

April 1999

Re: NEPA Call-In Technical Inquiry 0506 - Responsible GSA Official at GSA for ex

This letter is in response to your April 12, 1999 request for information concerning the responsible party at the General Services Administration (GSA) for excessing personal property. You currently have a fleet of 22, 180-foot vessels at the United States Coast Guard (USCG) and would like to excess this property. You indicated that these vessels are over 50 years old and may be eligible for the National Register of Historic Places (Register). You are currently working with the Advisory Council on Historic Preservation (ACHP) and the State Historic Preservation Officer (SHPO) on a programmatic agreement to declare the property excess and eligible for the Register. Once the property is declared excess it will either be placed for foreign military sales or given to GSA for disposal. You also wanted to know if there is any GSA policy or guidance for disposing of historic vessels.

### **SUMMARY OF FINDINGS**

NEPA Call-In located a GSA Order pertaining to the excess of personal property and determined the point of contact for excessing personal property to GSA is the Property Management Division in the Federal Supply Service. This division indicated that they have already been in contact with you and are currently working with you to resolve this matter. There is no GSA policy or guidance specifically dealing with the disposal of historic vessels. Our detailed findings are provided below.

### **DETAILED FINDINGS**

NEPA Call-In searched GSA's Intranet web site "Insite" for any GSA policy governing this action. We downloaded GSA Order PRM P 7800.1 "Utilization of Excess Personal Property" for review (enclosed). This Order details the instructions and procedures for program activities of the GSA for the utilization of excess personal property under the provisions of the Federal Property and Administrative Services Act (FPASA) of 1949.

Chapter 2, Section 3 "Regional office responsibilities", states that Regional offices are to receive Federal agency reports of excess property and take custody and accountability of excess and exchange/sale personal property when authorized. They are also required to provide advice and assistance to Federal agencies. Chapter 2, Section 5 "Central Office responsibilities" states that the Central Office, Utilization Division is to maintain continuing liaison with executive agencies in connection with plans, policies and procedures relating to the utilization of excess and exchange/sale personal property in the Utilization Division.

NEPA Call-In then contacted the Deputy Director, Personal Property Policy Management Division, Central Office, to determine where the Utilization Division at GSA is located. The Deputy Director stated that this office is located in the Property Management Division of the Federal Supply Service, and referred us to a representative of that Division for further assistance.

We then contact the representative of the Sales Branch, Transportation and Property Management, Federal Supply Service. The representative stated that his office was already in contact with you and that this is the correct office for excessing personal property. The representative also indicated that his office is in the process of determining the correct course of action for this activity and that they will be in contact with you once they determine all compliance areas within GSA.

In regards to GSA policy or guidance applying the NHPA to historic vessels, NEPA Call-In contacted Ms. Constance Ramirez, Director, Cultural, Environmental, & Accessibility Programs, Office of

Business Performance, Public Building Service, (GSA), (202) 501-1811. Ms. Ramirez stated that there is no GSA policy or guidance with regards to historic vessels/structures. She stated that the property must be determined to be eligible for the Register. Determinations for listing eligible property on the Register are handled by the Keeper of the Register, Ms. Carol Shull, (202) 343-9504. Either Ms. Shull the information line (202) 343-9500 can provide you with the criteria for listing. Ms Ramirez further stated that the USCG should obtain an informal answer from the Register prior to starting its documentation and determine which states these vessels will be listed under because each nomination is reviewed by the appropriate State Historic Preservation Officer. She further stated that if the boats are determined eligible, the USCG will need to consider the effect of the sale on the quality of significance and initiate a review process under the NHPA Section 106. This should be carried out by USCG, but with GSA as a consulting party and signature to any Memorandum of Agreement so that GSA is involved in any commitments that may affect the sale or transfer of the boats.

The materials in this TI have been prepared for use by GSA employees and contractors and are made available at this site only to permit the general public to learn more about NEPA. The information is not intended to constitute legal advice or substitute for obtaining legal advice from an attorney licensed in your state and may or may not reflect the most current legal developments. Readers should also be aware that this response is based upon laws, regulations, and policies in place at the time it was prepared and that this response will not be updated to reflect changes to those laws, regulations and policies.

Sincerely,

(original signed)

NEPA Call-In Researcher