fire departments, to be used for purchasing wildland fire equipment and supplies from GSA Advantage.

**04.3 - Washington Office, Staff Directors**

The Washington Office, Directors of Fire and Aviation Management, Acquisition Management, and Financial Management are responsible for administering the FEPP program.

**04.31 - Washington Office, National Program Manager**

The Washington Office, Director of Fire and Aviation Management appoints the Washington Office, National Program Manager to provide direction and leadership on the program requirements and responsibilities.

## 04.4 - Regional Foresters, Regional Directors, and the Area Director

The regional foresters, regional directors, and the Area Director shall delegate responsibility by supplement to this handbook for the Property Management Officer and the Agency Asset Management staff. They shall implement cooperative agreements with the accountable officer that outline the terms and conditions of the loan of FEPP.

## 04.41 - Regional and Area Property Management Officer (PMO)

The Forest Service regional/Area property management officer (PMO) shall:

1. Recommend regional and Area policy and provide overall day-to-day operation of the FEPP program.

2. Notify the Washington Office, National Program Manager on regional FEPP policies and activity.

3. Comply with provisions in the Federal Management Regulations (FMR) 102-36.

4. Ensure separation of duties for the authorization of acquisitions, disposals, and record keeping.

5. Provide guidance and train Federal and State employees in procedures and forms necessary to conduct inventories, acquire property, transfer property, change property status, demilitarization, and report property as excess.

6. Authorize demilitarization, local scrap disposal, or abandonment or destruction as alternative methods of disposal when property items cannot be sold for their intended purpose. Demilitarization of FEPP property is authorized when it is no longer needed or usable by another Federal Agency (secs. 31.1 and 32 of this handbook).

7. Provide technical assistance to the accountable officers in the property management procedures required for FEPP.

8. Ensure the U.S. Department of Agriculture (USDA) property management system master records are updated and accurate to facilitate the reconciliation of State property accountability records (sec. 22.6 of this handbook).

9. Assist the accountable officer in reconciling physical inventory discrepancies with the USDA property management system master record.

10. Certify, in writing, that inventory reconciliations have been completed by June 30 of year due and annotated in FEPMIS and the USDA designated system for property accounting and management.

11. Ensure all accidents involving FEPP are reported in accordance with Forest Service policy. (FSM 6730)

12. Review State forestry agencies acquisition plan and approve items that are authorized without special justification for need and disapprove items that require special justification for need.

13. Approve special justification requests for new acquisition when items are clearly needed for the State forestry wildland fire program.

14. Review requests for acquisition and disposal of FEPP to ensure the achievement of program objectives and program compliance.

15. Approve reporting of FEPP excess in the USDA Agency Asset Management System (AAMS) and subsequently into GSAXcess.

16. Authorize cannibalization of unserviceable FEPP to provide parts for similar property in the State fire program (sec. 21.4 of this handbook).

17. Authorize modification of FEPP property to be used for fire protection purposes (sec. 21.3 of this handbook).

18. Provide leadership and participate in formal reviews and functional assistance trips (ch. 50 of this handbook).

19. Report FEPP activity to the Washington Office National FEPP Program Manager (sec. 62.2 of this handbook).

20. Report the review and functional assistance trip results to the Washington Office National FEPP Program Manager (sec. 53.2 of this handbook).

### 04.42 - Regional and Area Asset Management Staff

The regional and Area Asset Management staff shall:

1. Enter property information into the USDA property management system master record.

2. Maintain the asset files and the source documents for all the transactions involving property.

3. Assist the Forest Service regional/Area PMO in reconciling physical inventory discrepancies with the USDA property management system master record.

4. Prepare the documentation needed for formal reviews and technical assistance trips and participate as needed.

5. Provide guidance and train State employees in the procedures and the forms necessary to conduct inventories, acquire property, transfer property, change property status, and report property as excess.

## 05 - Definitions

Accountable Officer. The State agency manager who has specific responsibilities and is accountable for the FEPP inventory in the State forestry agency.

Accountable Property. All FEPP regardless of acquisition cost.

Acquisition cost. The original cost of the property to the Federal Government. May be estimated to like items if unknown.

Acquisition Date. The date the FEPP property acquisition document is approved by the Forest Service.

Agency Acquisition Management System (AAMS). The electronic, GSA operated, web-based system used to report all USDA excess personal property for internal screening.

Cannibalization. The removal and use of parts from one piece of property to repair or improve a similar piece of property.

Change of Status. A term used in FEPMIS to identify property items that are excess to the agency's needs or to report lost, stolen, or damaged property. Also used to request cannibalization and modification of Federal inventory items.

Cooperative Agreement. A written agreement between a State forestry agency and a rural fire department, or between a State forestry agency and the Forest Service, that describes the terms and the conditions of cooperation. A current agreement must be in place to participate in the FEPP program and renewed every 5 years or when a signatory is no longer valid.

Cooperative Fire Protection. Forest Service program providing financial and technical assistance to State forestry organizations for the prevention and control of fires on non-Federal rural lands. Consists of four components: Volunteer Fire Assistance, State Fire Assistance, Federal Excess Personal Property, and the Cooperative Forest Fire Prevention Program (Smokey Bear) (FSM 3106 – Program Components).

Cooperator. An individual or entity that voluntarily desires to cooperate with the Forest Service on a project and is willing to formalize the relationship by entering into a memorandum of understanding or other agreement.

Demilitarization (DEMIL). The act of destroying the military offensive or defensive advantages inherent in certain types of equipment or material. The term comprehends mutilation, cutting, crushing, scrapping, melting, burning, or alteration designed to prevent the further use of this equipment and material for its originally intended purpose. Applies equally to material in unserviceable or serviceable condition.

Donee. Any entity that receives Federal surplus property through a State agency for Surplus property (SASP) as provided for in 40 U.S.C. 549.

Emergency. As defined in the Robert T. Stafford Disaster Relief and Assistance Act; any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States.

Excess Personal Property. Any personal property under a Federal agency's control that the agency determines is not needed in the discharge of the agency's responsibilities.

Expendable Property. A property item that is consumed when used for its intended purpose. Also included are replacement parts which, when installed, becomes a component of another property end item.

Fair Market Value. Estimated sale price of an item on the open market (sometimes negotiable between the transferring Federal agency and the State forestry agency).

Federal Excess Property Management Information System (FEPMIS). A web-based, Forest Service-sponsored, password-protected inventory management system used to monitor and track FEPP property items from acquisition to disposal.

Fire Program. A combination of activities including prevention, pre-suppression, and suppression, designed to result in a decrease in wildfires.

Flight Safety Critical Aircraft Part (FSCAP). Any aircraft part, assembly, or installation containing a critical characteristic whose failure, malfunction, or absence could cause a catastrophic failure resulting in loss or serious damage to the aircraft or an uncommanded engine shut-down resulting in an unsafe condition.

Freeze. To place a request with a Federal agency to acquire excess personal property.

GSA Xcess. A Web-based, interactive database, operated by GSA that controls the nationwide inventory of excess/surplus property for transfer and donation within the domestic agencies. GSA Xcess sends items to GSA sales after surplus release date (SRD) has passed.

Holding Agency. The Federal agency accountable for personal property. Property may be at this office or delegated to a sub-unit. Forest Service regional and Area offices are the holding agencies for the purposes of the FEPP program.

Incidental Use. The unplanned use of property which occurs without intention or calculation. Usage is subordinate and non-essential to the primary and defined mission.

Inventoried Property. Accountable property items with an original acquisition cost of $5,000 or greater, and sensitive property of any value which are formally recorded in the USDA-designated property accounting system and FEPMIS, and which must be physically accounted for at least biennially (FSM 6410 and FMR 102-36).

Modification. The practice of adding to an end item, splitting property into multiple end items, or removing portions of an end item, thereby changing the original characteristics of the end item.

Mutilate. In FEPP and FFP; mutilation requires the total destruction of the item to make it unrecognizable from its original appearance.

Negligence. The failure to abide by Federal rules and regulations. Gross negligence is the intentional, willful, or wanton failure to exercise a reasonable degree of care to protect FEPP property in one's custody in reckless disregard of the consequences of the actions.

Ninety/Ten Rule. The requirement that FEPP be used at least 90 percent of the time for fire or emergency services.

Non-expendable Property. Personal property which does not lose its identity when used for its intended purpose.

Non-fire Use. Use of property for other than fire protection purposes. Sometimes referred to as incidental use.

Personal Property. All property not defined as real property.

Property Management Officer (PMO). Forest Service regional and Area representatives with responsibility for authorizing acquisition and disposal of FEPP.

Public Body. Any department, agency, special purpose district, or other instrumentality of a State or local government; any Indian tribe; or any agency of the Federal Government.

Reimbursable Property. Property that because of its funding source or exchange/sale designation allows an agency to be compensated from the proceeds.

Report Number. The 14-digit number assigned by the Forest Service to various change of status forms and acquisition documents. This number consists of a 6-digit activity address code, 4-digit Julian date, and a 4-digit series number.

Review. An examination of the State procedures for acquisition, management, and disposal of FEPP in accordance with this handbook and related Forest Service and Department of Agriculture directives.

Rolling Stock. Refers to FEPP property that will be driven on public roads when used for its intended purpose. This equipment, when under $5000, is determined to be accountable by the National FEPP Program Manager, and identified as accountable under Budget Object Classification Code (BOC) 3190 on the USDA-mandated property management and accounting system.

Rural Community. A rural area or community with a population at or below 10,000 persons as per (306 (a) (7) Consolidated Farm and Rural Development Act).

Screen. The act of electronically searching for available property.

Sensitive Property. Property with an acquisition cost of less than $5,000; which must be inventoried because of its unusual susceptibility to fraud, waste, theft, misuse, or due to national security or export control considerations. Forest Service, Washington Office, Property Management Branch, Acquisition Management determines which items will be classified as sensitive and identified in Service-wide guidance in FSM 6400, 6410-2009-1.

Separation of Duties. Assurance that no one person has the authority to approve electronically or manually, acquisitions, disposals, or modifications to property status or details as well as the ability to make changes or modifications to the USDA property management system (FSM 6410.1).

Surplus Property. Any excess personal property no longer required by any Federal agency as determined by GSA.

Technical Assistance. The providing of advice, assistance, or training in relation to the FEPP program.

Transfer. The reassignment of property between two units within a Federal agency or externally between Federal agencies.

Unsalvageable Aircraft Part. An aircraft part which cannot be restored to an airworthy condition due to its age, physical condition, a non-repairable defect, insufficient documentation, or non-conformance with applicable specifications. Disposition of such parts can be found in the FAA Advisory Circular No. 21-38, or other current applicable guidelines.

Unserviceable Property. Property that is in scrap or salvage condition.

## 06 - References

The following references are necessary to administer the Federal Excess Personal Property (FEPP) program. Regional foresters, station directors, and Area Director shall provide copies of these references to the accountable officer upon request.

1. The FEPP Desk Guide.
2. Directory of General Services Administration (GSA) Area Utilization Officers (AUO) and Regional Offices.
3. Directory of State Agencies for Surplus Property.
4. Federal Management Regulations (FMR) 102-36 through 102-39.
5. Department of Agriculture Uniform Federal Assistance Regulations (7 CFR 3015).
6. Department of Agriculture Property Management Regulations (AGPMR).
7. Forest Service Property Management Manual (FSM 6400).
8. Federal Excess Property Management Information System (FEPMIS) users guide.