

89<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 9926

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## IN THE HOUSE OF REPRESENTATIVES

JULY 19, 1965

Mr. FOGARTY introduced the following bill; which was referred to the Committee on Government Operations

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## A BILL

To amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer fire-fighting organizations, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That (a) the first sentence of section 203 (j) (1) of the  
4       Federal Property and Administrative Services Act of 1949  
5       (40 U.S.C., sec. 484 (j) (1)) is amended to read as  
6       follows: "Under such regulations as he may prescribe, the  
7       Administrator is authorized in his discretion to donate  
8       without cost (except for direct costs of care and handling)  
9       for use in any State for purposes of education, public health,  
10      or civil defense, or for research for any such purpose, or for

1 the purpose of aiding in the protection of life and property  
2 by volunteer fire-fighting organizations, any equipment, ma-  
3 terials, books, or other supplies (including those capitalized  
4 in a working capital or similar fund) under the control of  
5 any executive agency which shall have been determined to  
6 be surplus property and which shall have been determined  
7 under paragraph (2), (3), or (4) of this subsection to be  
8 usable and necessary for any such purpose.”

9 (b) The last sentence of section 203 (j) (1) of such  
10 Act is amended by inserting before the period at the end  
11 thereof the following: “, except that notwithstanding a  
12 State agency is not designated under State law for the  
13 purpose of distributing property for use by volunteer fire-  
14 fighting organizations, such property may be transferred to  
15 such State agency for use for purposes of education, public  
16 health, or civil defense, or for research for any such purpose”.

17 SEC. 2. (a) The first sentence of section 203 (j) (3)  
18 of such Act (40 U.S.C., sec. 484 (j) (3)) is amended  
19 to read as follows: “Determination whether such surplus  
20 property (except surplus property allocated in conformity  
21 with paragraph (2) of this subsection) is usable and neces-  
22 sary for purposes of education or public health, or for research  
23 for any such purpose, or for the purpose of aiding in the  
24 protection of life and property by volunteer fire-fighting  
25 organizations, in any State shall be made by the Secretary

1 of Health, Education, and Welfare, who shall allocate such  
2 property on the basis of needs and utilization for transfer  
3 by the Administrator to such State agency for distribution  
4 to (A) tax-supported medical institutions, hospitals, clinics,  
5 health centers, school systems, schools, colleges, and uni-  
6 versities, (B) other nonprofit medical institutions, hospitals,  
7 clinics, health centers, schools, colleges, and universities  
8 which are exempt from taxation under section 501 (c) (3)  
9 of the Internal Revenue Code of 1954, or (C) to any in-  
10 corporated or unincorporated volunteer fire department, fire  
11 company, or other similar firefighting organization which  
12 is tax-supported or has been held exempt from taxation  
13 under section 501 of the Internal Revenue Code of 1954.”

14 (b) The second sentence of section 203 (j) (3) is  
15 amended by inserting “or for the purpose of aiding in the  
16 protection of life and property by volunteer firefighting  
17 organizations in the State,” after “in the State,”.

18 SEC. 3. Section 203 (k) (2) of such Act (40 U.S.C.,  
19 sec. 484 (k) (2) is amended by striking out “or” at the end  
20 of clause (D), by striking out the comma at the end of  
21 clause (E) and inserting in lieu thereof “; or”, and by  
22 inserting immediately after clause (E) the following new  
23 clause:

24 “(F) the Secretary of Health, Education, and  
25 Welfare, through such officers or employees of the De-

1       partment of Health, Education, and Welfare as he may  
2       designate, in the case of property transferred pursuant  
3       to this Act to volunteer firefighting organizations for  
4       aiding in the protection of life and property by such  
5       organizations.”.

6       SEC. 4. Section 203 (o) of such Act (40 U.S.C.,  
7       sec. 484 (n) ) is amended by inserting “or volunteer fire-  
8       fighting organizations” after “educational or public health  
9       institutions”.

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