

decoration donated to an eligible public agency or nonprofit tax-exempt institution for public display or other approved purposes if it becomes available for donation. This interest shall be documented in a letter outlining any special significance of the gift to the proposed donee institution. The mailing address and telephone number of both the recipient and the proposed donee shall be provided;

(9) The appraised value plus the cost of the appraisal shall be added to a copy of the SF 120, Report of Excess Personal Property, before GSA offers gifts for sale to interested recipients. At the time of termination of agency use, GSA may direct that the foreign gift be appraised; and

(10) Each foreign gift or decoration shall be identified as a separate line item.

(11) Each gift or decoration must indicate the Administration in which it was received (e.g., Clinton Administration).

(b) Gifts and decorations received by the President or a member of the President's family normally are handled by the National Archives and Records Administration.

(c) The Central Intelligence Agency may delete the information required in paragraphs (a) (1) and (3) of this section if the Director of Central Intelligence certifies in writing to the Secretary of State that the publication of this information could adversely affect U.S. intelligence sources.

(d) This report has been cleared in accordance with FPMR 101-11.11 and is exempt from reports control.

[44 FR 53750, Sept. 17, 1979, as amended at 48 FR 12089, Mar. 23, 1983; 50 FR 82, Jan. 2, 1985; 53 FR 12767, Apr. 19, 1988; 62 FR 28369, May 23, 1997]

§ 101-49.201-2 Gifts and decorations not to be reported.

(a) The following gifts and decorations shall not be reported to GSA:

(1) Gifts and decorations returned to the donor;

(2) Gifts and decorations below the minimal value deposited by the employee recipient with the employing agency or retained by the employee recipient with the approval of the employing agency;

(3) Gifts and decorations above minimal value retained by the employing agency for official use, except upon termination of the official use;

(4) Intangible gifts, including checks, money orders, bonds, shares of stock, and other securities and negotiable instruments (see § 101-49.205);

(5) Cash, currency, and money, except those with possible historic or numismatic value (see § 101-49.205); and

(6) Gifts and decorations received by a Senator or an employee of the Senate disposed of by the Commission on Art and Antiquities of the United States (see § 101-49.106).

(b) Gifts and decorations covered by paragraphs (a) (1), (2), and (3) of this section will be handled in accordance with employing agency regulations.

[44 FR 53750, Sept. 17, 1979, as amended at 53 FR 12767, Apr. 19, 1988; 62 FR 28369, May 23, 1997]

§ 101-49.202 Transfers to other Federal agencies.

(a) Gifts and decorations will be made available for transfer for a period of 21 calendar days following receipt by GSA of the Standard Form 120 to activities specified in § 101-43.309-1. Transfers will be made as considered appropriate by GSA, generally on a first-come-first-served basis.

(b) Transfers will be accomplished by submitting for approval a SF 122, Transfer Order Excess Personal Property (see § 101-43.4901-122), or any other transfer order form approved by GSA, to the General Services Administration, Property Management Division (FBP), Washington, DC 20406. The SF 122, or other transfer order forms, shall be conspicuously marked "FOREIGN GIFTS AND/OR DECORATIONS" and include all information furnished by the employing agency as specified in § 101-49.201-1(a).

(c) Gifts and decorations shall be transferred for public display or other bona fide agency use and not for the personal benefit of any individual. GSA may require that transfer orders be supported by justifications for the intended display or official use of requested gifts or decorations.

(d) [Reserved]

(e) The transfer document shall include the following statement: "At

§ 101-49.203

such time as these items are no longer required, they will be reported to the General Services Administration, Property Management Division (FBP), Washington, DC 20406, and will be identified as foreign gift items and cross-referenced to the original excess report number.”

[44 FR 53750, Sept. 17, 1979, as amended at 48 FR 12090, Mar. 23, 1983; 50 FR 83, Jan. 2, 1985; 53 FR 12767, Apr. 19, 1988; 62 FR 28369, May 23, 1997]

§ 101-49.203 Costs incident to transfer.

All transfers of gifts and decorations will be made without reimbursement, except that direct costs incurred by the employing agency in actual packing, preparation for shipment, loading, and transportation may be recovered by the employing agency from the transferee agency if billed by the employing agency. (See §101-43.310-1.)

[62 FR 28369, May 23, 1997]

§ 101-49.204 Gifts and decorations no longer required by the transferee agency.

Gifts and decorations no longer required by the transferee agency shall be reported to the General Services Administration as provided in §101-49.201-1 and shall include the transfer order number from the original transfer order or a copy of that order.

[53 FR 12768, Apr. 19, 1988]

§ 101-49.205 Deposit of money and certain intangible gifts with the Department of the Treasury.

Money, cash, currency, and such intangible gifts as checks, money orders, bonds, shares of stock, and other securities and negotiable instruments not required to be reported to GSA shall be deposited with the Department of the Treasury by the employing agency in accordance with applicable laws and regulations.

Subpart 101-49.3—Donation of Foreign Gifts and Decorations

§ 101-49.300 Scope of subpart.

This subpart prescribes policies and procedures governing the donation of foreign gifts and decorations to public agencies and eligible nonprofit tax-ex-

41 CFR Ch. 101 (7-1-99 Edition)

empt activities for public display or other approved purposes.

[50 FR 83, Jan. 2, 1985]

§ 101-49.301 Donation of gifts and decorations.

(a) Gifts and decorations not required for Federal use or sold to recipients will be made available at the discretion of GSA through State agencies to appropriate public agencies and eligible nonprofit tax-exempt activities for a period of 21 calendar days following the period of Federal utilization screening as provided in §101-49.202(a).

(b) Donations of gifts and decorations will be made for public display or such other approved purposes as determined by GSA. Donations will be made in accordance with part 101-44, except as otherwise provided in this subpart 101-49.3.

[44 FR 53750, Sept. 17, 1979, as amended at 50 FR 83, Jan. 2, 1985; 53 FR 12768, Apr. 19, 1988]

§ 101-49.302 Requests by public agencies and nonprofit tax-exempt activities.

(a) All transfers of gifts and decorations to the State agencies for donation to public agencies and eligible nonprofit tax-exempt activities shall be accomplished by use of SF 123, Transfer Order Surplus Personal Property (see §101-44.4901-123). The SF 123, with any additional required documentation, shall be submitted for approval to the General Services Administration, Property Management Division (FBP), Washington, DC 20406. The SF 123 shall be prepared in accordance with the instructions in §101-44.4901-123-1 and shall be conspicuously marked “FOREIGN GIFTS AND/OR DECORATIONS.”

(b) Each SF 123 submitted to GSA for donation of foreign gifts and decorations shall be accompanied by an original and two copies of a letter of intent, signed and dated by the authorized representative of the proposed donee, setting forth a detailed plan of utilization for the property. The letter of intent shall provide the following information:

(1) Identification of the applicant, including its legal name and complete address, its status as a public agency or as an eligible nonprofit tax-exempt