

WISCONSIN FEDERAL SURPLUS PROGRAM – ELIGIBILITY APPLICATION CHECKLIST

Before submitting the application, be sure all documents have been completed/signed and include the following:

- | | |
|--|--|
| <input type="checkbox"/> Eligibility Application | <input type="checkbox"/> Nondiscrimination Assurance |
| <input type="checkbox"/> Authorized Representatives (all must sign) | <input type="checkbox"/> Program Certification |
| <input type="checkbox"/> Supplemental Information Unique to Classification | |

Proof of funding must be provided for all classifications (excluding Veteran-Owned Small Businesses)

The following requirements are **UNIQUE** to each **CLASSIFICATION**. Identify the classification that best describes your organization and include the additional required documentation.

VETERAN-OWNED SMALL BUSINESSES	
<input type="checkbox"/> Copy of Veteran Small Business Certification (VetCert) from U.S. Small Business Administration	
PUBLIC CLASSIFICATIONS	
<u>STATE/COUNTY/MUNICIPAL GOVERNMENT</u>	<u>PUBLIC FIRE/RESCUE/SANITARY/WATER/ETC</u>
<u>PUBLIC SCHOOLS/UNIVERSITIES</u> <input type="checkbox"/> Proof of accreditation/licensing/certification	<u>PRIVATE FIRE/RESCUE/SANITARY/WATER/ETC</u> <input type="checkbox"/> Copy/Statement of contract/agreement w/ govt <input type="checkbox"/> Narrative of services provided
NON-PROFIT CLASSIFICATIONS	
<u>NON-PROFIT: EDUCATION</u> <input type="checkbox"/> Proof of 501(c)(3) status <input type="checkbox"/> Proof of accreditation/licensing/certification <input type="checkbox"/> Narrative of programs/courses/enrollment/staff	<u>NON-PROFIT: HEALTH</u> <input type="checkbox"/> Proof of 501(c)(3) status <input type="checkbox"/> Proof of accreditation/licensing/certification <input type="checkbox"/> Narrative of services/patients served/facilities
<u>PRIVATE SCHOOLS/UNIVERSITIES</u> <input type="checkbox"/> Proof of 501(c)(3) status <input type="checkbox"/> Proof of accreditation/licensing/certification <input type="checkbox"/> Narrative of programs/courses/enrollment/staff	<u>ASSISTANCE TO HOMELESS or IMPROVERISHED</u> <input type="checkbox"/> Proof of 501(c)(3) status <input type="checkbox"/> Recognition from served community’s public official <input type="checkbox"/> Narrative of services/patients served/facilities
<u>TRAINING PROGRAMS</u> <input type="checkbox"/> Proof of 501(c)(3) status <input type="checkbox"/> Proof of accreditation/licensing/certification <input type="checkbox"/> Narrative of programs/courses/enrollment/staff	<u>ELDERLY PROGRAMS</u> <input type="checkbox"/> Proof of 501(c)(3) status <input type="checkbox"/> Proof of Older Americans Act funding <input type="checkbox"/> Proof of accreditation/licensing/certification <input type="checkbox"/> Narrative of services/patients served/facilities
<u>MUSEUM/ZOO/BOTANICALS</u> <input type="checkbox"/> Proof of 501(c)(3) status <input type="checkbox"/> Narrative of programs/courses/enrollment/staff <input type="checkbox"/> Statement of hours of operation (annually) <input type="checkbox"/> Articles of Incorporation (DFI)	<u>SHELTERED WORK CENTERS</u> <input type="checkbox"/> Proof of 501(c)(3) status <input type="checkbox"/> Proof of accreditation/licensing/certification <input type="checkbox"/> Narrative of programs/courses/enrollment/staff
<u>SERVICE EDUCATIONAL AGENCY (SEA)</u> <input type="checkbox"/> Proof of Department of Defense certification	<u>VETERANS ORGANIZATIONS</u> <input type="checkbox"/> Provide services to veterans <input type="checkbox"/> Recognized by U.S. Sec. of Veterans Affairs <input type="checkbox"/> Membership comprises substantially veterans

INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR ELIGIBILITY FORM

(Please type or print in blue or black ink only)

**** Public Agencies and Nonprofit tax-exempt organizations should direct any questions to: WiFederal@wisconsin.gov.**

**** Veteran-Owned Small Businesses (VOSBs) should direct any questions to: VOSBWiFederal@wisconsin.gov.**

APPLICATION NAME: Provide the full legal name of your organization on the first line of this section. Provide the mailing address of your organization as recognized by the US Postal Service. Include ZIP Code. Provide the street address if different from mailing address or provide directions if located on a rural route or other remote area. List the county in which the organization is located and a business telephone number with area code.

ORGANIZATION ACCREDITATION, LICENSING OR APPROVAL: Provide a copy of accreditation, license, or approval letter. Examples include: "Nonprofit, tax-exempt organization" are required to submit evidence that the applicant is currently approved, accredited, or licensed; Veteran-Owned Small Businesses are required to submit a copy of the Veteran Small Business Certification (VetCert) from U.S. Small Business Administration indicating they are an approved Veteran-Owned Small Business.

ORGANIZATION STATUS: Check the appropriate box which describes your organization. (Public Agencies and Nonprofit Tax-Exempt Organizations please contact WiFederal@wisconsin.gov if unable to determine which status to check). Check the appropriate box or boxes (check as many as apply) which indicates the type or purpose of your organization. Veteran-Owned Small Business questions should be emailed to VOSBWiFederal@wisconsin.gov.

WRITTEN DESCRIPTION: A comprehensive written description of programs and/or services provided is required. A description of the operational facilities should also be included. Be sure to include information on staff and staff qualifications, hours of operation, services and programs offered, population of enrollment, fees charged, etc. Include samples of pamphlets, catalogs, brochures, or posters. If incorporated, include complete copy of Articles of Incorporation with all filing certificates and amendments and a copy of your current By-Laws.

SOURCE OF FUNDING: Check the appropriate box which indicates the organization's sources of funding. Supporting documentation indicating the types and amounts of funding must be submitted with the completed application. All "Nonprofit, tax-exempt organizations" applicants must provide a copy of the IRS determination letter indicating tax exemption under Section 501 of the IRS Code of 1986. The name of the organization on this IRS letter must match the name provided in Section 1 of this application, if not, include sufficient evidence such as amendments to Articles of Incorporation, or Assumed Name filing certificate to establish and "audit trail" of names showing the legal connection.

All "Nonprofit, tax-exempt organizations" applicants are required to submit evidence that the applicant is currently approved, accredited, or licensed. Programs for older individuals must include evidence of funding under the Older Americans Act of 1965; Titles IV or XX of the Social Security Act; Titles VIII or X of the Economic Development Act of 1964; or the Community Services Block Grant Act. Providers of assistance to homeless individuals must include a letter from the mayor, county judge, city or county health officer or comparable authority which certifies that the applicant is a "provider of assistance to the homeless." The certification must identify the service or assistance being provided and the number of individuals receiving such assistance.

APPLICATION SUBMISSION: SEND COMPLETED APPLICATION WITH ANY REQUIRED DOCUMENTS TO:

for: Public Agencies/Nonprofit Tax-Exempt Organizations	for: Veteran-Owned Small Businesses
Email Preferred: wifederal@wisconsin.gov ; or	Email Preferred: VOSBWiFederal@wisconsin.gov ; or
USPS: Department of Administration Federal Surplus Property Program PO Box 7867 Madison, WI 53707-7867	USPS: Department of Administration VOSB – Federal Surplus Property Program PO Box 7867 Madison, WI 53707-7867

NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. PLEASE USE THESE INSTRUCTIONS TO ASSIST AND ENSURE ALL REQUIRED INFORMATION AND DOCUMENTATION IS PROVIDED.

**APPLICATION FOR ELIGIBILITY
To Receive Federal Surplus Property (FMR 102-37.380)**

LEGAL NAME & MAILING ADDRESS OF APPLICANT ORGANIZATION:

Name of Organization

Federal Tax ID# (FEIN)/Tax ID # (TIN)

Physical Mailing Address - (Street Address, City, State and Zip – NO POST OFFICE BOX)

County

Telephone Number

Fax Number

Cell Phone/Mobile Number

Organization Website

Organization EMail Address

Primary Contact Name

Title

Email Address (if different than organization email address)

HAS THE ORGANIZATION BEEN VERIFIED, APPROVED, ACCREDITED OR LICENSED? NO YES (COPY REQUIRED)

BY WHAT AUTHORITY? _____

APPLICANT STATUS (CHECK ONE)

- Public Agency including Public Schools Nonprofit, tax-exempt Organization Veteran-Owned Small Business (VOSB)

TYPE OR PURPOSE OF ORGANIZATION (Not Applicable to VOSB)

- | | | | | |
|---|--|---|--|--|
| <input type="checkbox"/> State | <input type="checkbox"/> College or University | <input type="checkbox"/> Child Care Center | <input type="checkbox"/> Training Center | <input type="checkbox"/> Medical Institution |
| <input type="checkbox"/> County | <input type="checkbox"/> Secondary School | <input type="checkbox"/> School for Physically Disabled | <input type="checkbox"/> Radio/TV StationLibrary | <input type="checkbox"/> Hospital |
| <input type="checkbox"/> City | <input type="checkbox"/> Elementary School | <input type="checkbox"/> School for Mentally Disabled | <input type="checkbox"/> Clinic | <input type="checkbox"/> Health Center |
| <input type="checkbox"/> School District | <input type="checkbox"/> Pre-School | <input type="checkbox"/> Museum | <input type="checkbox"/> Sheltered Workshop | <input type="checkbox"/> Other (specify): |
| <input type="checkbox"/> Programs for Older Individuals | | <input type="checkbox"/> Provider of Assistance to Homeless Individuals | Training Program | |

SOURCES OF FUNDING (REQUIRED - Attach Supporting Documentation) (Not Applicable for VOSB)

- Tax Supported Grant Contributions Other

HAS THE ORGANIZATION BEEN DETERMINED TO BE TAX EXEMPT UNDER SECTION 501 OF THE INTERNAL REVENUE CODE OF 1986?
NO YES (COPY REQUIRED)

PROVIDE A WRITTEN DESCRIPTION OF PROGRAMS OR SERVICES OFFERED, INCLUDING A DESCRIPTION OF FACILITIES OPERATED (REQUIRED)

Authorized Representative Listing: Applicants must provide a list of persons authorized to sign for the release of property on its behalf. Individuals listed on prior applications will be deleted. A valid driver’s license or state issued photo identification may be required prior to entering state or federal facilities. **Those who sign below represent that they have read and understand all information contained in this application (including the fine print) and they will abide by the aforementioned agreements, certifications, assurances and statements.** Museum applicants acknowledge they understand and will abide by the Museum Access Agreement, the Certification & Agreement Statement and the Nondiscrimination Assurance Statement as well.

To lookup/view federal surplus property available for donation on the GSAXcess website (www.GSAXcess.gov), you must have a login. Please indicate “Yes” or “No” to receive a GSAXcess login to screen and request property.

Printed Name 1	Title	Phone Number (Include Area Code)	GSAXcess Login Needed?
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO
Email Address	Date (MM/DD/YYYY)	Signature	
<input type="text"/>	<input type="text"/>	<input type="text"/>	

Printed Name 2	Title	Phone Number (Include Area Code)	GSAXcess Login Needed?
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO
Email Address	Date (MM/DD/YYYY)	Signature	
<input type="text"/>	<input type="text"/>	<input type="text"/>	

Printed Name 3	Title	Phone Number (Include Area Code)	GSAXcess Login Needed?
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO
Email Address	Date (MM/DD/YYYY)	Signature	
<input type="text"/>	<input type="text"/>	<input type="text"/>	

Printed Name 4	Title	Phone Number (Include Area Code)	GSAXcess Login Needed?
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO
Email Address	Date (MM/DD/YYYY)	Signature	
<input type="text"/>	<input type="text"/>	<input type="text"/>	

Printed Name 5	Title	Phone Number (Include Area Code)	GSAXcess Login Needed?
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO
Email Address	Date (MM/DD/YYYY)	Signature	
<input type="text"/>	<input type="text"/>	<input type="text"/>	

Printed Name 6	Title	Phone Number (Include Area Code)	GSAXcess Login Needed?
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO
Email Address	Date (MM/DD/YYYY)	Signature	
<input type="text"/>	<input type="text"/>	<input type="text"/>	

Property “Want/Needs” List: Provide a list of the specific type of property items desired your organization is interested in obtaining:

CERTIFICATIONS AND AGREEMENTS (INCLUDING TERMS, CONDITIONS, RESERVATIONS, AND RESTRICTIONS)

(a) THE DONEE CERTIFIES THAT:

(1) It is a veteran owned small business or public agency or a nonprofit institution or organization exempt from taxation under section 501 of the Internal Revenue Code of 1954 within the meaning of section 203 (j) of the Federal Property and Administrative Services Act of 1949, as amended, and/or the regulations of the General Services Administration (GSA).

(2) If a public agency, the property is needed and will be used by the recipient for carrying out or promoting for the residents of a given political area one or more public purposes, or, if a nonprofit, tax exempt institution or organization, the property is needed for and will be used by the recipient for educational or public health purposes, including research for any such purpose, or for programs for older individuals. The property is not being acquired for any other use or purpose, or for sale or other distribution, or for permanent use outside the State, except with prior written approval of the State agency.

(3) Funds are available to pay all costs and charges incident to donation.

(4) This transaction shall be subject to the nondiscrimination regulations governing the donation of surplus personal property issued under title VI of the Federal Property and Administrative Services Act of 1949, as amended, section 504 of the Rehabilitation Act of 1973, as amended, title IX of the Education Amendments of 1972, as amended, and section 303 of the Age Discrimination Act of 1975.

(b) THE DONEE AGREES TO THE FOLLOWING FEDERAL CONDITIONS:

(1) All items of property shall be placed in use for the purpose(s) for which acquired within 1 year of receipt and shall be continued in use for such purpose(s) for 1 year from the date the property was placed in use, or continued in use, the donee shall immediately notify the State agency and, at the donee's expense, return such property to the State agency.

(2) Such special handling or use limitations as are imposed by GSA on any item(s) of property listed hereon.

(3) In the event the property is not so used or handled as required by (b) (1) and (2), title and right to the possession of such property shall at the option of GSA revert to the United States of America and, upon demand, the donee shall release such property to such person as GSA or its designee shall direct.

(c) THE DONEE AGREES TO THE FOLLOWING CONDITIONS IMPOSED BY THE STATE AGENCY, APPLICABLE TO ITEMS WITH A UNIT ACQUISITION

COST OF \$5,000 OR MORE AND PASSENGER MOTOR VEHICLES, REGARDLESS OF ACQUISITION COST, EXCEPT VESSELS 50 FEET OR MORE IN LENGTH AND AIRCRAFT, FOREIGN GIFTS, OR OTHER ITEMS OF PROPERTY REQUIRING SPECIAL HANDLING OR USE LIMITATIONS, REGARDLESS OF THE ACQUISITION COST OR PURPOSE FOR WHICH ACQUIRED:

(1) The property shall be used only for the purpose(s) for which acquired and for no other purpose(s).

(2) There shall be a period of restriction which will expire after such property has been used for the purpose(s) for which acquired for a period of (to be in accordance with provisions of the State Plan of Operation).

(3) In the event the property is not so used as required by (c) (1) and (2), and Federal restrictions (b) (1), (b) (2) and (f) have expired, right to the possession of such property shall at the option of the State agency revert to the State of Wisconsin and the donee shall release such property to such person as the State agency shall direct.

(d) THE DONEE AGREES TO THE FOLLOWING TERMS, RESERVATIONS, AND RESTRICTIONS:

(1) From the date it receives the property and through the period(s) of time the conditions imposed by (b), (c) and (f) remain in effect, the donee shall not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of such property, or remove it permanently for use outside the State, without the prior approval of GSA under (b) and (f), or the State agency under (c) and (f). The proceeds from any sale, trade, lease, loan, bailment, encumbrance, or other disposal of the property, when such action is authorized by GSA or by the State agency, shall be remitted promptly by the donee to GSA or the State agency, as the case may be.

(2) In the event any of the property is sold, traded, leased, loaned, bailed, cannibalized, encumbered, or otherwise disposed of by the donee from the date it receives the property through the period(s) of time the conditions imposed by (b), (c) and (f) remain in effect, without the prior approval of GSA or the State agency, the donee, at the option of GSA or the State agency shall pay to GSA or the State agency, as the case may be, the proceeds of the disposal or the fair market value or the fair rental value of the property at the time of such disposal, as determined by GSA or the State agency.

(3) If at any time, from the date it receives the property through the period(s) of time the conditions imposed by (b), (c), and (f) remain in effect any of the property listed hereon is no longer suitable, usable, or further needed by the donee for the purpose(s) for

which acquired, the donee shall promptly notify the State agency, and shall, as directed by the State agency, return the property to the State agency, release the property to another donee or another State agency or to a department or agency of the United States, sell or otherwise dispose of the property. The proceeds from any sale shall be remitted promptly by the donee to the State agency.

(4) The donee shall make reports to the State agency on the use, condition, and location of the property listed hereon and on other pertinent matters as may be required from time to time by the State agency.

(5) At the option of the State agency, the donee may abrogate the State conditions set forth in (c) and the State terms, reservations, and restrictions pertinent thereto in (d) by payment of an amount as determined by the State agency.

(e) THE DONEE AGREES TO THE FOLLOWING CONDITIONS, APPLICABLE TO ALL ITEMS OF PROPERTY LISTED HEREON:

(1) The property acquired by the donee is on an "as is, where is" basis, without warranty of any kind, and the Government of the United States of America will be held harmless from any or all debts, liabilities, judgments, costs, demands, suits, actions, or claims of any nature arising from or incident to the donation of the property, its use, or final disposition.

(2) Where a donee carries insurance against damages to or loss of property due to fire or other hazards and where loss of or damage to donated property with unexpired terms, conditions, reservations, or restrictions occurs, GSA or the State agency, as the case may be, will be entitled to reimbursement from the donee out of the insurance proceeds of an amount equal to the unamortized portion of the fair market value of the damaged or destroyed donated items.

(f) THE DONEE AGREES TO THE FOLLOWING ADDITIONAL SPECIAL TERMS AND CONDITIONS APPLICABLE TO THE DONATION OF AIRCRAFT AND VESSELS (50 FEET OR MORE IN LENGTH) HAVING A ACQUISITIONS COST OF \$5,000 OR MORE AND FOREIGN GIFTS OR OTHER ITEMS OF PROPERTY REQUIRING SPECIAL HANDLING OR USE

LIMITATIONS, REGARDLESS OF THE ACQUISITION COST OR PURPOSE FOR WHICH ACQUIRED:

The donation shall be subject to the additional special terms, conditions, reservations and restrictions set forth in the Conditional Transfer Document or other agreements executed by the authorized donee representative.

(g) CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a 3-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by Governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

(d) Have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, state, or local) terminated for cause of default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall draw a line through the statement(s) above- (1)(a), (1)(b), (1)(c), (1)(d) for which the prospective applicant cannot certify and attach a detailed explanation to this application.

Wisconsin Federal Surplus Property Program

Conditions Document

Applicant shall check either "Agree" or "Disagree" for each condition listed below.

CONDITIONS FOR OBTAINING FEDERAL SURPLUS PROPERTY FOR ALL APPLICANTS

- 1. Organization will use the acquired surplus personal property in the normal conduct of its business activities. Personal or non-business use is prohibited.
2. Organization will use the property as intended within one year of receipt.
3. Organization will not sell, transfer, loan, lease, encumber, or otherwise dispose of the property during the period of restriction unless it has received expressed written authorization from the State Agency Surplus Program (SASP), General Services Administration (GSA), and Small Business Administration (SBA) pursuant to 41 CFR §102-37.
4. Organization will obtain permission from the donating SASP before permanently removing the property from the State of Wisconsin (41 CFR §102-37.450).
5. Organization will give SBA, GSA, and/or the SASP access to inspect the property and all records pertaining to it.

Agree Disagree

Agree Disagree checkboxes for condition 1

Agree Disagree checkboxes for condition 2

Agree Disagree checkboxes for condition 3

Agree Disagree checkboxes for condition 4

Agree Disagree checkboxes for condition 5

ADDITIONAL CONDITIONS FOR VETERAN-OWNED BUSINESSES (VOSB)

- 6. The VOSB is located and operated within the State of Wisconsin.
7. The VOSB is unconditionally owned and controlled by one or more eligible veterans, service-disabled veterans, or surviving spouses.
8. *The VOSB has registered and is in "verified" status in the U.S. Small Business Administration Veteran Small Business Certification (VetCert) program from under the procedures found in 38 C.F.R. § 74.
9. The VOSB will maintain its eligibility with the U.S. Small Business Administration 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).

Agree Disagree checkboxes for condition 6

Agree Disagree checkboxes for condition 7

Agree Disagree checkboxes for condition 8

Agree Disagree checkboxes for condition 9

Should the Organization/VOSB violate any of the paragraphs above relevant to their eligibility, the Organization/VOSB will return the property to the donating SASP at the Organization's/VOSB's expense, or if the Organization/VOSB has sold, transferred, or otherwise disposed of the acquired surplus property in violation of the agreement covering sale and disposal, the Organization/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.

Date

Signature of designated representative

* Copy of verification letter required with application submission

NONDISCRIMINATION ASSURANCE

_____, the donee,
(Name of Organization)

agrees that the program for or in connection with which any property 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 contractual 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 General Services Administration (41 CFR 101-6.2 and 101-8) issued under the provisions of:

- Title VI of the Civil Rights Act of 1964, as amended
- Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended
- Section 504 of the Rehabilitation Act of 1973, as amended
- Title IX of the Education Amendments of 1972, as amended
- Section 303 of the Age Discrimination Act of 1975
- The Civil Rights Restoration Act of 1987

to the end that no person in the United States shall on the ground of race, color, national origin, sex or age, or that no otherwise qualified handicapped person shall solely by reason of the handicap, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity for which the donee received Federal assistance from the General Services Administration; and hereby gives assurance that it will immediately take any measures necessary to effectuate this agreement.

The donee further agrees that:

1. this agreement shall be subject in all respects to the provisions of said Federal statutes and regulations
2. this agreement obligates the donee for the period during which it retains ownership or possession of the property
3. the United States shall have the right to seek judicial enforcement of this agreement
4. they will inform THE STATE of any lawsuits, claims, charges/complaints against them regarding discrimination
5. 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.

My signature below represents that I have read and understand all the information contained in this application (including the fine print). My signature below represents that I have accurately completed this form to the best of my ability and that my agency, organization, business and representatives will abide by the aforementioned agreements, certifications, assurances and statements.

Print Name and Title of Applicant's Head Authorized Official

Date (DD/MM/YYYY)

Signature

MUSEUM APPLICANTS ONLY

MUSEUM ACCESS AGREEMENT:

As part of the Federal Surplus Property Donation Program, "museums"-- pursuant to Section 23 of Public Law 114-287 and Federal Management Regulation (FMR) Part 102-37-- agree that from an operational standpoint toward fulfilling the museum's mission and function for the general public that the museum will:

Accede to any request submitted for access during typical "business" hours, interpreted here to be approximately 9:00am to 4:00pm, Monday through Friday--although a reasonable variation from these hours may be considered due to individual circumstances (e.g., location of museum requiring strict business hours that deviate from the aforementioned time parameter).

Print Name and Title of Head Authorized Museum Official

Date (DD/MM/YYYY)

Signature

DEFINITIONS

Accreditation means the status of public recognition that an accrediting agency grants to an institution or program that meets the agency's standards and requirements.

Accredited means approval by a recognized accrediting board or association on a regional, State, or national level, such as a State board of education or health; the American Hospital Association; a regional or national accrediting association for universities, colleges, or secondary schools; or another recognized accrediting association.

Approved means recognition and approval by the State department of education, State department of health, or other appropriate authority where no recognized accrediting board, association, or other authority exists for the purpose of making an accreditation. For an educational institution or an educational program, approval must relate to academic or instructional standards established by the appropriate authority. For a public health institution or program, approval must relate to the medical requirements and standards for the professional and technical services of the institution established by the appropriate authority.

Childcare center means a public or nonprofit facility where educational, social, health, and nutritional services are provided to children through age 14 (or as prescribed by State law) and that is approved or licensed by the State or other appropriate authority as a child day care center or childcare center.

Clinic means an approved public or nonprofit facility organized and operated for the primary purpose of providing outpatient public health services and includes customary related services such as laboratories and treatment rooms.

College means an approved or accredited public or nonprofit institution of higher learning offering organized study courses and credits leading to a baccalaureate or higher degree.

Conservation means a program or programs carried out or promoted by a public agency for public purposes involving directly or indirectly the protection, maintenance, development, and restoration of the natural resources of a given political area. These resources include but are not limited to the air, land, forests, water, rivers, streams, lakes and ponds, minerals, and animals, fish and other wildlife.

Donee means an eligible entity (Public Agency, Nonprofit tax-exempt organization, Veteran-Owned Small Business) that receives Federal Surplus Personal Property through a State Agency Surplus Program.

Drug abuse or alcohol treatment center means a clinic or medical institution that provides for the diagnosis, treatment, or rehabilitation of alcoholics or drug addicts. These centers must have on their staffs, or available on a regular visiting basis, qualified professionals in the fields of medicine, psychology, psychiatry, or rehabilitation.

Economic development means a program(s) carried out or promoted by a public agency for public purposes to improve the opportunities of a given political area for the establishment or expansion of industrial, commercial, or agricultural plants or facilities and which otherwise assist in the creation of long-term employment opportunities in the area or primarily benefit the unemployed or those with low incomes.

Education means a program(s) to develop and promote the training, general knowledge, or academic, technical, and vocational skills and cultural attainments of individuals in a community or given political area. Public educational programs may include public school systems and supporting facilities such as centralized administrative or service facilities.

Educational institution means an approved, accredited, or licensed public or nonprofit institution, facility, entity, or organization conducting educational programs or research for educational purposes, such as a childcare center, school, college, university, school for the mentally or physically disabled, or an educational radio or television station.

Educational radio or television station means a public or nonprofit radio or television station licensed by the Federal Communications Commission and operated exclusively for noncommercial educational purposes.

Health center means an approved public or nonprofit facility that provides public health services, including related facilities such as diagnostic and laboratory facilities and clinics.

Historic light station means a historic light station as defined under section 308(e)(2) of the National Historic Preservation Act 16 U.S.C. 470w-7(e)2), including a historic light station conveyed under subsection (b) of that section, notwithstanding the number of hours that the historic light station is open to the public.

Homeless individual means:

- (1) An individual who lacks a fixed, regular, and adequate nighttime residence, or who has a primary nighttime residence that is:
 - (i) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - (ii) An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - (iii) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
- (2) For purposes of this part, the term *homeless individual* does not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State law.

Hospital means an approved or accredited public or nonprofit institution providing public health services primarily for inpatient medical or surgical care of the sick and injured and includes related facilities such as laboratories, outpatient departments, training facilities, and staff offices.

Library means a public or nonprofit facility providing library services free to all residents of a community, district, State, or region.

Licensed means recognition and approval by the appropriate State or local authority approving institutions or programs in specialized areas. Licensing generally relates to established minimum public standards of safety, sanitation, staffing, and equipment as they relate to the construction, maintenance, and operation of a health or educational facility, rather than to the academic, instructional, or medical standards for these institutions.

Medical institution means an approved, accredited, or licensed public or nonprofit institution, facility, or organization whose primary function is the furnishing of public health and medical services to the public or promoting public health through the conduct of research, experiments, training, or demonstrations related to cause, prevention, and methods of diagnosis and treatment of diseases and injuries. The term includes, but is not limited to, hospitals, clinics, alcohol and drug abuse treatment centers, public health or treatment centers, research and health centers, geriatric centers, laboratories, medical schools, dental schools, nursing schools, and similar institutions. The term does not include institutions primarily engaged in domiciliary care, although a separate medical facility within such a domiciliary institution may qualify as a *medical institution*.

Museum means a public or nonprofit institution that is organized on a permanent basis for essentially educational or aesthetic purposes and which, using a professional staff, owns or uses tangible objects, either animate or inanimate; cares for these objects; and exhibits them to the public on a regular basis (at least 1000 hours a year). As used in this part, the term *museum* includes, but is not limited to, the following institutions if they satisfy all other provisions of this definition: Aquariums and zoological parks; botanical gardens and arboretums; nature centers; museums relating to art, history (including historic buildings), natural history, science, and technology; and planetariums. For the purposes of this definition, an institution uses a professional staff if it employs at least one fulltime staff member or the equivalent, whether paid or unpaid, primarily engaged in the acquisition, care, or public exhibition of objects owned or used by the institution. This definition of *museum* does not include any institution that exhibits objects to the public if the display or use of the objects is only incidental to the primary function of the institution.

Nationally recognized accrediting agency means an accrediting agency that the Department of Education recognizes under 34 CFR part 600. (For a list of accrediting agencies, see the Department's website at <http://www.ed.gov/admins/finaid/accred>)

Nonprofit means not organized for profit and exempt from Federal income tax under section 501 of the Internal Revenue Code (26 U.S.C. 501).

Parks and recreation means a program(s) carried out or promoted by a public agency for public purposes that involve directly or indirectly the acquisition, development, improvement, maintenance, and protection of park and recreational facilities for the residents of a given political area.

Program for older individuals means a program conducted by a State or local government agency or nonprofit activity that receives funds appropriated for services or programs for older individuals under the Older Americans Act of 1965, as amended, under title IV or title XX of the Social Security Act (42 U.S.C. 601 *et seq.*), or under titles VIII and X of the Economic Opportunity Act of 1964 (42 U.S.C. 2991 *et seq.*) and the Community Services Block Grant Act (42 U.S.C. 9901 *et seq.*).

Provider of assistance to homeless individuals means a public agency or a nonprofit institution or organization that operates a program which provides assistance such as food, shelter, or other services to homeless individuals.

Provider of assistance to impoverished families and individuals means a public or nonprofit organization whose primary function is to provide money, goods, or services to families or individuals whose annual incomes are below the poverty line (as defined in section 673 of the Community Services Block Grant Act) (42 U.S.C. 9902). Providers include food banks, self-help housing groups, and organizations providing services such as the following: Health care; medical transportation; scholarships and tuition assistance; tutoring and literacy instruction; job training and placement; employment counseling; child care assistance; meals or other nutritional support; clothing distribution; home construction or repairs; utility or rental assistance; and legal counsel.

Public agency means any State; political subdivision thereof, including any unit of local government or economic development district; any department, agency, or instrumentality thereof, including instrumentalities created by compact or other agreement between States or political subdivisions; multijurisdictional substate districts established by or pursuant to State law; or any Indian tribe, band, group, pueblo, or community located on a State reservation.

Public health means a program(s) to promote, maintain, and conserve the public's health by providing health services to individuals and/or by conducting research, investigations, examinations, training, and demonstrations. Public health services may include but are not limited to the control of communicable diseases, immunization, maternal and child health programs, sanitary engineering, sewage treatment and disposal, sanitation inspection and supervision, water purification and distribution, air pollution control, garbage and trash disposal, and the control and elimination of disease-carrying animals and insects.

Public health institution means an approved, accredited, or licensed public or nonprofit institution, facility, or organization conducting a public health program(s) such as a hospital, clinic, health center, or medical institution, including research for such programs, the services of which are available to the public.

Public purpose means a program(s) carried out by a public agency that is legally authorized in accordance with the laws of the State or political subdivision thereof and for which public funds may be expended. Public purposes include but are not limited to programs such as conservation, economic development, education, parks and recreation, public health, public safety, programs of assistance to the homeless or impoverished, and programs for older individuals.

Public safety means a program(s) carried out or promoted by a public agency for public purposes involving, directly or indirectly, the protection, safety, law enforcement activities, and criminal justice system of a given political area. Public safety programs may include, but are not limited to those carried out by:

- (1) Public police departments.
- (2) Sheriffs' offices.
- (3) The courts.
- (4) Penal and correctional institutions (including juvenile facilities).
- (5) State and local civil defense organizations.
- (6) Fire departments and rescue squads (including volunteer fire departments and rescue squads supported in whole or in part with public funds).

School (except schools for the mentally or physically disabled) means a public or nonprofit approved or accredited organizational entity devoted primarily to approved academic, vocational, or professional study and instruction, that operates primarily for educational purposes on a full-time basis for a minimum school year and employs a full-time staff of qualified instructors.

School for the mentally or physically disabled means a facility or institution operated primarily to provide specialized instruction to students of limited mental or physical capacity. It must be public or nonprofit and must operate on a full-time basis for the equivalent of a minimum school year prescribed for public school instruction for the mentally or physically disabled, have a staff of qualified instructors, and demonstrate that the facility meets the health and safety standards of the State or local government.

University means a public or nonprofit approved or accredited institution for instruction and study in the higher branches of learning and empowered to confer degrees in special departments or colleges.

Veterans Organizations means organizations eligible to receive Federal surplus property for purposes of providing services to veterans under 40 U.S.C. 549(c)(3)(C). Eligible veterans organizations are those whose (1) membership comprises substantially veterans (as defined under 38 U.S.C. 101); and (2) representatives are recognized by the Secretary of Veterans Affairs under 38 U.S.C. 5902. The Department of Veterans Affairs maintains a searchable website of recognized organizations. The address is <http://www.va.gov/ogc/apps/accreditation/index.asp>.

Veteran-Owned Small Businesses (VOSBs) means a business certified by the U.S. Small Business Administration. VOSBs can acquire both civilian agency and DOD property. VOSB's must provide a copy of the Veteran Small Business Certification (VetCert) from U.S. Small Business Administration.