



GSA Federal Acquisition Service

January 19, 2011

Mr. Curtis Howard
President
National Association of State Agencies for Surplus Property
1924 South 10 - 1/2 Street
Springfield, IL 62703

Dear Mr. Howard

In December 2010, President Obama signed the 'Formerly Owned Resources for Veterans to Express Thanks for Service Act of 2010' or 'FOR VETS Act of 2010'. This legislation established eligibility for certain veterans organizations to receive surplus property under the auspices of the Federal Surplus Personal Property Program.

The enclosure to this letter is GSA's interim guidelines for use by State Agencies for Surplus Property (SASP) for determining eligibility of veterans organizations. Please disseminate this guidance to each of the SASPs. These guidelines have been coordinated with GSA's Office of Governmentwide Policy. In that regard, I anticipate that final regulations concerning veterans organizations will closely match these interim guidelines.

If you have any questions, please contact Mr. William Kemp, Utilization and Donation Division Director at 703-605-2879, email: william.kemp@gsa.gov.

Sincerely,

A handwritten signature in blue ink that reads "David M. Robbins".

David M. Robbins
Director
Office of Personal Property Management

U.S. General Services Administration
2200 Crystal Drive
Arlington, VA 20406-0003
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Eligibility for Veteran's Organizations Participation in the Donation Program

INTERIM GUIDANCE UNTIL ADDITION OF VETERANS ORGANIZATIONS IN THE CODE OF FEDERAL REGULATIONS, TITLE 41, CHAPTER 102-37

The FORVETS Act of 2010 authorizes certain Veterans Organizations to participate in the Donation Program. The statute establishes those organizations eligible to participate as an organization whose membership comprises substantially veterans (as defined under section 101 of title 38) and whose representatives are recognized by the Secretary of Veterans Affairs under section 5902 of title 38.

The definition of veteran is pretty straightforward as cited in title 38:

The term "veteran" means a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.

For the purposes of eligibility, "membership comprises substantially veterans" means an organization that is made up of at least 33% veterans in that organization. Local chapters, districts, or other organizational entities of the organization (as many of the "recognized" organizations are national organizations) may be considered as such veterans organizations.

Organizations whose representatives are recognized by the Secretary of Veterans Affairs under the applicable reference are:

- African American PTSD Association
- American Ex-Prisoners of War, Inc.
- American GI Forum National Veterans Outreach Program
- American Legion
- AMVETS
- Armed Forces Services Corporation
- Army and Navy Union, U.S.A., Inc.
- Associates of Vietnam Veterans of America
- Blinded Veterans Association
- Catholic War Veterans of the U.S.A., Inc.
- Disabled American Veterans
- Fleet Reserve Association
- Gold Star Wives of America, Inc.
- Italian American War Veterans of the United States, Inc.
- Jewish War Veterans of the U.S.A.
- Legion of Valor of the United States of America, Inc.
- Marine Corps League
- Military Order of the Purple Heart
- National Amputation Foundation, Inc.
- National Association for Black Veterans, Inc.
- National Association of County Veterans Service Officers
- Navy Mutual Aid Association
- Non Commissioned Officers Association of the U.S.A
- Paralyzed Veterans of America
- Polish Legion of American Veterans, U.S.A
- The Retired Enlisted Association

United Spanish War Veterans
United Spinal Association, Inc.
Veterans of Foreign Wars of the United States
Veterans of the Vietnam War, Inc. & the Veterans Coalition
Vietnam Era Veterans Association
Vietnam Veterans of America

The statute categorizes veterans organizations as eligible nonprofit, tax exempt organizations that acquire surplus personal property for the purposes of education or public health. As such, veterans organizations must not only be veterans associations whose membership comprises substantially of veterans and whose representatives are recognized by the Secretary of Veterans Affairs under section 5902 of title 38, but also must meet the requirements of being a qualified nonprofit organization acquiring the property for the purposes of education or public health.

Therefore, a veterans organization which receives surplus personal property must use it for the purposes of education or public health. In this regard, we envision that veterans organizations may request property—which may include items such as furnishings, computers, and audiovisual equipment – to support training programs for veterans. It is unlikely that many of these veterans organizations actually provide health services on their own, however eligible veterans organizations may offer health related training/seminars for veterans and these types of programs may be supported with donated property. Eligible veterans organizations may also obtain property to support health programs in which they host outside organizations, as long as they are conducted on the premises of veterans organization's facilities.