

2700 - FEDERAL EXCESS PERSONAL PROPERTY PROGRAM (FEPP) POLICY STATEMENT AND PROGRAM REQUIREMENTS

(No. 15 January 2001)

The Federal Excess Personal Property (FEPP) program was enacted by Public Law 94-519. Authorities include the Federal Property and Administrative Services Act of 1949, as amended, (40 U.S.C. 483) and the Cooperative Forestry Assistance Act of 1978, (16 U.S.C. 2101). Under these authorities, the United States Forest Service (USFS) **loans** the State Forester excess federal property and retains title or ownership. The USFS administers the acquisition, management, usage and disposal of FEPP. Title remains with the federal government and the property must be either returned to them following use or disposed of using approved federal procedures. Unlike the Volunteer Fire Assistance (VFA) grant program, which benefits communities with a population at or below 10,000, recipients of FEPP need only have a wildland or rural responsibility that satisfies the State Forester.

Federal property becomes **excess** when a federal agency determines it has no current need for the property. It then becomes available to any federal agency. Under the federal authorities mentioned above, the California Department of Forestry and Fire Protection (CAL FIRE) is considered a federal agency. The program gives the State Forester the opportunity to acquire valuable materials and equipment, which will improve their fire protection efficiencies and capabilities.

Our privilege to acquire FEPP under the federal/state cooperative agreement carries the legal responsibility of accountability and management of all property under CAL FIRE's control, including the assurance that the property is used 90% for fire protection purposes. Failure to properly account for and manage the federal excess property jeopardizes CAL FIRE's participation and will not be tolerated. The federal government can impose criminal action if it determines fraud or abuse has occurred.

[Section 2723](#), describes the roles of all CAL FIRE units involved in the program. All managers responsible for FEPP programs, FEPP Coordinators, screeners and users should become familiar with this section, in particular their roles and responsibilities.

All locations utilizing FEPP are subject to review at any time by state and federal FEPP program managers; therefore, all documentation should be kept up to date and accessible.

Excess property is different than federal **surplus** property. Once excess property is offered to federal agencies and refused, it is declared surplus by the federal government. Title passes and a cost is charged to agencies that acquire surplus property items.

[\(see 2700 Handbook\)](#)

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