

questionable, the owning/operating agency should seek guidance from the local FAA Flight Standards District Office (FSDO) in establishing the part's airworthiness eligibility.

§101-37.602 Are there special requirements in the management, use, and disposal of military Flight Safety Critical Aircraft Parts (FSCAP)?

(a) Yes. Any aircraft part designated by the Department of Defense as a FSCAP must be identified with the appropriate FSCAP Criticality Code which must be perpetuated on all documentation pertaining to such parts.

(b) A military FSCAP may be installed on a FAA type-certificated aircraft holding either a restricted or standard airworthiness certificate, provided the part is inspected and approved for such installation in accordance with the applicable Federal Aviation Regulations.

(c) If a FSCAP has no maintenance or historical records with which to determine its airworthiness, it must be mutilated and scrapped in accordance with §101-37.609. However, FSCAP still in its original unopened package, and with sufficient documentation traceable to the Production Approval Holder (PAH), need not be mutilated. Undocumented FSCAP with no traceability to either the original manufacturer or PAH must not be made available for transfer or donation. For assistance in the evaluation of FSCAP, contact the local FAA Flight Standards District Office (FSDO).

§101-37.603 What are the owning/operating agency's responsibilities in reporting excess Government aircraft parts?

(a) The owning/operating agency must report excess aircraft parts to GSA in accordance with the provisions set forth in part 101-43 of this chapter. The owning/operating agency must indicate on the reporting document if any of the parts are life-limited parts and/or military FSCAP, and ensure that tags and labels, applicable historical data and maintenance records accompany these aircraft parts.

(b) The owning/operating agency must identify excess aircraft parts which are unsalvageable according to FAA or DOD guidance, and ensure that

such parts are mutilated in accordance with §101-37.609. The owning/operating agency should not report such parts to GSA.

§101-37.604 What are the procedures for transferring and donating excess and surplus Government aircraft parts?

(a) Transfer and donate excess and surplus aircraft parts in accordance with part 101-43, Utilization of Personal Property, and part 101-44, Donation of Personal Property.

(b) Unsalvageable aircraft parts must not be issued for transfer or donation; they must be mutilated in accordance with §101-37.609.

§101-37.605 What are the receiving agency's responsibilities in the transfer or donation of excess and surplus Government aircraft parts?

(a) The receiving agency must verify that all applicable labels and tags, and historical/modification records are furnished with the aircraft parts. The receiving agency must also ensure the continued airworthiness of these parts by following proper storage, protection and maintenance procedures, and by maintaining appropriate records throughout the life cycle of these parts.

(b) The receiving agency must perpetuate the DOD-assigned Criticality Code on all property records of acquired military FSCAP. The receiving agency must ensure that flight use of military FSCAP on civil aircraft meets all Federal Aviation Regulation requirements.

(c) The receiving agency must certify and ensure that when a transferred or donated part is no longer needed, and the part is determined to be unsalvageable, the part must be mutilated in accordance with §101-37.609 and properly disposed.

§101-37.606 What are the GSA approving official's responsibilities in transferring and donating excess and surplus Government aircraft parts?

(a) The GSA approving official must review transfer documents of excess and surplus aircraft parts for completeness and accuracy, and ensure that the

certification required in § 101-37.605(c) is included in the transfer document.

(b) The GSA approving official must also ensure the following statement is included on the SF123, Transfer Order Surplus Personal Property:

“Due to the critical nature of aircraft parts failure and the resulting potential safety threat, recipients of aircraft parts must ensure that any parts installed on a civil aircraft meet applicable Federal Aviation Administration Regulations, and that required certifications are obtained. The General Services Administration makes no representation as to a part’s conformance with FAA requirements.”

§ 101-37.607 What are the State Agency’s responsibilities in the donation of surplus Government aircraft parts?

(a) The State Agency must review donation transfer documents for completeness and accuracy, and ensure that the certification provisions set forth in § 101-37.605(c) is included in the transfer documents.

(b) The State Agency must ensure that when a donated part is no longer needed, and the part is determined to be unsalvageable, the donee mutilates the part in accordance with § 101-37.609.

§ 101-37.608 What are the responsibilities of the Federal agency conducting the sale of Government aircraft parts?

(a) The Federal agency must sell Government aircraft parts in accordance with the provisions set forth in Part 101-45, Sale, Abandonment, or Destruction of Personal Property of this chapter.

(b) The Federal agency must ensure that the documentation required pursuant to § 101-37.603(a) accompanies the parts at the time of sale, and that sales offerings on aircraft parts contain the following statement:

“Purchasers are warned that the parts purchased herewith may not be in compliance with applicable Federal Aviation Administration requirements. Purchasers are not exempted from and must comply with applicable Federal Aviation Administration requirements. Purchasers are solely responsible for all FAA inspections and/or modifications necessary to bring the purchased items into compliance with 14 CFR (Code of Federal Regulations).”

(c) The Federal agency must ensure that the following certification is executed by the purchaser and received by the Government prior to releasing such parts to the purchaser:

“The purchaser agrees that the Government shall not be liable for personal injuries to, disabilities of, or death of the purchaser, the purchaser’s employees, or to any other persons arising from or incident to the purchase of this item, its use, or disposition. The purchaser shall hold the Government harmless from any or all debts, liabilities, judgments, costs, demands, suits, actions, or claims of any nature arising from or incident to purchase or resale of this item.”

§ 101-37.609 What are the procedures for mutilating unsalvageable aircraft parts?

(a) Identify unsalvageable aircraft parts which require mutilation.

(b) Mutilate unsalvageable aircraft parts so they can no longer be utilized for aviation purposes. Mutilation includes destruction of the data plate, removing the serial/lot/part number, and cutting, crushing, grinding, melting, burning, or other means which will prevent the parts from being misidentified or used as serviceable aircraft parts. Obtain additional guidance on the mutilation of unsalvageable aircraft parts in FAA AC No. 21-38, Disposition of Unsalvageable Aircraft Parts and Materials.

(c) Ensure an authorized agency official witnesses and documents the mutilation, retain a signed certification and statement of mutilation.

(d) If unable to perform the mutilation, turn in the parts to a Federal or Federally-approved facility for mutilation and proper disposition. Ensure that contractor performance is in accordance with the provisions of this part.

(e) Ensure that mutilated aircraft parts are sold only as scrap.

§ 101-37.610 Are there special procedures for the exchange/sale of Government aircraft parts?

Yes. Executive agencies may exchange or sell aircraft parts as part of a transaction to acquire similar replacement parts in accordance with FPMR part 101-46. In addition to the requirements of this subpart, agencies must ensure that the exchange/sale