

**AGRICULTURE PROPERTY MANAGEMENT REGULATIONS
CHAPTER 110-33 - MANAGEMENT OF GOVERNMENT AIRCRAFT**

SUPPLEMENTING

**CHAPTER 102--FEDERAL MANAGEMENT REGULATION
SUBCHAPTER B--PERSONAL PROPERTY**

PART 102-33--MANAGEMENT OF GOVERNMENT AIRCRAFT

PART 102-33--MANAGEMENT OF GOVERNMENT AIRCRAFT.....	1
Subpart A--How These Rules Apply	7
General.....	7
§102-33.5 To whom do these rules apply?.....	7
110-33.5 Scope	7
§102-33.6 How are the terms “we,” “you,” “your,” and “our” used in this part?	7
§102-33.10 May we request approval to deviate from these rules?	7
§102-33.15 How does this part relate to Title 14 of the Code of Federal Regulations?.....	8
This part does not supersede any of the regulations in 14 CFR Chapter I “Federal Aviation Administration, Department of Transportation.”	8
§102-33.20 What definitions apply to this part?.....	8
110-33.20 Definitions.	14
Responsibilities.....	16
§102.33.25 What are our responsibilities under this part?.....	16
110-33.30 USDA Senior Aviation Management Official (SAMO).	17
§102-33.35 How can we get help in carrying out our responsibilities?.....	17
§102-33.40 What are GSA's responsibilities for Federal aviation management?	17
110-33.40 USDA Responsibilities.....	18
Subpart B--Acquiring Government Aircraft and Aircraft Parts Overview.....	21
§102-33.50 Under what circumstances may we acquire Government aircraft?.....	21
§102-33.55 Are there restrictions on acquiring Government aircraft?	22
§102-33.60 What methods may we use to acquire Government aircraft?.....	22
§102-33.65 What is the process for acquiring Government aircraft?.....	22
110-34.65 Acquiring Aircraft	23
Planning to Acquire Government Aircraft.....	23

§102-33.70 What directives must we follow when planning to acquire Government aircraft?	23
Agency responsibility:	23
§102-33.75 What other guidance is available to us in planning to acquire Government aircraft?	23
OMB Circular A-76	24
§102-33.80 Must we comply with OMB Circular A-76 before we acquire Government aircraft?	24
Agency responsibility:	24
The Process for Budgeting to Acquire Government Aircraft	24
§102-33.90 What is the process for budgeting to acquire a Federal aircraft (including a Federal aircraft transferred from another executive agency)?	24
110-33.90 Cost comparison studies	24
§102-33.95 What is the process for budgeting to acquire commercial aviation services (CAS)?	25
Contracting to Acquire Government Aircraft	25
§102-33.100 What are our responsibilities when contracting to purchase or capital lease a Federal aircraft or to award a CAS contract?.....	25
§102-33.105 What minimum requirements must we put into our CAS contracts?	25
Acquiring Aircraft Parts.....	25
§102-33.110 What are our responsibilities when acquiring aircraft parts?	25
Subpart C--Managing Government Aircraft and Aircraft Parts	27
Overview.....	27
§102-33.125 If we use Federal aircraft, what are our management responsibilities?.....	27
§102-33.130 If we hire CAS, what are our management responsibilities?	27
§102-33.135 Do we have to follow the direction in OMB Circular A-123, "Management Accountability and Control," for establishing management controls for our aviation program?	27
Establishing Flight Program Standards.....	28
§102-33.140 What are Flight Program Standards?.....	28
§102-33.145 Why must we establish Flight Program Standards?	28
§102-33.150 Is any agency exempt from establishing Flight Program Standards under this part?.....	28
§102-33.155 How must we establish Flight Program Standards?	28
Management/Administration	29
§102-33.160 What standards must we establish or require (contractually, where applicable) for management/administration of our flight program?.....	29
Operations	29

Maintenance	30
Training.....	31
§102-33.175 What standards must we establish or require (contractually, where applicable) to train our flight program personnel?	31
Safety	32
§102-33.180 What standards should we establish or require (contractually, where applicable) for aviation safety management?	32
110-33.180 USDA Aviation Safety Programs	33
§102-33.185 What standards must we establish or require (contractually, where applicable) for responding to aircraft accidents and incidents?	34
110-33.185 USDA Aircraft Mishap Prevention Planning	35
Accounting for the Cost of Government Aircraft	35
§102-33.190 What are the aircraft operations and ownership costs for which we must account?	35
§102-33.195 Do we need an automated system to account for aircraft costs?	36
§102-33.200 Must we periodically justify owning and operating Federal aircraft?	36
§102-33.205 When we use our aircraft to support other executive agencies, must we recover the operating costs?	36
Accounting for the Use of Government Aircraft	37
§102-33.210 How do we account for the use of our Government aircraft?	37
§102-33.215 May we use Government aircraft to carry passengers?	37
110-33.215 Carrying Passengers	38
§102-33.220 What are the responsibilities of our aviation program in justifying the use of a Government aircraft to transport passengers?	38
110-33.220 Use of Government Aircraft for Transportation	39
110-33.220a Authorizing/Approving Travel on Government Aircraft	40
Managing Aircraft Parts.....	41
§102-33.225 How must we manage aircraft parts?	41
§102-33.230 May we use military FSCAP on non-military FAA-type certificated Government aircraft?	41
§102-33.235 What documentation must we maintain for life-limited parts and FSCAP?	41
Subpart D--Disposing of Government Aircraft and Aircraft Parts	41
Overview	41
§102-33.240 What must we consider before disposing of aircraft and aircraft parts?	41
§102-33.245 May we report as excess, or replace (i.e., by exchange/sale), both operational and non-operational aircraft?	42
§102-33.250 May we declassify aircraft?	42

§102-33.255	Must we document FSCAP or life-limited parts installed on aircraft that we will report as excess or replace?	42
§102-33.260	When we report as excess, or replace, an aircraft (including a declassified aircraft), must we report the change in inventory to the Federal Aviation Interactive Reporting System (FAIRS)?	42
Reporting Excess Government Aircraft.....		43
§102-33.265	What are our options if aircraft are excess to our needs?	43
§102-33.270	What is the process for reporting an excess aircraft?	43
Replacing Aircraft Through Exchange or Sale		43
§102-33.275	What should we consider before replacing our aircraft through exchange/sale?	43
§102-33.280	What are our options if we need a replacement aircraft?	43
§102-33.295	May we exchange or sell an aircraft through reimbursable transfer to another executive agency or conduct a negotiated sale at fixed price to a State Agency for Surplus Property (SASP)?	45
Disposing of Aircraft Parts		45
§102-33.300	What must we consider before disposing of aircraft parts?.....	45
§102-33.305	May we report as excess, or replace, FSCAP and life-limited parts?	45
	See Department AGMPR 110-36.35	46
§102-33.310	May we report as excess, or replace, unsalvageable aircraft parts?	46
§102-33.315	What are the procedures for mutilating unsalvageable aircraft parts?	46
§102-33.320	What must we do if we are unable to perform required mutilation of aircraft parts?	46
§102-33.325	What documentation must we furnish with excess, surplus or replaced parts when they are transferred, donated, or exchanged/sold?	46
Reporting Excess Aircraft Parts.....		47
§102-33.330	What must we do with aircraft parts that are excess to our needs?	47
§102-33.335	What are the receiving agency's responsibilities in the transfer of aircraft parts?	47
§102-33.340	What are GSA's responsibilities in disposing of excess and surplus aircraft parts?	47
§102-33.345	What are the responsibilities of a State Agency for Surplus Property (SASP) in the donation of Federal Government aircraft parts?	48
Replacing Aircraft Parts Through Exchange or Sale		48
§102-33.350	What do we need to consider for an exchange/sale of our aircraft parts?	48
§102-33.355	May we exchange/sell aircraft parts through a reimbursable transfer to another executive agency or conduct a negotiated sale at fixed price to a State Agency for Surplus Property (SASP)?	48
§102-33.360	What is the process for exchanging/selling aircraft parts for replacement? ..	48

§102-33.365	Must we report exchange/sale of parts to FAIRS?	50
Special Requirements for Disposing of Flight Safety Critical Aircraft Parts (FSCAP) and Life-Limited Parts		50
§102-33.370	What must we do to dispose of military FSCAP and/or life-limited parts? ..	50
§102-33.375	What is a FSCAP Criticality Code?	52
Subpart E--Reporting Information on Government Aircraft		53
Overview		53
§102-33.380	Who must report information to GSA on Government aircraft?.....	53
110-33.380 Reports		53
§102-33.385	What Federally-funded aviation activities of executive agencies are exempt from the requirement to report information to GSA on Government aircraft?.....	53
§102-33.390	What information must we report on Government aircraft?	53
Federal Aviation Interactive Reporting System (FAIRS).....		54
§102-33.395	What is FAIRS?.....	54
§102-33.400	How must we report to FAIRS?	54
§102-33.405	When must we report to FAIRS?	54
Federal Inventory Data		55
§102-33.410	What are Federal inventory data?	55
§102-33.415	When may we declassify an aircraft and remove it from our Federal aircraft inventory?	55
§102-33.420	How must we declassify an aircraft?.....	55
Federal Aircraft Cost and Utilization Data		56
§102-33.425	What Federal aircraft cost and utilization data must we report?	56
§102-33.430	Who must report Federal aircraft cost and utilization data?.....	56
Commercial Aviation Services (CAS) Cost and Utilization Data		56
§102-33.435	What CAS cost and utilization data must we report?	56
§102-33.440	Who must report CAS cost and utilization data?	57
Accident and Incident Data.....		57
§102-33.445	What accident and incident data must we report?	57
110-33.445 Accident/Incident Information		57
§102-33.450	How must we report accident and incident data?	57
Common Aviation Management Information Standard (C-AMIS).....		57
§102-33.455	What is C-AMIS?	57
§102-33.460	What is our responsibility in relation to C-AMIS?.....	58
Performance Indicators		58
§102-33.465	What is a performance indicator?	58

§102-33.470 Must we develop performance indicators? 58
§102-33.475 What are some examples of performance indicators that an agency can use?
..... 58
Appendix A to Part 102-33—Disclosure Statement for Crewmembers and Qualified Non-
Crewmembers Flying on Board Government Aircraft Operated as Public Aircraft 59

Subpart A--How These Rules Apply

General

§102-33.5 To whom do these rules apply?

(a) The rules in this part apply to all Federally-funded aviation activities of executive branch agencies of the U.S. Government, except those listed in paragraph (b) of this section, who use Government aircraft to accomplish their official business.

(b) The rules in this part do not apply to the following:

(1) The Armed Forces, except for;

(i) Section [102-33.25](#)(e) and (g), which concern responsibilities related to the Interagency Committee for Aviation Policy (ICAP); and

(ii) Subpart D of this part, “Disposing of Government Aircraft and Aircraft Parts.”

(2) The President or Vice President and their offices;

(3) Aircraft when an executive agency provides Government-furnished avionics for commercially owned or privately owned aircraft for the purpose of technology demonstration or testing; and,

(4) Privately owned aircraft that agency personnel use for official travel (even though such use is Federally-funded).

110-33.5 Scope

This Regulation applies to all Government aircraft and related aircraft services used by agencies of the Department.

§102-33.6 How are the terms “we,” “you,” “your,” and “our” used in this part?

In this part, the terms “we,” “you,” “your,” and “our” refer to agency aviation managers or an executive agency.

§102-33.10 May we request approval to deviate from these rules?

(a) You may request approval to deviate from the rules in this part. See §§102-2.60 through 102-2.110 of this chapter for guidance on requesting a deviation. In most cases, GSA will respond to your written request within 30 days;

(b) GSA may not grant deviations from the requirements of OMB Circular A-126, “Improving the Management of Government Aircraft;” and

(c) You should consult with GSA's Aviation Policy Division before you request a deviation.

§102-33.15 How does this part relate to Title 14 of the Code of Federal Regulations?

This part does not supersede any of the regulations in 14 CFR Chapter I “Federal Aviation Administration, Department of Transportation.”

§102-33.20 What definitions apply to this part?

The following definitions apply to this part:

Acquire means to procure or otherwise obtain personal property, including by lease or rent.

Acquisition date means the date that the acquiring executive agency took responsibility for the aircraft, e.g., received title (through purchase, exchange, or gift), signed a bailment agreement with the Department of Defense (DOD), took physical custody (in the case of reassignment or interagency transfer), received a court order, put into operational status an aircraft that is newly manufactured by the agency, or otherwise accepted physical transfer (e.g. in the case of a borrowed aircraft).

Aircraft part means an individual component or an assembly of components that is used on aircraft.

Armed Forces mean the Army, Navy, Air Force, Marine Corps, and Coast Guard, including their regular and Reserve components and members serving without component status. For purposes of this Part, the National Guard is also included in the Armed Forces.

Aviation life support equipment (ALSE) means equipment that protects flight crewmembers and others aboard an aircraft, assisting their safe escape, survival, and recovery during an accident or other emergency.

Aircraft Policy Division is a division in the Office of Transportation Management, Office of Government-wide Policy, GSA. Contact the staff via the Aircraft Management Overview page at <http://www.gsa.gov/aircraftpolicy>.

Crewmember means a person assigned to operate or assist in operating an aircraft during flight time. Crewmembers perform duties directly related to the operation of the aircraft (e.g., as pilots, co-pilots, flight engineers, navigators) or duties assisting in operation of the aircraft (e.g., as flight directors, crew chiefs, electronics technicians, mechanics). Also see the terms and definitions for “*Qualified non-crewmember*” and “*Passenger*” in this section.

Criticality code means a single digit code that DOD assigns to military Flight Safety Critical Aircraft Parts (FSCAP) (see §§[102-33-115](#) and [102-33.370](#)).

Data plate means a fireproof plate that is inscribed with certain information required by 14 CFR part 45 (or for military surplus aircraft, as required by Military Specifications), and secured to an aircraft, aircraft engine, or propeller. The information must be marked by etching, stamping, engraving, or other approved method of fireproof marking. The plate must

be attached in such a manner that it is not likely to be defaced or removed during normal service or lost or destroyed in an accident. Data plates are required only on certificated aircraft. However, non-certificated aircraft may also have data plates.

Declassify means to remove a non-operational aircraft from the Federal aircraft inventory. Agencies may declassify only non-operational aircraft that they will retain for ground use only. Agencies must declassify an aircraft following the rules in §§[102-33.415](#) and [102-33.420](#).

Disposal date means the date that the disposing executive agency relinquishes responsibility for an aircraft, for example, when the agency transfers title in the case of an exchange/sale; returns the aircraft to the lessor or bailer; declassifies it (for FAIRS, declassification is considered a "disposal" action, even though the agency retains the property); or relinquishes custody to another agency (i.e., in the case of excess (transferred) or surplus (donated or sold) aircraft).

Donated aircraft means an aircraft disposed of as surplus by GSA through donation to a non-Federal government, a tax-exempt nonprofit entity, or other eligible recipient, following the rules in part §102-37 (some agencies, for example DOD, may have independent donation authority.)

Exchange means to replace personal property by trade or trade-in with the supplier of the replacement property.

Exchange/sale means to exchange or sell non-excess, non-surplus personal property and apply the exchange allowance or proceeds of sale in whole or in part payment for the acquisition of a similar property. See 40 U.S.C. 503.

Exclusive use means a condition under which an aircraft is operated for the sole benefit of the U.S. Government.

Executive agency means any executive department or independent establishment in the executive branch of the United States Government, including any wholly owned Government corporation. See 40 U.S.C. 105.

Federal Acquisition Regulation (48 CFR chapter 1, parts 1 through 53) is a codified regulation of the U.S. Government that provides uniform policies and procedures for acquisition of personal property and services by executive agencies.

Federal Acquisition Service (FAS) means a component of GSA. FAS is organized by geographical regions. The FAS Property Management Division in GSA's Pacific Rim Region, 450 Golden Gate Ave., San Francisco, CA 94102-3434, has responsibility for disposing of excess and surplus aircraft.

Federal aircraft means manned or unmanned aircraft that an executive agency owns (i.e., holds title to) or borrows for any length of time. Federal aircraft include—

- (1) Bailed aircraft: Federal aircraft that is owned by one executive agency, but is in the custody of and operated by another executive agency under an agreement that may or

may not include cost-reimbursement. Bailments are executive agency to executive agency agreements and involve only aircraft, not services;

(2) Borrowed aircraft: Aircraft owned by a non-executive agency and provided to an executive agency for use without compensation. The executive agency operates and maintains the aircraft;

(3) Forfeited aircraft: Aircraft acquired by the Government either by summary process or by order of a court of competent jurisdiction pursuant to any law of the United States;

(4) Loaned aircraft: Federal aircraft owned by an executive agency, but in the custody of a non-executive agency under an agreement that does not include compensation; and

(5) Owned aircraft: An aircraft for which title or rights of title are vested in an executive agency.

Note to definition of Federal aircraft: When an executive agency loans or bails an aircraft that meets the criteria for Federal aircraft, the loaned or bailed aircraft is still considered a Federal aircraft in the owning agency's inventory, except when DOD is the owning agency of a bailed aircraft. In that case, the aircraft is recorded in the inventory of the bailee.

Federal Aviation Interactive Reporting System (FAIRS) is a management information system operated by GSA to collect, maintain, analyze, and report information on Federal aircraft inventories and cost and usage of Federal aircraft and CAS aircraft (and related services) (see §§[102-33.395](#) through [102-33.440](#)).

Flight Safety Critical Aircraft Part (FSCAP) means any aircraft part, assembly, or installation containing a critical characteristic whose failure, malfunction, or absence could cause a catastrophic failure resulting in loss or serious damage to the aircraft or an uncommanded engine shutdown resulting in an unsafe condition.

Full service contract means a contractual agreement through which an executive agency acquires an aircraft and related aviation services (e.g., pilot, crew, maintenance, catering) for exclusive use. Aircraft hired under full service contracts are commercial aviation services (CAS), not Federal aircraft, regardless of the length of the contract.

Government aircraft means manned or unmanned aircraft operated for the exclusive use of an executive agency. Government aircraft include—

(1) Federal aircraft (see definition for “Federal aircraft” in this section); and

(2) Aircraft hired as commercial aviation services (CAS). CAS include—

(i) Leased aircraft for exclusive use for an agreed upon period of time (The acquiring executive agency operates and maintains the aircraft);

- (ii) Capital lease aircraft for which the leasing agency holds an option to take title;
- (iii) Charter aircraft for hire under a contractual agreement for one-time exclusive use that specifies performance (The commercial source operates and maintains a charter aircraft);
- (iv) Rental aircraft obtained commercially under an agreement in which the executive agency has exclusive use for an agreed upon period of time (The executive agency operates, but does not maintain, a rental aircraft);
- (v) Contracting for full services (i.e., aircraft and related aviation services for exclusive use); or
- (vi) Obtaining related aviation services (i.e., services but not aircraft) by commercial contract, except those services acquired to support a Federal aircraft.

Governmental function means a Federally-funded activity that an executive agency performs in compliance with its statutory authorities.

Intelligence community means those agencies identified in the National Security Act, 50 U.S.C. 401a(4).

Inter-service support agreement (ISSA) means any agreement between two or more executive agencies (including the Department of Defense) in which one agency consents to perform aviation support services (i.e., providing an aircraft and other aviation services or providing only services) for another agency with or without cost-reimbursement. An executive agency-to-executive agency agreement that involves only the use of an aircraft, not services, is a bailment, not an ISSA.

Life-limited part means any aircraft part that has an established replacement time, inspection interval, or other time-related procedure associated with it. For non-military parts, the FAA specifies life-limited part airworthiness limitations in 14 CFR 21.50, 23.1529, 25.1529, 27.1529, 29.1529, 31.82, 33.4, and 35.5, and on product Type Certificate Data Sheets (TCDS). Letters authorizing Technical Standards Orders (TSO) must also note or reference mandatory replacement or inspection of parts.

Military aircraft part means an aircraft part used on an aircraft that was developed by the Armed Forces (whether or not it carries an FAA airworthiness certificate).

Non-operational aircraft means a Federal aircraft that is not safe for flight and, in the owning executive agency's determination, cannot economically be made safe for flight. This definition refers to the aircraft's flight capability, not its mission-support equipment capability. An aircraft that is temporarily out of service for maintenance or repair and can economically be made safe for flight is considered operational aircraft.

Official Government business, in relation to Government aircraft—

(1) Includes, but is not limited to—

- (i) Carrying crewmembers, qualified non-crewmembers, and cargo directly required for or associated with performing Governmental functions (including travel-related Governmental functions);
- (ii) Carrying passengers authorized to travel on Government aircraft (see OMB Circular A-126); and
- (iii) Training pilots and other aviation personnel.

(2) Does not include—

- (i) Using Government aircraft for personal or political purposes, except for required use travel and space available travel as defined in OMB Circular A-126; or
- (ii) Carrying passengers who are not officially authorized to travel on Government aircraft.

Operational aircraft means a Federal aircraft that is safe for flight or, in the owning executive agency's determination, can economically be made safe for flight. This definition refers to the aircraft's flight capability, not its mission-support capability. An aircraft temporarily out of service for maintenance or repair is considered an operational aircraft.

Original equipment manufacturer (OEM) means the person or company who originally designed, engineered, and manufactured, or who currently holds the data rights to manufacture, a specific aircraft or aircraft part. Parts produced under a Parts Manufacturer Approval (PMA) are not considered OEM parts, even though they can be acceptable replacement parts for OEM parts.

Passenger means a person flying onboard a Government aircraft who is officially authorized to travel and who is not a crewmember or qualified non-crewmember.

Production approval holder (PAH) means the person or company who holds a Production Certificate (PC), Approved Production Inspection System (APIS), Parts Manufacturer Approval (PMA), or Technical Standards Orders Authorization (TSOA), issued under provisions of 14 CFR part 21, Certification Procedures for Products and Parts, and who controls the design, manufacture, and quality of a specific aircraft part.

Qualified non-crewmember means an individual, other than a member of the crew, aboard an aircraft—

- (1) Operated by an United States Government agency in the intelligence community; or
- (2) Whose presence is required to perform or is associated with performing the Governmental function for which the aircraft is being operated (Qualified non-crewmembers are not passengers).

Registration mark means the unique identification mark that is assigned by the FAA and displayed on U.S. registered Government aircraft (except Armed Forces aircraft Foreign-registered aircraft hired as CAS will carry their national registration markings. Registration markings are commonly referred to as tail numbers.

Related aviation services contract means a commercial contractual agreement through which an executive agency hires aviation services only (not aircraft), e.g., pilot, crew, maintenance, cleaning, dispatching, or catering.

Required use travel means use of a Government aircraft for the travel of an executive agency officer or employee where the use of the Government aircraft is required because of bona fide communications or security need of the agency or exceptional scheduling requirements. Required use travel must be approved as described in OMB Circular A-126.

Risk analysis and management means a systematic process for—

- (1) Identifying risks and hazards associated with alternative courses of action involved in an aviation operation;*
- (2) Choosing from among these alternatives the course(s) of action that will promote optimum aviation safety;*
- (3) Assessing the likelihood and predicted severity of an injurious mishap within the various courses of action;*
- (4) Controlling and mitigating identified risks and hazards within the chosen course(s) of action; and*
- (5) Periodically reviewing the chosen course(s) of action to identify possible emerging risks and hazards.*

Safe for flight means approved for flight and refers to an aircraft, aircraft engine, propeller, appliance, or part that has been inspected and certified to meet the requirements of applicable regulations, specifications, or standards. When applied to an aircraft that an executive agency operates under FAA regulations, safe for flight means “airworthy,” i.e., the aircraft or related parts meet their design specifications and are in a condition, relative to wear and deterioration, for safe operation. When applied to an aircraft that an executive agency uses, but does not operate under the FAA regulations, safe for flight means a state of compliance with military specifications or the executive agency's own Flight Program Standards, and as approved, inspected, and certified by the agency.

Safety Management System (SMS) means a formal, top-down business-like approach to managing safety risk. It includes systematic procedures, practices, and policies for the management of safety, safety risk management, safety policy, safety assurance, and safety promotion. For more information on SMS, refer to FAA Advisory Circular 120-92, “Safety Management Systems for Aviation Service Providers.”

Senior Aviation Management Official (SAMO) means the person in an executive agency who will be the agency's primary member of the Interagency Committee for Aviation Policy

(ICAP). This person must be of appropriate grade and position to represent the agency and promote flight safety and adherence to standards.

Serviceable aircraft part means a part that is safe for flight, can fulfill its operational requirements, and is sufficiently documented to indicate that the part conforms to applicable standards/specifications.

Suspected unapproved part means an aircraft part, component, or material that any person suspects of not meeting the requirements of an “approved part.” Approved parts are those that are produced in compliance with 14 CFR part 21, are maintained in compliance with 14 CFR parts 43 and 91, and meet applicable design standards. A part, component, or material may be suspect because of its questionable finish, size, or color; improper (or lack of) identification; incomplete or altered paperwork; or any other questionable indication. See detailed guidance in FAA Advisory Circular 21-29, “Detecting and Reporting Suspected Unapproved Parts,” available from the FAA at <http://www.faa.gov>.

Traceable part means an aircraft part whose manufacturer or production approval holder can be identified by documentation, markings/characteristics on the part, or packaging of the part. Non-military parts are traceable if you can establish that the parts were manufactured in accordance with or were previously determined to be airworthy under rules in 14 CFR parts 21 and 43. Possible sources for making a traceability determination could be shipping tickets, bar codes, invoices, parts marking (e.g., PMA, TSO), data plates, serial/part numbers, manufacturing production numbers, maintenance records, work orders, etc.

Training means instruction for flight program personnel to enable them to qualify initially for their positions and to maintain qualification for their positions over time.

Note: This instruction can apply to either public or civil missions as defined in the latest version of the FAA's Advisory Circular for Government aircraft operations.

Unsalvageable aircraft part means an aircraft part that cannot be restored to a condition that is safe for flight because of its age, its physical condition, a non-repairable defect, insufficient documentation, or its non-conformance with applicable standards/specifications.

U.S. Government Aircraft Cost Accounting Guide (CAG) means guidance for the accounting of Government aircraft costs published by GSA and is based on the cost guidance within OMB Circular A-126, OMB Circular A-76, FAIRS, and the U.S. Government Standard General Ledger.

110-33.20 Definitions.

For purposes of this policy, the following definitions will apply:

(a) Operate an aircraft - means to cause the aircraft to be flown by furnishing a flight crew and controlling the aircraft.

(b) Contract aircraft - means to procure commercially operated aircraft or aircraft services under detailed specifications and all applicable Federal Acquisition Regulations. The four basic types of use under aviation contracts are:

(1) Chartered aircraft

(2) Rented aircraft

(3) Exclusive use aircraft or aircraft services.

(4) Call-when-needed use aircraft or aircraft services.

(c) Mission requirements - means activities that constitute the discharge of the Department's official responsibilities. Such activities include, but are not limited to, the transport of emergency response personnel and/or equipment, training, evacuation, intelligence and counter-narcotics activities, search and rescue, agricultural aerial research and development, fire detection and suppression, predator control, animal and plant disease eradication and other such activities. For purposes of this Regulation, mission requirements do not include official travel to give speeches, to attend conferences or meetings, or to make routine site visits.

(d) Official travel - means

(1) travel to meet mission requirements,

(2) required use travel, and

(3) other travel for the conduct of agency business.

(e) Senior Federal Officials are:

(1) The Secretary, Deputy Secretary, Under Secretaries, and Assistant Secretaries, the General Counsel, the Inspector General, and the Chief Financial Officer.

(2) Department Agency Heads, all levels (1-6) of Senior Executive Service (SES) employees, Administrative Law Judges, Judges on the Board of Contract Appeals and all employees formerly GS-16 through 18 (ST and SL).

(f) Full coach fare - means a coach fare available to the general public between the day that the travel was planned and the day the travel occurred.

Responsibilities

§102.33.25 What are our responsibilities under this part?

Under this part, your responsibilities are to—

(a) Acquire, manage, and dispose of Federal aircraft (see the definition of “Federal aircraft” in §102-33.20) and acquire and manage Commercial Aviation Services (CAS) (see the definition for “CAS” in paragraph (2) of the definition of “Government aircraft” in §102-33.20) as safely, efficiently, and effectively as possible consistent with the nature of your agency's aviation missions;

(b) Document and report the—

- (1) Types and numbers of your Federal aircraft;
- (2) Costs of acquiring and operating Government aircraft;
- (3) Amount of time that your agency uses Government aircraft; and
- (4) Accidents and incidents involving Government aircraft;

(c) Ensure that your Government aircraft are used only to accomplish your agency's official Government business;

(d) Ensure that all passengers traveling on your agency's Government aircraft are authorized to travel on such aircraft (see OMB Circular A-126);

(e) Appoint (by letter to the Deputy Associate Administrator, Office of Asset and Transportation Management, Office of Government-wide Policy, GSA) a Senior Aviation Management Official (SAMO), who will be your agency's primary member of the ICAP (this paragraph (e) applies to all executive agencies that use aircraft, including the Department of Defense (DOD), the Federal Aviation Administration (FAA), and the National Transportation Safety Board (NTSB), but excludes executive agencies that only hire aircraft occasionally for a specific flight). It is suggested that an agency's SAMO have:

- (1) Experience as a pilot or crew member; or
- (2) Management experience within an aviation operations management/flight program.

(f) Designate an official (by letter to the Deputy Associate Administrator, Office of Asset and Transportation Management, Office of Government-wide Policy, GSA) to certify the accuracy and completeness of information reported by your agency through FAIRS. (Armed Forces agencies, which include the DOD and the U.S. Coast Guard, are not required to report information to FAIRS.);

(g) Appoint representatives of the agency as members of ICAP subcommittees and working groups;

(h) Ensure that your agency's internal policies and procedures are consistent with the requirements of OMB Circulars A-126, A-76 and A-11, Federal Aviation Administration Advisory Circular 120-92, and this part; and

(i) Ensure that safety and other critical aviation program requirements are satisfied. Executive agencies that only hire aircraft occasionally for specific flights, must either:

(1) Establish an aviation program that complies with the requirements of OMB Circular A-126; or

(2) Hire those aircraft through an agency with a policy-compliant aviation program.

§102-33.30 What are the duties of an agency's Senior Aviation Management Official (SAMO)?

The SAMO's duties are to—

(a) Represent the agency's views to the ICAP and vote on behalf of the agency as needed;

(b) Contribute technical and operational policy expertise to ICAP deliberations and activities;

(c) Serve as the designated approving official for FAIRS when the agency elects to have one person serve as both the SAMO and the designated official for FAIRS (DOD will not have a designated official for FAIRS); and

(d) Appoint representatives of the agency as members of ICAP subcommittees and working groups.

110-33.30 USDA Senior Aviation Management Official (SAMO).

Mr. Art Hinaman, Assistant Director, Aviation Fire and Aviation Management, U.S. Forest Service has been appointed as the USDA Senior Aviation Management Official.

§102-33.35 How can we get help in carrying out our responsibilities?

To get help in carrying out your responsibilities under this part, you may—

(a) Call or write to GSA's Aviation Policy Division (see definition in §102-33.20); or

(b) Find additional aviation program management information on the Internet at <http://www.gsa.gov/aviationpolicy>.

§102-33.40 What are GSA's responsibilities for Federal aviation management?

Under OMB Circular A-126, “Improving the Management and Use of Government Aircraft,” (<http://www.whitehouse.gov/omb>) GSA's chief responsibilities for Federal aviation management are to maintain—

(a) A single office to carry out Government-wide responsibilities for Government aircraft management, and publishing that policy;

(b) An interagency committee (*i.e.*, the ICAP), whose members represent the executive agencies that use Government aircraft to conduct their official business (including FAA and NTSB specifically) and advise and consult with GSA on developing policy for managing Government aircraft;

(c) A management information system to collect, analyze, and report information on the inventory, cost, usage, and safety of Government aircraft; and

(d) A set of performance indicators, policy recommendations, and guidance for the procurement, operation, and safety and disposal of Government aircraft.

Note to §[102-33.40](#): See OMB Circular A-126 (<http://www.whitehouse.gov/omb>) for a complete listing of GSA's responsibilities related to Federal aviation.

110-33.40 USDA Responsibilities

(a) The Office of Procurement and Property Management, Property Management Division, is responsible for assuring that:

(1) All aircraft are acquired, utilized and disposed of by agencies in compliance with all applicable laws and regulations.

(2) GSA is provided with a Department-wide contact point for the FAIRS reporting system and that data reported is accurate and timely.

(3) Accountability for aircraft and aircraft services is maintained.

(4) Department internal policies and procedures for procuring aircraft and related services are consistent with the requirements of OMB Circular A-76.

(5) Department aircraft programs comply with the internal control requirements of OMB Circular A-123 and that they are included in the agency's Management Control Plan. Any material weaknesses in these programs are to be reported in the annual Federal Managers Financial Integrity Act (FMFIA) reports.

(6) Department personnel and agencies cooperate fully with GSA in the development of aircraft management policies and standards and in the collection of aircraft information.

(7) The Department and agencies have aircraft information systems that conform to the generic data and reporting standards developed by GSA. GSA has developed and operates FAIRS that will gather and maintain data on inventory of aircraft and related facilities, the costs involved in their operations (as well as those aircraft chartered, rented, or contracted for), and the utilization of those aircraft that are operated in-house by commercial firms for agencies. This includes all agency-owned aircraft and CAS be it agency or commercially operated.

(8) A report of inventory data related to aircraft/facilities eligible for interagency sharing will be prepared by GSA.

(b) Each agency shall be responsible for the following:

(1) Managing all aircraft and aircraft services in accordance with all applicable laws and regulations in an effective and efficient manner. Incorporate aircraft operations into agency internal control review and FMFIA reporting requirements.

(2) Ensuring that accurate aircraft cost and operational data is recorded which will permit USDA agencies to:

(c) fully justify the use of Government-owned or leased aircraft in lieu of commercially available aircraft, or the use of one Government aircraft in lieu of another;

(d) recover the costs of operating Government-owned or leased aircraft when appropriate;

(e) determine the cost effectiveness of various aspects of their aircraft program; and

(f) conduct the cost comparisons required by OMB Circular A-76 to justify in-house operation of Government aircraft versus procurement of commercially available aircraft or aircraft services. In conducting the cost comparisons, agencies must accumulate costs which can be summarized in the standard aircraft Program Cost Elements defined in the "Government Aircraft Cost Accounting Guide".

(1) Satisfying the recording and reporting requirements of the Department, Federal Management Regulation Section 102-33 and OMB Circular A-126 as follows:

(g) Report on aircraft and aircraft related facilities inventory additions and/or deletions as they occur.

(h) Specify aircraft and facilities that are not available for interagency use.

(i) Document all use of Government aircraft and retain this documentation for at least 2 years. At a minimum, the documentation of each use of Government aircraft must include:

- The tail number of the plane used*

- *The date(s) used*
- *The name(s) of the pilot(s) and flight crew*
- *The purpose(s) of the flight*
- *The cost and utilization of the flight*
- *The route(s) flown*
- *The names of all passengers*

(j) Complying with all policies outlined above.

(k) Sending copies of all agency internal implementing policies to OPPM, PMD, for review, prior to issuance.

Subpart B--Acquiring Government Aircraft and Aircraft Parts Overview

§102-33.50 Under what circumstances may we acquire Government aircraft?

(a) When you meet the requirements for operating an in-house aviation program contained in OMB Circular A-76, “Performance of Commercial Activities” and OMB Circular A-11, “Preparation, Submission, and Execution of the Budget,” Part 2, “Preparation and Submission of Budget Estimates,” Section 25.5, “Summary of Requirements,” Table 1, which refers to the Business Case for Acquisition and Maintenance of Aircraft, and Section 51.18, “Budgeting for the acquisition of capital assets,” subparagraph (d) (Both circulars are available at <http://www.whitehouse.gov/omb>), you may—

(1) Acquire Federal aircraft when—

- (i) Aircraft are the optimum means of supporting your agency's official business;
- (ii) You do not have aircraft that can support your agency's official business safely (*e.g.*, in compliance with applicable safety standards and regulations) and cost-effectively;
- (iii) No commercial or other Governmental source is available to provide aviation services safely (*i.e.*, in compliance with applicable safety standards and regulations) and cost-effectively; and
- (iv) Congress has specifically authorized your agency to purchase, lease, or transfer aircraft and to maintain and operate those aircraft (see 31 U.S.C. 1343);

(2) Acquire Commercial Aviation Services (CAS) when—

- (i) Aircraft are the optimum means of supporting your agency's official business; and
- (ii) Using commercial aircraft and services is safe (*i.e.*, conforms to applicable laws, safety standards, and regulations) and is more cost effective than using Federal aircraft, aircraft from any other Governmental source, or scheduled air carriers.

(b) When acquiring aircraft, aircraft selection must be based on need, a strong business case, and life-cycle cost analysis, which conform to OMB Circular A-11, “Preparation, Submission, and Execution of the Budget,” Part 2, “Preparation and Submission of Budget Estimates,”

Section 25.5, “Summary of Requirements,” Table 1, which refers to the Business Case for Acquisition and Maintenance of Aircraft (*available at* <http://www.whitehouse.gov/omb>).

§102-33.55 Are there restrictions on acquiring Government aircraft?

Yes, you may not acquire—

- (a) More aircraft than you need to carry out your official business;
- (b) Aircraft of greater size or capacity than you need to perform your Governmental functions cost-effectively; or
- (c) Federal aircraft that Congress has not authorized your agency to acquire or Federal aircraft or commercial aircraft and services for which you have not followed the requirements in OMB Circular A-76 and A-11 (available at <http://www.whitehouse.gov/omb>).

§102-33.60 What methods may we use to acquire Government aircraft?

Following the requirements of §§[102-33.50](#) and [102-33.55](#), you (or an internal bureau or sub-agency within your agency) may acquire Government aircraft by means including, but not limited to—

- (a) Purchase;
- (b) Borrowing from a non-Federal source;
- (c) Bailment from another executive agency;
- (d) Exchange/sale;
- (e) Reimbursable transfer from another executive agency (see §§[102-36.75](#) and [102-36.80](#));
- (f) Transfer from another executive agency as approved by GSA;
- (g) Reassignment from one internal bureau or sub-agency to another within your agency;
- (h) Transfer of previously forfeited aircraft;
- (i) Insurance replacement (i.e., receiving a replacement aircraft);
- (j) Capital lease;
- (k) Rent or charter;
- (l) Contract for full services (i.e., aircraft plus crew and related aviation services) from a commercial source; or
- (m) Inter-service support agreements with other executive agencies for aircraft and services.

§102-33.65 What is the process for acquiring Government aircraft?

Acquiring Government aircraft, as described in §§[102-33.70](#) through [102-33.105](#), generally follows a three-step process:

- (a) Planning;
- (b) Budgeting; and
- (c) Contracting.

110-34.65 Acquiring Aircraft

Aircraft shall be limited to the number necessary to meet mission requirements and, in the case of owned aircraft, are specifically authorized in appropriations or program budgets. The number and type of aircraft and their capacity to carry passengers and cargo shall not exceed the level necessary to meet essential mission requirements, except when larger aircraft would be more cost effective. Aircraft may be acquired as excess by Departmental agencies from other Federal Agencies prior to completion of an A-76 study; however, they should not be modified or placed in operational status until the A-76 study is completed.

Planning to Acquire Government Aircraft

§102-33.70 What directives must we follow when planning to acquire Government aircraft?

When planning to acquire Government aircraft, you must follow the requirements in—

- (a) 31 U.S.C. 1343, “Buying and Leasing Passenger Motor Vehicles and Aircraft”;
- (b) OMB Circular A-126, “Improving the Management and Use of Government Aircraft” (<http://www.whitehouse.gov/omb>);
- (c) OMB Circular A-11, Part 2, Section 25.5, Table 1, Business Case for Acquisition and Maintenance of Aircraft (<http://www.whitehouse.gov/omb>);
- (d) OMB Circular A-76, “Performance of Commercial Activities” (<http://www.whitehouse.gov/omb>); and
- (e) OMB Circular A-94, “Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs” (<http://www.whitehouse.gov/omb>).

Agency responsibility:

Agencies are responsible for complying with the current year instructions provided by OMB on the completion of A-76 or other cost comparison studies.

§102-33.75 What other guidance is available to us in planning to acquire Government aircraft?

You can find guidance for acquisition planning in:

- (a) The “Aviation Planning Desk Guide” (available at <http://www.gsa.gov/aviationpolicy>) and
- (b) OMB's “Capital Programming Guide,” which is a supplement to OMB Circular A-11 (<http://www.whitehouse.gov/omb>).

OMB Circular A-76

§102-33.80 Must we comply with OMB Circular A-76 before we acquire Government aircraft?

Yes, before you acquire Government aircraft, you must comply with OMB Circular A-76 (<http://www.whitehouse.gov/omb>). If you are acquiring Federal aircraft, you must ensure that the private sector cannot provide Government aircraft or related aviation services more cost-effectively than you can provide Federal aircraft and related services.

Agency responsibility:

Agencies are responsible for complying with the current year instructions provided by OMB on the completion of A-76 or other cost comparison studies. All OMB Circular A-76 studies shall be reviewed and approved by the agency's Chief Financial Officer before any aircraft are acquired or placed into operation.

The Process for Budgeting to Acquire Government Aircraft

§102-33.90 What is the process for budgeting to acquire a Federal aircraft (including a Federal aircraft transferred from another executive agency)?

(a) The process for budgeting to acquire a Federal aircraft or to accept a Federal aircraft transferred from another executive agency requires that you have specific authority from Congress in your appropriation, as called for in 31 U.S.C. 1343, to—

- (1) Purchase, capital lease, or lease a Federal aircraft and to operate and maintain it; or
- (2) Accept a Federal aircraft transferred from another executive agency and to operate and maintain it.

(b) For complete information on budgeting to own Federal aircraft (*i.e.*, large purchase of a capital asset), see OMB Circular A-11, Part 2, Sections 25.1 and 51.18. Also see §§[102-33.70](#) and [102-33.75](#).

110-33.90 Cost comparison studies

Two copies of each agency A-76 cost comparison study shall be submitted to the Office of Procurement and Property Management (OPPM), Property Management Division (PMD), when completed and one copy submitted with the agency's next budget submission to OMB. A-76 studies are not necessary for replacement aircraft unless the original A-76 qualification period is no longer in effect; the replacement aircraft will perform different duties; or the replacement aircraft cost is significantly different than that of the original aircraft. When the A-76 cost comparison study expires, agencies shall conduct another A-76 study.

§102-33.95 What is the process for budgeting to acquire commercial aviation services (CAS)?

Except for leases and capital leases, for which you must have specific Congressional authorization as required by 31 U.S.C. 1343, you may budget to fund your CAS out of your agency's operating budget. Also see §§[102-33.70](#) and [102-33.75](#).

Contracting to Acquire Government Aircraft

§102-33.100 What are our responsibilities when contracting to purchase or capital lease a Federal aircraft or to award a CAS contract?

In contracting to purchase or capital lease a Federal aircraft or to award a CAS contract, you must follow the Federal Acquisition Regulation (FAR) (48 CFR chapter 1) unless your agency is exempt from following the FAR.

§102-33.105 What minimum requirements must we put into our CAS contracts?

At a minimum, your contracts and agreements must require that any provider of CAS comply with—

- (a) Civil standards in 14 CFR that are applicable to the type of operation(s) you are asking the contractor to conduct;
- (b) Applicable military standards; or
- (c) Your agency's Flight Program Standards (see §§[102-33.140](#) through [102-33.185](#) for the requirements for Flight Program Standards).

Acquiring Aircraft Parts

§102-33.110 What are our responsibilities when acquiring aircraft parts?

When acquiring aircraft parts, you must:

- (a) Acquire the parts cost-effectively and acquire only what you need;
- (b) Inspect and verify that all incoming parts are documented as safe for flight prior to installation;
- (c) Obtain all logbooks (if applicable) and maintenance records (for guidance on maintaining records for non-military parts, see Federal Aviation Administration (FAA) Advisory Circular 43-9C, "Maintenance Records," which is available from the FAA at (<http://www.faa.gov>) ;
- (d) Plan for adequate storage and protection;

(e) Refer to FAA Advisory Circular 21-29C, Change (2), “Detecting and Reporting Suspected Unapproved Parts” (<http://www.faa.gov>).

§[102-33.115](#) Are there special requirements for acquiring military Flight Safety Critical Aircraft Parts (FSCAP)?

Yes, when you acquire military Flight Safety Critical Aircraft Parts (FSCAP), you must—

(a) Accept FSCAP only when it is documented or traceable to its original equipment manufacturer. A part's DOD FSCAP Criticality Code should be marked or tagged on the part or appear on its invoice/transfer document (see §[102-33.375](#) for further explanation of the FSCAP Criticality Codes); and

(b) Not install undocumented, but traceable FSCAP until you have the parts inspected and recertified by the original equipment manufacturer or other FAA-approved facility (see §[102-33.370](#) on FSCAP and AC 20-142).

§[102-33.120](#) Are there special requirements for acquiring life-limited parts?

Yes, when you acquire new or used life-limited parts, you must—

(a) Identify and inspect the parts, ensuring that they have civil or military-certified documentation; and

(b) Mutilate and dispose of any expired life-limited parts (see section §[102-33.370](#) on handling life-limited parts).

Subpart C--Managing Government Aircraft and Aircraft Parts

Overview

§102-33.125 If we use Federal aircraft, what are our management responsibilities?

If you use Federal aircraft, you are responsible for—

- (a) Establishing agency-specific Flight Program Standards, as defined in §§[102-33.140](#) through [102-33.185](#);
- (b) Accounting for the cost of acquiring, operating, and supporting your aircraft;
- (c) Accounting for use of your aircraft;
- (d) Maintaining and accounting for aircraft parts;
- (e) Reporting inventory, cost, and utilization data (for reporting requirements, see subpart E of this part); and
- (f) Properly disposing of aircraft and parts following §§[102-33.240](#) through [102-33.375](#).

§102-33.130 If we hire CAS, what are our management responsibilities?

If you hire CAS, you are responsible for—

- (a) Establishing agency-specific Flight Program Standards, as defined in §§[102-33.140](#) through [102-33.185](#), as applicable, and requiring compliance with these standards in your contracts and agreements;
- (b) Accounting for the cost of your aircraft and services hired as CAS;
- (c) Accounting for use of your aircraft hired as CAS; and
- (d) Reporting the cost and usage data for your CAS hires (for reporting requirements, see subpart E of this part).

§102-33.135 Do we have to follow the direction in OMB Circular A-123, "Management Accountability and Control," for establishing management controls for our aviation program?

Yes, you must follow the direction in OMB Circular A-123, "Management Accountability and Control," (<http://www.whitehouse.gov/omb>), for establishing management controls for your aviation program. The circular requires that you establish organizations, policies, and

procedures to ensure that, among other things, your aviation program achieves its intended results and you use your resources consistently with your agency's missions.

Establishing Flight Program Standards

§102-33.140 What are Flight Program Standards?

Flight Program Standards are the minimum requirements that must be incorporated into your flight programs to ensure that your aircraft are operated safely, effectively, and efficiently. These requirements must:

- (a) Be specific to your agency's aviation operations, including your CAS;
- (b) Meet the requirements identified in §§[102-33.155](#) through [102-33.185](#).
- (c) Meet or exceed applicable civil or military rules (in particular 49 U.S.C. 40102(a)(37) and 40125), and applicable FAA regulations); and
- (d) Incorporate risk management techniques when civil or military rules do not apply.

§102-33.145 Why must we establish Flight Program Standards?

You must establish Flight Program Standards because Title 14 of the Code of Federal Regulations (14 CFR) may not cover or address all aspects of your agency's flight program, such as non-certificated aircraft, high-risk operations, special personnel requirements, etc.

§102-33.150 Is any agency exempt from establishing Flight Program Standards under this part?

The following Federally-funded activities are exempt from establishing Flight Program Standards under this part:

- (a) The Armed Forces (which includes the U.S. Coast Guard);
- (b) Agencies in the Intelligence Community; and
- (c) Entities outside the executive branch of the Federal Government when using aircraft loaned to them by an executive agency (that is, owned by an executive agency, but operated by and on behalf of the loanee) unless the loanee—
 - (1) Uses the aircraft to conduct official Government business; or
 - (2) Is required to follow §§[102-33.140](#) through [102-33.185](#) under a Memorandum of Agreement governing the loan.

§102-33.155 How must we establish Flight Program Standards?

To establish Flight Program Standards, you must write, publish (as appropriate), implement, and comply with standards (specific to your agency), which establish or require (contractually, where applicable) policies and procedures for—

- (a) Management/administration of your flight program (in this part, "flight program" includes CAS contracts);
- (b) Operation of your flight program;
- (c) Maintenance of your Government aircraft;
- (d) Training for your flight program personnel;
- (e) Safety of your flight program.
- (f) Accident reporting and investigation as appropriate; and
- (g) Reporting to FAIRS as required by this part.

Management/Administration

§102-33.160 What standards must we establish or require (contractually, where applicable) for management/administration of our flight program?

For management/administration of your flight program, you must establish or require (contractually, where applicable)—

- (a) A management structure responsible for the administration, operation, safety, training, maintenance, and financial needs of your aviation operation (including establishing minimum requirements for these items for any commercial contracts); and
- (b) Guidance describing the roles, responsibilities, and authorities of your flight program personnel, *e.g.*, managers, pilots and other crewmembers, flight safety personnel, maintenance personnel, administrative personnel and dispatchers.

Operations

§102-33.165 What standards must we establish or require (contractually, where applicable) for operation of our flight program?

For operation of your flight program, you must establish or require (contractually, where applicable) the following:

- (a) Basic qualifications and currency requirements for your pilots and other crewmembers, maintenance personnel, administrative personnel and other mission-related personnel;
- (b) Limitations on duty time and flight time for pilots and other crewmembers;

- (c) Procedures to record and track flight time, duty time, training of crewmembers, and applicable medical requirements;
- (d) Compliance with owning-agency or military safety of flight notices and operational bulletins;
- (e) Flight-following procedures to notify management and initiate search and rescue operations for lost or downed aircraft;
- (f) Dissemination, as your agency determines appropriate, of a disclosure statement to all crewmembers and qualified non-crewmembers who fly aboard your agency's Government aircraft (see Appendix A to this part);
- (g) Creation of a manifest, at the origin of each flight, that contains the full names of all persons on board for each leg of flight, a point of contact for each person, and phone numbers for the points of contact;
- (h) Documentation of any changes in the manifest by leg, and retention of manifests for two years from the time of flight;
- (i) Procedures for reconciling flight manifests with persons actually on board and a method to test those procedures periodically;
- (j) At the origin of each flight, preparation of a complete weight and balance computation and a cargo-loading manifest, and retention of this computation and manifest for 30 days from the time of flight;
- (k) Appropriate emergency procedures and equipment for specific missions;
- (l) Procedures to ensure that required Aviation Life Support Equipment (ALSE) is inspected and serviceable; and
- (m) Procedures to implement a “risk assessment” before each flight and/or as frequently as necessary that include such items as weather, crew rest, type of flight (low level, Instrument Flight Rules (IFR), night, etc.) crew makeup, etc. This process should be accomplished in accordance with your agency's operations, flight dispatch, or flight following procedures/program.

Maintenance

§102-33.170 What standards must we establish or require (contractually, where applicable) for maintenance of our Government aircraft?

For maintenance of your Government aircraft, you must establish or require (contractually, where applicable)—

- (a) Procedures to record and track duty time and training of maintenance personnel;
- (b) Aircraft maintenance and inspection programs that comply with whichever is most applicable among—
 - (1) Programs for ex-military aircraft;
 - (2) Manufacturers' programs;
 - (3) FAA-approved programs (*i.e.*, following the applicable parts of 14 CFR);
 - (4) FAA-accepted programs (*i.e.*, those following ICAP guides or similar programs that have been accepted by the FAA); or
 - (5) Your agency's self-prescribed programs;
- (c) Compliance with owning-agency or military safety of flight notices, FAA airworthiness directives, advisory circulars and orders, or mandatory manufacturers' bulletins applicable to the types of aircraft, engines, propellers, and appliances you operate;
- (d) Procedures for operating aircraft with inoperable instruments and equipment (*i.e.*, Minimum Equipment Lists and Configuration Deviation Lists);
- (e) Technical support, including appropriate engineering documentation and testing, for aircraft, power plant, propeller, or appliance repairs, modifications, or equipment installations;
- (f) A quality control system for acquiring replacement parts, ensuring that the parts you acquire are suitable as replacement parts and have the documentation needed to determine that they are safe for flight and are inspected and tested, as applicable;
- (g) Procedures for recording and tracking maintenance actions; inspections; and the flight hours, cycles, and calendar times of life-limited parts and FSCAP; and
- (h) The use of alternative aviation fuels in fleet aircraft to the maximum extent possible consistent with the availability of approved alternative fuels and aircraft operating procedures or manuals for those aircraft.

Training

§102-33.175 What standards must we establish or require (contractually, where applicable) to train our flight program personnel?

You must establish or require (contractually, where applicable) the following standards to train your flight program personnel—

- (a) An instructional program to train your flight program personnel, initially and on a recurrent basis, in their roles, responsibilities, authorities, and in the operational skills relevant to the types of operations that you conduct. Flight program personnel may include, *e.g.*,

managers, pilots and other crewmembers, flight safety personnel, maintenance personnel, administrative personnel and dispatchers; and

(b) An instructional program that meets the specific requirements for safety manager training identified in §[102-33.180](#)(a).

Safety

§[102-33.180](#) What standards should we establish or require (contractually, where applicable) for aviation safety management?

You should establish or require (contractually, where applicable) the following aviation safety management standards:

(a) By June 30, 2015, a Safety Management System (SMS) that complies with the FAA's current Advisory Circular that addresses Safety Management Systems (SMS) or an equivalent internationally recognized SMS standard. The SMS should include:

(1) Policies that define clear roles and responsibilities for implementing an SMS. This includes ensuring that senior level management has the ultimate responsibility for your SMS. It also includes appointing members of management as qualified aviation safety managers and safety officers (*i.e.*, individuals who are responsible for an agency's aviation safety program, regardless of title), who should be—

(i) Experienced as pilots, crewmembers, maintenance personnel, or have experience in aviation management or aviation maintenance program management; and

(ii) Graduated or certificated from an aviation safety officer course provided by a recognized training provider and authority in aviation safety before appointment or within one year after appointment; and

(2) A program for preventing accidents, which includes—

(i) Measurable accident prevention procedures (*e.g.*, safety reviews, clear roles and responsibilities, operations and maintenance procedures, pilot and mechanic proficiency evaluations, fire drills, hazard analyses);

(ii) A procedure or system for disseminating accident-prevention information;

(iii) Safety training;

(iv) An aviation safety awards program that includes applying for the annual Federal Aviation Awards as appropriate;

(v) An annual review to ensure compliance with the GSA Gold Standard Program; and

- (vi) A safety council or committee (applies to Federal aircraft-owning agencies);
- (b) Procedures and processes for risk analysis and risk management that identify and mitigate hazards through formal administrative and engineering controls and provide recommendations to senior level managers for managing risk to an optimum level;
- (c) Policies that require the use of independent, unbiased inspectors to verify compliance with the standards called for in this;
- (d) Procedures for reporting unsafe operations to agency aviation safety officers and senior aviation safety managers without reprisal;
- (e) A system to collect and report information on aircraft accidents and incidents (as required by 49 CFR part 830 and 41 CFR [102-33.445](#) and [102-33.450](#));
- (f) Policies that identify clear standards for acceptable behavior; and
- (g) A security program that includes—
 - (1) A designated security manager;
 - (2) A threat assessment process;
 - (3) Procedures for preventing and deterring unlawful acts;
 - (4) Procedures for responding to threats and unlawful acts;
 - (5) Security training for personnel; and
 - (6) Policies and procedures for a mail security plan that meet the mail security requirements contained in FMR 102-192, “Mail Management,” Subpart C, “Security Requirements for All Agencies,” §§102-192.70 through 102-192.80. Specifically, section 102-192.80 identifies topics that must be addressed in an agency's mail security plan, to include a plan to protect staff and all other occupants of agency facilities from hazards that might be delivered in the mail, which would include an agency's use of aircraft for mail delivery.

110-33.180 USDA Aviation Safety Programs

The Senior Aviation Management Official (SAMO) shall be designated to administer the aviation safety program at the national level. This person will provide oversight for the agency safety programs and serve as a consultant to the Headquarters office and agencies as required.

The incumbent shall be trained in accordance with the minimum aviation safety management standards established by the ICAP for the Federal Aviation Safety Officer as outlined in FMR [102-33.180](#) and [185](#).

Management Responsibility:

Aviation safety and aircraft mishap prevention in USDA is based on the philosophy that all aircraft mishaps can be prevented and that mishap prevention is an inherent function of management.

Agency directors are ultimately responsible for the management of aviation resources and the implementation of an effective aircraft mishap prevention program. Supervisors and managers at all levels are responsible for the safety of aviation operations under their control. Within this policy are the practical requirements to provide safe working conditions, prevent injuries to employees, and protect property from damage. Application of approved practices is a fundamental responsibility of managers and supervisors and represents an area in which performance and accountability must be emphasized.

USDA's notification, classification, investigation, and documentation of NTSB reportable aircraft mishaps involving agency aviation activities will be accomplished in accordance with the procedures established in CFR 14 Part 830, Notification and Reporting of Aircraft Accidents.

§102-33.185 What standards must we establish or require (contractually, where applicable) for responding to aircraft accidents and incidents?

You must establish or require (contractually, where applicable) the following standards for responding to aircraft accidents and incidents:

(a) An aircraft accident/incident reporting policy to ensure that you will comply with the National Transportation Safety Board's (NTSB) regulations (located in 49 CFR parts 830 and 831), including notifying NTSB immediately when you have an aircraft accident or an incident as defined in 49 CFR 830.5. In addition, this policy must contain a method of notifying the U.S. General Services Administration of an accident or incident that was reported to the NTSB. Refer to §§[102-33.445](#) and [102-33.450](#) for further information;

(b) An agency, bureau, or field level accident/incident response plan, modeled on the NTSB's "Federal Plan for Aviation Accidents Involving Aircraft Operated by or Chartered by Federal Agencies," and periodic disaster response exercises to test your plan. A copy of the NTSB's plan is available at <http://www.nts.gov>. The plan should also refer to or incorporate procedures (as outlined in FAA Advisory Circular 120-92) to identify the potential for accidents or incidents;

(c) Procedures (see 49 CFR 831.11) for participation as a party to NTSB accident or incident investigations involving aircraft that your agency either owns or hires, and for conducting parallel investigations, as appropriate;

(d) Training in investigating accidents/incidents for your agency's personnel who may be asked to participate in NTSB investigations or to conduct a parallel investigation; and

(e) Procedures for disseminating, in the event of an aviation disaster that involves one of your Government aircraft, information about eligibility for benefits contained in the disclosure

statement in appendix A of this part to anyone injured, to the injured or deceased persons' points of contact (listed on the manifest), and to the families of injured or deceased crewmembers and qualified non-crewmembers.

Note to §102-33.185: This part does not supersede any of the regulations in 49 CFR parts 830 and 831. For definitions of terms and complete regulatory guidance on notifying the NTSB and reporting aircraft accidents and incidents, see 49 CFR parts 830 and 831.

110-33.185 USDA Aircraft Mishap Prevention Planning

(a) Each agency owning or contracting for aircraft services is encouraged to have a formal (written) Aircraft Safety Plan

Agency Safety Plans

Each agency is encouraged to have a formal written Aircraft Safety Plan consistent with Departmental policy and following the Interagency Committee for Aviation Policy (ICAP) guidelines as minimum standards to follow. Agencies' plans should outline personnel responsibilities and provide implementation guidelines, goals and methods to monitor the success of the program.

The following elements are essential to all aviation safety programs:

- (1) Aviation Safety Program Responsibilities*
- (2) Aircraft Mishap Prevention*
- (3) Aviation Management and Operations Evaluation*
- (4) Aviation Safety Awards*
- (5) Aircraft Mishap Investigation*
- (6) Aviation Safety Education and Training*

Accounting for the Cost of Government Aircraft

§102-33.190 What are the aircraft operations and ownership costs for which we must account?

You must account for the operations and ownership costs of your Government aircraft, including your Unmanned Aircraft Systems (UAS), as described in the “U.S. Government Aircraft Cost Accounting Guide” (CAG), available at (<http://www.gsa.gov/aviationpolicy>), which follows OMB Circular A-126 (<http://www.whitehouse.gov/omb>). To account for aircraft costs, you must do at least the following:

- (a) Justify acquisitions to support the agency's aviation program;
- (b) Justify the use of Government aircraft in lieu of commercially available aircraft, and the use of one Government aircraft in lieu of another;

- (c) Develop a variable cost rate for each aircraft or aircraft type (*i.e.*, make and model) in your inventory;
- (d) Recover the costs of operating Government aircraft;
- (e) Determine the cost effectiveness of various aspects of agency aircraft programs; and
- (f) Accumulate aircraft program costs following the procedures defined in the CAG, available at (<http://www.gsa.gov/aviationpolicy>).

§102-33.195 Do we need an automated system to account for aircraft costs?

(a) Yes, if you own Federal aircraft or operate bailed aircraft, you must maintain an automated system to account for aircraft costs by collecting the cost data elements required by FAIRS. The functional specifications and data definitions for a FAIRS-compliant system are described in the “Common Aviation Management Information Standard” (C-AMIS), which is available from the Aviation Policy Division. See §§[102-33.395](#), [102-33.405](#), and [102-33.410](#) for more information on FAIRS, and §§[102-33.455](#) and [102-33.460](#) for more information on C-AMIS.

(b) Agencies that use only CAS aircraft and do not have Federal aircraft must keep records adequate for reporting information through FAIRS, but are not required to have an automated system. See §§[102-33.435](#) and [102-33.440](#) for the information on CAS that you must report through FAIRS.

§102-33.200 Must we periodically justify owning and operating Federal aircraft?

Yes, after you have held a Federal aircraft for five years, you must:

(a) Justify owning and operating the aircraft by reviewing your operations and establishing that you have a continuing need for the aircraft, using the procedures required in OMB Circular A-76 and OMB Circular A-11, Part 7, Appendix B, Budgetary treatment of lease-purchases and leases of capital assets; and

(b) Review the continuing need for each of your aircraft and the cost-effectiveness of your aircraft operations as directed by OMB Circulars A-11 and A-76, every five years.

§102-33.205 When we use our aircraft to support other executive agencies, must we recover the operating costs?

Yes, you must recover the following:

(a) Under 31 U.S.C. 1535 and other statutes, you may be required to recover the costs of operating aircraft in support of other agencies. Depending on the statutory authorities under which you acquired and operate your aircraft, you will use either of the following two methods for establishing the rates charged for using your aircraft:

- (1) The variable cost recovery rate; or

(2) The full cost recovery rate.

(b) See the U.S. Government Aircraft Cost Accounting Guide (CAG) (<http://www.gsa.gov/aviationpolicy>), for the definitions of “variable cost recovery rate” and “full cost recovery rate.”

Accounting for the Use of Government Aircraft

§102-33.210 How do we account for the use of our Government aircraft?

To account for the use of Government aircraft, including your Unmanned Aircraft Systems (UAS), you must document all flights and keep this documentation for two years after the date of the flight. For each flight, record the—

- (a) Aircraft's registration mark;
- (b) Owner and operator (the owner may not be the operator, as is the case when a CAS aircraft, owned commercially, is operated by U.S. Government personnel);
- (c) Purpose of the flight (the Governmental function that the aircraft was dispatched to perform);
- (d) Departure and destination points;
- (e) Flight date(s) and times;
- (f) A manifest (see §102-33.165(g) and (h)); and
- (g) Name(s) of the pilot(s) and crewmembers.

§102-33.215 May we use Government aircraft to carry passengers?

Yes, you may use Government aircraft to carry passengers with the following restrictions:

- (a) You may carry passengers only on aircraft that you operate or require contractually to be operated according to the rules and requirements in 14 CFR; and
- (b) For certain kinds of travel, your agency must justify passengers' presence on Government aircraft. See OMB Circular A-126 and the Federal Travel Regulation (FTR) §§301-10.260 through 301-10.266, and 301-70.800 through 301-70.808, and 301-70.910 (41 CFR 301-10.260 through 301-10.266, 301-70.800 through 301-70.808, and 301-70.910) for complete information on authorizing travel and analyzing costs before authorizing travel on Government aircraft.

110-33.215 Carrying Passengers

Government aircraft shall only be used for transportation when such use is more economical than commercial airline or aircraft services, or when commercial service is not available to effectively meet the Department's transportation needs. A determination must be made that other modes of transportation, such as Department owned motor vehicles, are not more cost effective than using Government aircraft. Space available travel for other than the conduct of agency business except as authorized under 10 U.S.C. 4744 and regulations implementing the statute or by civilian personnel and their dependents in remote locations shall be prohibited.

The transportation of passengers or cargo on Government aircraft shall be limited in accordance with this Regulation and authorized by law. Further, such use will comply with travel requirements contained in the Federal Travel Regulations (41 C.F.R. 301) and the Agriculture Travel Regulations (DM-2300-1). Non-Federal employees or family members of employees shall not be transported on Government aircraft unless they have an official purpose and advance written approval in accordance with this Regulation.

Government aircraft will only be used for official purposes, i.e, (i) to meet mission requirements, (ii) required use travel, (iii) other travel for the conduct of agency business. Transportation of Department employees, Government authorized cargo, other official Government passengers, and others, whose transportation on these aircraft is permitted by statute or an official Department directive or policy, may fall into either category.

Whenever possible, agencies shall use the most cost effective aircraft to satisfy transportation requirements. Exceptions to this usage shall be documented in writing.

No employee or officer of the Department may use, nor may any USDA agency authorize the use of, Government aircraft in connection with any travel involving private business or activities (personal or political).

§102-33.220 What are the responsibilities of our aviation program in justifying the use of a Government aircraft to transport passengers?

After receiving a request from your agency, your aviation program's responsibilities in justifying the use of a Government aircraft to transport passengers are to your travel approving authority:

(a) Cost estimates to assist in determining whether or not use of a Government aircraft to carry passengers is justified. See OMB Circular A-126 (<http://www.whitehouse.gov/omb>) for more information on justifying travel on Government aircraft. See also FTR §§301-10.260 through 301-10.266, and 301-70.800 through 301-70.808, and 301-70.910 (41 CFR 301-10.260 through 301-10.266, 301-70.800 through 301-70.808, and 301-70.910) for guidance on estimating the cost of using a Government aircraft.

The cost of using a Government aircraft is—

- (1) The variable cost of using a Federal aircraft;

- (2) The amount your agency will be charged by a CAS provider; or
 - (3) The variable cost of using an aircraft owned by another agency as reported by the owning agency; and
- (b) Information to assist in the analysis of alternatives to travel on Government aircraft. The information must include the following:

- (1) If no follow-on trip is scheduled, all time required to position the aircraft to begin the trip and to return the aircraft to its normal base of operations;
- (2) If a follow-on trip requires repositioning, the cost for the repositioning should be charged to the associated follow-on trip;
- (3) If an aircraft supports a multi-leg trip (a series of flights scheduled sequentially), the use of the aircraft for the total trip may be justified by comparing the total variable cost of the entire trip to the commercial aircraft cost (including charter) for all legs of the trip; and
- (4) The use of foreign aircraft as CAS is authorized when the agency has determined that an equivalent level of safety exists as compared to U.S. operations of a like kind. The safety of passengers shall be the overriding consideration for the selection of travel mode when comparing foreign sources of scheduled commercial airlines and CAS.

110-33.220 Use of Government Aircraft for Transportation

Justification. Each use of a Government aircraft to transport passengers must be justified and documented. Documentation shall include written justification and approvals by the Agency Head or his or her designees authorizing the use of Government aircraft. Agencies may justify the use of aircraft to transport passengers using any of the following criteria:

- (a) The aircraft was scheduled to perform a bona fide mission or training activity, and the minimum mission or training requirements have not been exceeded.*
- (b) Failure to use the aircraft to carry passengers and/or cargo would result in the failure to meet the minimum mission or training requirements.*
- (c) No commercial airline or aircraft service was reasonably available to effectively fulfill the transportation requirements, i.e., within the same calendar year.*
- (d) The actual cost of using a Government aircraft (as defined in Appendix A) is not more than the cost of using commercial airline or aircraft service. The cost of using commercial airline or aircraft service includes the costs of any additional travel and lost employees' work time (computed at gross hourly costs to the Government, including benefits). When the flight is being made to meet a mission or training requirement (and is certified as such in writing), secondary use of the flight for transportation may be presumed to be a cost savings and cost comparisons would not be required.*

110-33.220a Authorizing/Approving Travel on Government Aircraft

The following policies apply to the procedures under which travel on Government aircraft may be authorized/approved by the agency that sponsors the travel:

(a) Authorizing Authority - USDA Agency Heads shall have the authority to authorize the use of agency aircraft for official travel. This authority may be re-delegated.

(b) General authorizing/approval requirements - All travel on Government aircraft must be authorized by the approving official in accordance with this Regulation and the Department's Travel Regulations and, when applicable, documented on an official travel order. No employee or officer may authorize their own travel/transportation on Government aircraft. Where possible, such travel must be approved by at least one organizational level above the person(s) traveling. If review by a higher organizational level is not possible, another appropriate approval is required.

(c) Special requirements for required use travel - In addition to general authorization requirements, use of Government aircraft for required use travel must be authorized/approved in advance and in writing. A Federal official or employee must obtain written approval for all required use travel on a trip-by-trip basis from the Department's General Counsel or his or her principal deputy, unless, in the case of an officer or employee other than the Secretary, the Secretary has determined that all travel by the officer or employee or travel in specified categories qualifies as required use travel. All determinations by the Secretary for required use travel must be in writing and set forth the basis for that determination. In special emergency situations, an after-the-fact written certification by the Secretary is permitted.

USDA agencies may request the Secretary to determine that certain types of travel by an officer or employee is required use travel. In such an event, agencies shall establish written standards for determining this type of travel as required use travel for approval by the Secretary. After approval, such travel is not permitted unless in conformance with such written standards.

(d) Special requirements for travel that is not to meet mission requirements or required use travel. Use of Government aircraft for such travel by the following categories of people must be authorized in advance and in writing:

- (1) Senior Federal officials;*
- (2) members of families of such senior Federal officials; and*
- (3) non-Federal travelers.*

Such authorizations must be approved and signed on a trip-by-trip basis by the Department's General Counsel or his or her principal deputy certifying the trip appears to be in compliance with this Regulation; or be in conformance with an agency review and approval system that has been approved by the Department and OMB. In special emergency situations, an after-the-fact written certification is permitted. Proposed agency processes shall be submitted to OPPM, PMD, for Departmental approval prior to implementation.

Travel by such individuals that are deemed to be official travel shall be subject to the same rules and conditions as any other official travel.

Managing Aircraft Parts

§102-33.225 How must we manage aircraft parts?

You must manage your aircraft parts by maintaining proper storage, protection, maintenance procedures, and records for the parts throughout their life cycles.

§102-33.230 May we use military FSCAP on non-military FAA-type certificated Government aircraft?

You may use dual-use military FSCAP on non-military aircraft operated under restricted or standard airworthiness certificates if the parts are inspected and approved for such installation by the FAA. See detailed guidance in FAA Advisory Circular 20-142, Change (1), "Eligibility and Evaluation of U.S. Military Surplus Flight Safety Critical Aircraft Parts, Engines, and Propellers." (<http://www.faa.gov>).

§102-33.235 What documentation must we maintain for life-limited parts and FSCAP?

For life-limited parts and FSCAP, you must hold and update the documentation that accompanies these parts for as long as you use or store them. When you dispose of life-limited parts or FSCAP, the up-to-date documentation must accompany the parts. (See [§102-33.370](#).)

Subpart D--Disposing of Government Aircraft and Aircraft Parts

Overview

§102-33.240 What must we consider before disposing of aircraft and aircraft parts?

Before disposing of aircraft and aircraft parts, you must first determine if the aircraft or parts are excess to your agency's mission or, if your aircraft or parts are not excess, if you will need replacements, as follows:

(a) If your aircraft/parts are . . .	And . . .	Then . . .
No longer needed to perform their mission(s) for your agency, i.e., they are excess to your needs,	You do not need to replace them,	You must report them to GSA as excess property (see 41 CFR 102-36.45(e)).
(b) If your aircraft/parts are . . .	And . . .	Then . . .

No longer suitable, or capable of performing their mission(s) for your agency,	You do need to replace them,	You may consider using the exchange/sale authority (see 41 CFR part 102-39).
--	------------------------------	--

§102-33.245 May we report as excess, or replace (i.e., by exchange/sale), both operational and non-operational aircraft?

Yes, you may report as excess, or replace both operational and non-operational aircraft by following the rules governing excess personal property and exchange/sale (see 41 CFR parts 102-36 and 102-39, respectively).

§102-33.250 May we declassify aircraft?

Yes, you may declassify aircraft (See §§[102-33.415](#) and [102-33.420](#)).

(a) A declassified aircraft is no longer considered an aircraft, but may be considered as a group of aircraft parts or other property for ground use only.

(b) You must retain documentation and traceability on all parts that are intended for use as replacement parts on other aircraft. You must carry such “aircraft parts or other property” on your property records under the appropriate Federal Supply Classification group(s) (*e.g.*, miscellaneous property).

(c) For disposal of the property remaining after declassification of an aircraft, you must follow the property disposal regulations in 41 CFR parts 102-36, 102-37, 102-38 and 102-39.

§102-33.255 Must we document FSCAP or life-limited parts installed on aircraft that we will report as excess or replace?

Yes, you must comply with the documentation procedures described in §102-33.370. If your aircraft and/or engines contain FSCAP or life-limited parts that you will report as excess or replace.

§102-33.260 When we report as excess, or replace, an aircraft (including a declassified aircraft), must we report the change in inventory to the Federal Aviation Interactive Reporting System (FAIRS)?

(a) Yes. When you report as excess or replace an aircraft you must report the change in inventory to FAIRS. For more information see §[102-33.405](#).

(b) Within 14 calendar days of the date you dispose of the aircraft, you must report—

(1) The disposal method (*e.g.*, reassignment, inter-agency transfer, donation, sale as surplus or scrap, declassification, or exchange/sale);

(2) The disposal date; and

(3) The identity and type of recipient (*e.g.*, State, educational institution, executive agency, commercial vendor).

Reporting Excess Government Aircraft

§102-33.265 What are our options if aircraft are excess to our needs?

If aircraft are excess to your needs, you must:

- (a) Reassign the aircraft within your agency if any of your sub-agencies can use the aircraft; or
- (b) Report the aircraft as excess property to GSA (see 41 CFR part 102-36) if none of your sub-agencies can use the aircraft.

110-33.265 See Department AGMPR 110-36.35

§102-33.270 What is the process for reporting an excess aircraft?

To report an excess aircraft, you must:

- (a) Report electronically to GSA's Federal Disposal System GSAXcess[®] (<http://gsaxcess.gov>). For information on reporting excess property electronically, contact the Federal Acquisition Service (FAS), Pacific Rim Region (Region 9) at (415) 522-2777; and
- (b) Submit a Standard Form (SF) 120, Report of Excess Personal Property (see §102-2.135), to: General Services Administration, Federal Acquisition Service, Pacific Rim Region, 450 Golden Gate Avenue, 4th Floor West, San Francisco, CA, 94102-3434.

Replacing Aircraft Through Exchange or Sale

§102-33.275 What should we consider before replacing our aircraft through exchange/sale?

Before an exchange/sale of your aircraft, you should consider whether:

- (a) You have a continuing need for similar property and that the property being exchanged or sold is not excess or surplus; and
- (b) The exchange/sale meets all other requirements in 41 CFR part 102-39.

§102-33.280 What are our options if we need a replacement aircraft?

If you need to replace an aircraft, your options are—

(a) Negotiating and conducting an exchange transaction directly with an aircraft provider and obtaining credit toward the purchase of a replacement aircraft, following the procurement rules applicable to your agency; or

(b) Selling the aircraft and using the proceeds to offset the cost of purchasing a replacement aircraft, following 41 CFR part 102-39. Sales Centers (SC) that are currently authorized to conduct sales, as well as contact information for the GovSales Program Manager, are available on the GovSales Web site at <http://www.gsa.gov/portal/content/105020>.

§102-33.285 Do we need to include any special disclaimers in our exchange/sale agreements for non-certificated aircraft or aircraft that we have operated as public aircraft (i.e., not in compliance with 14 CFR)?

Yes, when you exchange/sell non-certificated aircraft or aircraft maintained as public aircraft, you must ensure that the exchange/sale offerings contain the following statement:

“Warning to purchasers/recipients. The aircraft you are purchasing or receiving in an exchange may not be in compliance with applicable Federal Aviation Administration (FAA) requirements. You are solely responsible for bringing the aircraft into compliance with 14 CFR Chapter I, or other applicable standards, by obtaining all necessary FAA inspections or modifications.

The purchaser/recipient agrees that the Government shall not be held liable for personal injuries to, disabilities of, or death of the purchaser/recipient, the purchaser's/recipient's employees, or to any other persons arising from or incident to the purchase of this aircraft, its use, or disposition. You will 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 the purchase, use, or resale of this item. This aircraft may have been operated outside the limitations of 14 CFR Chapter I, and some type of inspection may be needed to determine its airworthiness prior to being flown. You should be aware of the items below prior to operating this aircraft.

- All civil and public aircraft must have a valid registration issued by the FAA as required by 14 CFR Chapter I.
- Civil aircraft must have a valid airworthiness certificate in order to operate in the U.S. airspace.
- In order for the aircraft to be eligible for a standard airworthiness certificate, the aircraft must conform to its FAA Type Certificate.
- Aircraft not having a valid airworthiness certificate may be eligible for a special FAA one-time flight permit to enable relocating the aircraft. Relocation can be for a number of reasons, including storage, repair, inspection, or public display. Any one-time flight approval is predicated on the aircraft being safe for flight.

- Individuals who purchase a surplus military (foreign or domestic) or foreign aircraft not having any type of FAA Type Certificate may be unable to obtain any type of airworthiness certificate or special flight permit.
- An aircraft with good maintenance and inspection records makes an airworthiness determination easier to ascertain. It is in your best interest to contact the nearest FAA Flight Standards District Office and discuss your responsibilities with respect to gaining an airworthiness determination. The location of your nearest FAA office may be obtained from the FAA's Web site (<http://www.faa.gov>).
- When the aircraft is purchased for spare parts and the airframe is scrapped, you should declassify the aircraft (see § [102-33.420](#) for more information), complete the back of the aircraft's registration form and send it to: The FAA Aircraft Registration Branch, P.O. Box 25504, Oklahoma City, OK 73125-0504.”

§[102-33.295](#) May we exchange or sell an aircraft through reimbursable transfer to another executive agency or conduct a negotiated sale at fixed price to a State Agency for Surplus Property (SASP)?

Yes, you may exchange/sell an aircraft through reimbursable transfer to another executive agency or conduct a negotiated sale at fixed price to a State Agency for Surplus Property (SASP) (see §102-39.55 for more information).

Note to section §102-33.295: Some agencies may also have special congressional authorization to recover costs.

Note: *Any request for deviation from this part must be submitted to OPPM, PMD.*

Disposing of Aircraft Parts

§[102-33.300](#) What must we consider before disposing of aircraft parts?

Before disposing of aircraft parts, you must first determine if they are excess to your agency's mission requirements or, if the aircraft parts are not excess, if you will need replacements. The table in §[102-33.240](#) shows the differences between excess and replacement parts.

See Department [AGMPR 110-36.35](#)

§[102-33.305](#) May we report as excess, or replace, FSCAP and life-limited parts?

Yes, you may report as excess, or replace, FSCAP and life-limited parts, but they require special handling. See the tables in §[102-33.370](#).

See Department [AGMPR 110-36.35](#)

[§102-33.310](#) May we report as excess, or replace, unsalvageable aircraft parts?

No, you may not report unsalvageable aircraft parts as excess or exchange/sale them for replacements. You must mutilate unsalvageable parts. You may sell the mutilated parts only as scrap or report that scrap to GSA for sale.

See Department [AGMPR 110-36.35](#).

[§102-33.315](#) What are the procedures for mutilating unsalvageable aircraft parts?

To mutilate unsalvageable aircraft parts, you must—

- (a) Destroy the data plates, remove the serial/lot/part numbers, and cut, crush, grind, melt, burn, or use other means to prevent the parts from being misidentified or used as serviceable aircraft parts. Call your regional FAA Flight Standards District Office for additional guidance;
- (b) Ensure that an authorized official of your agency witnesses and documents the mutilation; and
- (c) Retain a signed certification and statement of mutilation.

[§102-33.320](#) What must we do if we are unable to perform required mutilation of aircraft parts?

If you are unable to perform the required mutilation of aircraft parts, you must turn in the parts to a Federal or Federally approved facility for mutilation and proper disposition. Ensure that any contractor follows the provisions of [§102-33.315](#) for mutilating and disposing of the parts.

[§102-33.325](#) What documentation must we furnish with excess, surplus or replaced parts when they are transferred, donated, or exchanged/sold?

When you transfer, donate, exchange/sell excess, surplus or replaced parts, you must—

- (a) Furnish all applicable labels, tags, and historical and modification records for serviceable aircraft parts;
- (b) Mark mutilated parts as unsalvageable (mutilated parts may be sold only for scrap; see [§102-33.315](#)); and
- (c) Ensure that all available tags, labels, applicable historical data, life-histories, and maintenance records accompany FSCAP and life-limited parts and that FSCAP criticality codes (see [§102-33.375](#)) are perpetuated on documentation (see [§102-33.330](#) for additional requirements).

Reporting Excess Aircraft Parts

§102-33.330 What must we do with aircraft parts that are excess to our needs?

If aircraft parts are excess to your needs, you must:

- (a) Reassign the aircraft parts within your agency if any of your sub-agencies can use the parts; or
- (b) Report the excess parts to GSA, using Standard Form (SF) 120, "Report of Excess Personal Property" (see §102-2.135 for information to obtain this form). When reporting excess FSCAP, you must include the manufacturer's name, date of manufacture, part number, serial number, and the appropriate Criticality Code on the SF 120. For information on reporting excess property, refer to <http://gsaccess.gov>. (See 41 CFR part 102-36 regarding disposal of excess property.)

See Department [AGMPR 110-36.35](#).

§102-33.335 What are the receiving agency's responsibilities in the transfer of aircraft parts?

An agency that receives transferred aircraft parts must:

- (a) Verify that all applicable labels and tags and historical and modification records accompany all serviceable aircraft parts (i.e., parts that are intended for flight use) that you receive. This requirement does not apply to parts for ground use only. See the tables at [§102-33.370](#).
- (b) Mutilate all transferred parts that you discover to be unsalvageable, and dispose of them properly, following the procedures in [§102-33.315](#).

§102-33.340 What are GSA's responsibilities in disposing of excess and surplus aircraft parts?

In disposing of excess aircraft parts, the GSA FAS office in your region:

- (a) Reviews your SF 120, Report of Excess Personal Property (see §102-2.135 for information to obtain this form) for completeness and accuracy (of status, condition, and FSCAP and demilitarization codes if applicable); and
- (b) Ensures that the following certification is included on disposal documents (*e.g.*, transfer orders or purchasers' receipts):

Because of the critical nature of the failure of aircraft parts and the resulting potential safety threat, recipients of aircraft parts must ensure that any parts installed on an aircraft meet applicable Federal Aviation Administration (FAA) requirements and must obtain required certifications. GSA makes no representation as to a part's conformance with the FAA requirements.

§102-33.345 What are the responsibilities of a State Agency for Surplus Property (SASP) in the donation of Federal Government aircraft parts?

When a SSAP accepts surplus Federal Government aircraft parts for donation, the SSAP must—

- (a) Review donation and transfer documents for completeness and accuracy, and ensure that the certification in §102-33.340 is included;
- (b) Ensure that when the donee determines the part to be unsalvageable, the donee mutilates the part following the procedures in §102-33.315; and
- (c) Ensure that the donee retains, maintains, and perpetuates all documentation for serviceable parts (parts intended for flight use).

Replacing Aircraft Parts Through Exchange or Sale

§102-33.350 What do we need to consider for an exchange/sale of our aircraft parts?

- (a) When replacing aircraft parts through exchange/sale you—
 - (1) Do not need approval from GSA; and
 - (2) Must follow the provisions of this subpart and part 102-39 of this chapter.
- (b) Replacement parts do not have to be for the same type or design of aircraft, but you must use the exchange allowance or sales proceeds to purchase aircraft parts to support your aviation program which meet the “similarity” requirement in 41 CFR part 102-39.

§102-33.355 May we exchange/sell aircraft parts through a reimbursable transfer to another executive agency or conduct a negotiated sale at fixed price to a State Agency for Surplus Property (SASP)?

Yes, you may exchange/sell aircraft parts through a reimbursable transfer to another executive agency, or conduct a negotiated sale at fixed price to a SASP (see §102-39.55 for more information).

§102-33.360 What is the process for exchanging/selling aircraft parts for replacement?

- (a) You or your agent (*i.e.*, another Federal agency or an authorized Sales Center) may transact an exchange/sale directly with a non-Federal source, or do a reimbursable transfer with another executive agency as long as you or your agent—
 - (1) Follow the provisions in this part and in 41 CFR part 102-39;

(2) Ensure that the applicable labels and tags, historical data and modification records accompany the parts at the time of sale, and that sales offerings on aircraft parts contain the following statement:

“Warning to purchasers/recipients. The aircraft parts you are purchasing or receiving in an exchange may not be in compliance with applicable Federal Aviation Administration (FAA) requirements. You are solely responsible for bringing the aircraft into compliance with 14 CFR Chapter I, or other applicable standards, by obtaining all necessary FAA inspections or modifications.”

(3) Ensure that the following certification is signed by the purchaser/recipient and received by the Government before releasing parts to the purchaser/recipient:

“The purchaser/recipient agrees that the Government shall not be held liable for personal injuries to, disabilities of, or death of the purchaser/recipient, the purchaser's/recipient's employees, or to any other persons arising from or incident to the purchase of these aircraft parts, their use, or disposition. The purchaser/recipient 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 the purchase, use, or resale of these aircraft parts.

These parts may have been used on aircraft that were operated outside the limitations of 14 CFR Chapter I, and some type of inspection may be needed to determine their airworthiness prior to being used on a recipient aircraft.

You should be aware of the following requirements prior to operating an aircraft with parts received from an exchange.

- All civil and public aircraft must have a valid registration issued by the FAA as required by 14 CFR Chapter I.
- Civil aircraft must have a valid airworthiness certificate in order to operate in U.S. airspace.
- In order for the aircraft to be eligible for a standard airworthiness certificate, the aircraft must conform to its FAA Type Certificate.
- Aircraft not having a valid airworthiness certificate may be eligible for a special FAA one-time flight permit to enable relocating the aircraft. Relocation can be for a number of reasons, perhaps including storage, repair, inspection, or public display. Any one-time flight approval is predicated on the aircraft being safe for flight.
- Individuals who purchase a surplus military (foreign or domestic) or foreign aircraft not having any type of FAA Type Certificate may be unable to obtain any type of airworthiness certificate or special flight permit.
- An aircraft with good maintenance and inspection records makes an airworthiness determination easier to ascertain. It is in your best interest to contact the nearest FAA Flight Standards District Office and discuss your responsibilities with respect to

gaining an airworthiness determination. The location of your nearest FAA office may be obtained from the FAA's Web site (<http://www.faa.gov/>).

(b) Authorized SCs can conduct sales of aircraft parts for you. SCs that are currently authorized to conduct sales, as well as contact information for the GovSales Program Manager, are available on the GovSales Web site at: <http://www.gsa.gov/portal/content/105020>.

§102-33.365 Must we report exchange/sale of parts to FAIRS?

No, you don't have to report exchange/sale of parts to FAIRS. However, you must report the transactions to GSA as part of your agency's annual report (see 41 CFR part 102-39 Subpart C—Exchange/Sale Methods and Reports).

Special Requirements for Disposing of Flight Safety Critical Aircraft Parts (FSCAP) and Life-Limited Parts

§102-33.370 What must we do to dispose of military FSCAP and/or life-limited parts?

To dispose of military FSCAP and/or life-limited parts, you must use the following tables:

(a) Table 1 for disposing of uninstalled FSCAP and life-limited parts follows:

Table 1 for Disposing of Uninstalled FSCAP and/or Life-Limited Parts

(1) If an Uninstalled FSCAP (<i>i.e.</i> , not installed in an aircraft or engine)—		
(i) Is documented—	Then	(A) You may exchange/sale it or transfer it to another executive agency under 41 CFR parts 102-36 and 102-39;
		(B) GSA may donate it for flight use under 41 CFR part 102-37 of this subchapter; or
		(C) GSA may donate it for ground use only, after you mutilate and mark it, “FSCAP—NOT AIRWORTHY” (the State Agency for Surplus Property must certify that the part has been mutilated and marked before donation).
(ii) Is undocumented, but traceable to its original equipment manufacturer (OEM) or production approval holder (PAH)—	Then	(A) You may exchange/sell it only to the OEM or PAH under 41 CFR part 102-39;
		(B) GSA may transfer or donate it for flight use, but only by making it a condition of the transfer or donation agreement that the recipient will have the part inspected, repaired, and certified by the OEM or PAH before putting it into service (Note: You must mark parts individually to ensure that the recipient is aware of the part's service status); or
		(C) GSA may donate it for ground use only, after you mutilate and mark it, “FSCAP—NOT AIRWORTHY” (the State Agency for Surplus Property must certify that the part has been mutilated and marked before donation).

(iii) Is undocumented and untraceable, you must mutilate it, and—	Then	(A) GSA may transfer or donate it for ground use only, after you mark it, “FSCAP—NOT AIRWORTHY” (the State Agency for Surplus Property must certify that the part has been mutilated and marked before donation); or
		(B) You may sell it only for scrap under §§102-33.310 and 102-33.315.
(2) If an uninstalled life-limited part (<i>i.e.</i> , not installed in an aircraft or engine)—		
(i) Is documented with service life remaining—	Then	(A) You may exchange/sale it or transfer it to another executive agency under 41 CFR parts 102-36 and 102-39; (B) GSA may donate it for flight use under 41 CFR part 102-37; or
		(C) GSA may donate it for ground use only, after you mutilate and mark it, “EXPIRED LIFE-LIMITED—NOT AIRWORTHY” (the State Agency for Surplus Property must certify that the part has been mutilated and marked before donation).
(ii) Is documented with no service life remaining, or undocumented, GSA may not transfer it to another executive agency for flight use—	But	(A) GSA may transfer or donate it for ground use only, after you mutilate and mark it, “EXPIRED LIFE-LIMITED—NOT AIRWORTHY” (the State Agency for Surplus Property must certify that the part has been mutilated and marked before donation); or (B) You must mutilate it and may sell it only for scrap.

(b) Table 2 for disposing of installed FSCAP and/or life-limited parts follows:

Table 2 for Disposing of Installed FSCAP and/or Life-Limited Parts

(1) If a FSCAP and/or life-limited part is installed in an aircraft or an engine, and it—		
(i) Is documented with service life remaining—	Then	(A) You may exchange/sale the aircraft or engine, or GSA may transfer the aircraft or engine to another executive agency under 41 CFR parts 102-36 and 102-39;
		(B) GSA may donate the aircraft or engine for flight use or ground use.
(ii) Is documented with no service life remaining—	Then	(A) You must remove and mutilate the part before you exchange/sale the aircraft or engine (see rules for disposing of uninstalled life-limited parts in Table 1 of this section). (Note: If an aircraft or engine is exchanged/sold to its OEM or PAH, you do not have to remove the expired life-limited part);
		(B) You must remove and mutilate the part before GSA may transfer or donate the aircraft or engine for flight use (see the rules for disposing of uninstalled FSCAP in Table 1 of this section). (Note: An internal engine part may be left installed, if you identify the part individually to ensure that the receiving agency is aware of the part's service status and, as a condition of the transfer or donation agreement, the receiving agency agrees to remove and mutilate the part before the engine is put into service. You must certify mutilation for transfers, and the State Agency for Surplus Property must certify that the part has been mutilated for donations); or

	(C) GSA may donate the aircraft or engine for ground use only, after you remove the part, mutilate and mark it “EXPIRED LIFE-LIMITED—NOT AIRWORTHY.” (Note: An internal engine part may be left installed, if, as a condition of the donation agreement, the receiving agency agrees to remove and mutilate the part and mark it, and the State Agency for Surplus Property must certify that the part has been mutilated and marked).
--	--

§102-33.375 What is a FSCAP Criticality Code?

(a) A FSCAP Criticality Code is a code assigned by DOD to indicate the type of FSCAP: Code “F” indicates a standard FSCAP; Code “E” indicates a nuclear-hardened FSCAP.

(b) You must perpetuate a FSCAP Criticality Code on all property records and reports of excess. If the code is not annotated on the transfer document that you received when you acquired the part, you may contact the appropriate military service or query DOD's Federal Logistics Information System (FLIS) using the National Stock Number (NSN) or the part number (see <http://www.dlis.dla.mil/webflis>). For assistance in subscribing to the FLIS service, contact the WebFLIS Consumer Support Office, 1-877-352-2255.

Subpart E--Reporting Information on Government Aircraft

Overview

§102-33.380 Who must report information to GSA on Government aircraft?

You must report information to GSA on Government aircraft if your agency—

- (a) Is an executive agency of the United States Government; and
- (b) Owns, bails, borrows, loans, leases, rents, charters, or contracts for (or obtains by ISSA) Government aircraft.

110-33.380 Reports.

All reports are to be submitted to OPPM, PMD.

§102-33.385 What Federally-funded aviation activities of executive agencies are exempt from the requirement to report information to GSA on Government aircraft?

The following Federally-funded activities are exempt from the requirement to report information to GSA on Government aircraft:

- (a) The Armed Forces (which includes the U.S. Coast Guard); and
- (b) Agencies in the Intelligence Community.

§102-33.390 What information must we report on Government aircraft?

You must report the following information to GSA (for information regarding how to report this information, see: <https://gsa.inl.gov/fairs/>):

- (a) Inventory data on Federal aircraft, including your Unmanned Aircraft Systems (UAS), through FAIRS;
- (b) Cost and utilization data on Federal aircraft, including your Unmanned Aircraft Systems (UAS), through FAIRS;
- (c) Cost and utilization data on CAS aircraft and related aviation services (see definition of “Government aircraft” for more on CAS), through FAIRS;
- (d) Accident and incident data (see [§102-33.445](#)); and
- (e) The results of standard competition studies in compliance with OMB Circular A-76 to justify purchasing, leasing, modernizing, replacing, or otherwise acquiring aircraft and related aviation services.

Federal Aviation Interactive Reporting System (FAIRS)

§102-33.395 What is FAIRS?

FAIRS is a management information system operated by GSA to collect, maintain, analyze, and report information on Federal aircraft inventories and cost and usage of Federal aircraft and CAS aircraft (and related aviation services). Users access FAIRS through a highly-secure Web site. The U.S. Government Aircraft Cost Accounting Guide (CAG) (see <http://www.gsa.gov/aviationpolicy>) contains the business rules for using the system.

§102-33.400 How must we report to FAIRS?

You must report to FAIRS electronically through a secure Web interface to the FAIRS application on the Internet For additional information see <https://gsa.inl.gov/fairs/>.

§102-33.405 When must we report to FAIRS?

(a) You must report any changes in your Federal aircraft inventory within 14 calendar days of those changes.

(b) You must report cost and utilization data to FAIRS at the end of every quarter of the fiscal year (December 31, March 31, June 30, and September 30). However, you may submit your information to FAIRS on a daily, weekly, or monthly basis. To provide enough time to calculate your cost and utilization data, you may report any one quarter's cost and utilization in the following quarter, as follows:

Quarter	Submit
QTR 1—October 1-December 31	Federal inventory for QTR 1.
	Federal cost and utilization for previous QTR 4.
	CAS cost and utilization for previous QTR 4.
QTR 2—January 1-March 31	Federal inventory for QTR 2.
	Federal cost and utilization for QTR 1.
	CAS cost and utilization for QTR 1.
QTR 3—April 1-June 30	Federal inventory for QTR 3.
	Federal cost and utilization for QTR 2.
	CAS cost and utilization for QTR 2.
QTR 4—July 1-September 30	Federal inventory for QTR 4.
	Federal cost and utilization for QTR 3.
	CAS cost and utilization for QTR 3.

Federal Inventory Data

§102-33.410 What are Federal inventory data?

Federal inventory data includes:

- (a) Information on each of the operational and non-operational Federal aircraft that you own, bail, borrow, or loan; and
- (b) UAS as described in [§102-33.20](#).

§102-33.415 When may we declassify an aircraft and remove it from our Federal aircraft inventory?

When an aircraft is lost or destroyed, or is otherwise non-operational and you want to retain it, you may declassify it and remove it from your Federal aircraft inventory. For further details, see §§[102-33.250](#) and [102-33.420](#). See §§[102-33.265](#) and [102-33.270](#) for reporting excess Federal aircraft.

§102-33.420 How must we declassify an aircraft?

To declassify a Federal aircraft, you must—

(a) Send a letter to the Deputy Associate Administrator, Office of Asset and Transportation Management, Office of Government-wide Policy, General Services Administration, 1800 F St. NW., Washington, DC 20405, that requests approval to declassify the aircraft and states that the aircraft is non-operational (which includes lost or destroyed). In this letter you must—

- (1) Identify the Federal Supply Classification (FSC) group(s) that the declassified aircraft/parts will fall under, if applicable;
- (2) Describe the condition of the aircraft (crash-damaged, unrecoverable, parts unavailable, etc.); and
- (3) Include photographs as appropriate.

(b) Within 14 calendar days of receiving GSA's approval to declassify the aircraft, following 14 CFR 45.13, request approval from your local FAA Flight Standards District Office (FSDO) to remove the manufacturer's data plate;

(c) Within 14 calendar days of receiving approval from FAA to remove the data plate, inform GSA of FAA's approval, send the data plate by courier or registered mail to the FAA, as directed by your FSDO, and remove the certificate of airworthiness and the aircraft's registration form from the aircraft, complete the reverse side of the registration form, and send both documents to The FAA Aircraft Registration Branch, P.O. Box 25504, Oklahoma City, OK 73125-0504; and

(d) Update the FAIRS inventory record to reflect disposal status and update your personal property records, deleting the declassified aircraft from the aircraft category and adding it to another Federal Supply Classification group or groups, as appropriate.

Federal Aircraft Cost and Utilization Data

§102-33.425 What Federal aircraft cost and utilization data must we report?

You must report certain costs for each of your Federal aircraft (including your UAS) and the number of hours that you flew each aircraft. In reporting the costs of your Federal aircraft, you must report both the amounts you paid as Federal costs, which are for services the Government provides, and the amounts you paid for commercial aviation services (CAS) in support of your Federal aviation program. For a list and definitions of the Federal aircraft cost and utilization data elements, see the U.S. Government Aircraft Cost Accounting Guide (CAG), which is available at <http://www.gsa.gov/aviationpolicy>.

§102-33.430 Who must report Federal aircraft cost and utilization data?

- (a) Executive agencies, except the Armed Forces and agencies in the Intelligence Community, must report Federal cost and utilization data on all Federal aircraft; and
- (b) Agencies should report Federal cost and utilization data for loaned aircraft only if Federal money was expended on the aircraft.

Commercial Aviation Services (CAS) Cost and Utilization Data

§102-33.435 What CAS cost and utilization data must we report?

You must report:

- (a) The costs and flying hours for each CAS aircraft you hire;
- (b) The costs and contractual periods for related aviation services that you hire (by contract or through an Inter-service support agreement (ISSA)).

Note to §102-33.435: You should not report related aviation services that you hire commercially in support of Federal aircraft. “Federal” aircraft are by definition owned aircraft. The agency that owns the aircraft is responsible for capturing all cost and utilization data and is required to report this data in GSA’s FAIRS. See the U.S. Government Aircraft Cost Accounting Guide (CAG), which is available from GSA at <http://www.gsa.gov/aviationpolicy>.

§102-33.440 Who must report CAS cost and utilization data?

Executive agencies, except the Armed Forces and U.S. intelligence agencies, must report CAS cost and utilization data. You must report CAS cost and utilization data if your agency makes payments to—

- (a) Charter or rent aircraft;
- (b) Lease or lease-purchase aircraft;
- (c) Hire aircraft and related services through an ISSA or a full service contract; or
- (d) Obtain related aviation services through an ISSA or by contract except when you use the services in support of Federal aircraft (see the Note at [§102-33.435](#)).

Accident and Incident Data

§102-33.445 What accident and incident data must we report?

You must report within 14 calendar days to GSA, Aviation Policy Division, 1800 F St. NW., Washington, DC 20405, all aviation accidents and incidents that your agency is required to report to the NTSB. You may also report other incident information. GSA and the ICAP will use the collected accident/incident information in conjunction with FAIRS' data, such as flying hours and missions, to calculate aviation safety statistics for the Federal aviation community and to share safety lessons-learned.

110-33.445 Accident/Incident Information

DM agencies owning/operating aircraft must report all accident/incident information to OPPM, PMD, Branch Chief, as soon as such information becomes available. Include those details relevant to USDA Senior Officials.

§102-33.450 How must we report accident and incident data?

You must report accident and incident data to GSA at <http://www.gsa.gov/aviationpolicy> or call GSA's Aviation Policy Division and report the accident or incident telephonically.

Common Aviation Management Information Standard (C-AMIS)

§102-33.455 What is C-AMIS?

The Common Aviation Management Information Standard (C-AMIS) is a guide to assist agencies in developing or modernizing their internal aviation management information systems. C-AMIS includes standard specifications and data definitions related to Federal

aviation operations. C-AMIS is jointly written by the ICAP and GSA and available from GSA's Aviation Policy Division.

§102-33.460 What is our responsibility in relation to C-AMIS?

If you use a management information system to provide data to FAIRS by batch upload, you are responsible for ensuring that your system is C-AMIS-compliant (see §102-33.195). For more information on compliance with C-AMIS, contact GSA's Aviation Policy Division at (202) 208-0519 or (202) 997-7274.

Performance Indicators

§102-33.465 What is a performance indicator?

In addition to the definition in §102-33.20, a performance indicator provides information (either qualitative or quantitative) on the extent to which the actual outcome of a policy, program, or initiative achieves the planned outcome.

§102-33.470 Must we develop performance indicators?

Yes, your agency must develop performance indicators in order to measure the degree to which key aviation program objectives are achieved. It is suggested that your performance indicators:

- (a) Measure the contribution of the aviation program toward the accomplishment of the agency's mission;
- (b) Support and justify aviation program budget requests; and
- (c) Demonstrate the effectiveness and efficiency of the aviation program's performance.

§102-33.475 What are some examples of performance indicators that an agency can use?

Examples of performance indicators include, but are not limited to, a percentage increase or decrease:

- (a) Of operations scheduling effectiveness;
- (b) Of repeat system discrepancies over a specific period of time;
- (c) In logistical response time for returned parts processing over a specified period of time;
- (d) In lost man-hours due to personnel injuries;

- (e) In aircraft turn-around time;
- (f) In fuel expenditures for a given mission, location, or type/model/series of aircraft;
- (g) In aircraft availability or non-availability rates;
- (h) In full-mission-capable aircraft over a specific time period;
- (i) In non-airworthy maintenance;
- (j) In maintenance costs per flying hour; or
- (k) In variable cost per passenger mile

Appendix A to Part 102-33—Disclosure Statement for Crewmembers and Qualified Non-Crewmembers Flying on Board Government Aircraft Operated as Public Aircraft

Generally, an aircraft used exclusively for the U.S. Government may be considered a “public aircraft” as defined by Public Law 106-181 and 14 CFR Chapter I, provided it is not a Government-owned aircraft transporting passengers or operating for commercial purposes. A public aircraft is not subject to many Federal Aviation Regulations, including requirements relating to aircraft certification, maintenance, and pilot certification. If the aircraft does not qualify as a “public aircraft”, then it is a civil aircraft and must comply with all Federal Aviation Regulations applicable to civil aircraft. If you have any questions concerning whether a particular flight will be a public aircraft operation or a civil aircraft operation, you should contact the agency sponsor of that flight.

Rights and Benefits

You have certain rights and benefits in the unlikely event you are injured or killed while working aboard a Government-owned or operated aircraft. Federal employees and some private citizens are eligible for workers' compensation benefits under the Federal Employees' Compensation Act (FECA). When FECA applies, it is the sole remedy. For more information about FECA and its coverage, consult with your agency's benefits office or contact the Branch of Technical Assistance at the Department of Labor's Office of Workers' Compensation Programs.

State or Foreign Laws

State or foreign laws may provide for product liability or “third party” causes of actions for personal injury or wrongful death. If you have questions about a particular case or believe you have a claim, you should consult with an attorney.

Insurance Policies

Some insurance policies may exclude coverage for injuries or death sustained while working or traveling aboard a Government or military aircraft or while within a combat area. You may wish to check your policy or consult with your insurance provider before your flight. The

insurance available to Federal employees through the Federal Employees Group Life Insurance Program does not contain an exclusion of this type.

Victim Rights

If you are the victim of an air disaster resulting from criminal activity, Victim and Witness Specialists from the Federal Bureau of Investigation (FBI) and/or the local U.S. Attorney's Office will keep you or your family informed about the status of the criminal investigation(s) and provide you or your family with information about rights and services, such as crisis intervention, counseling and emotional support. State crime victim compensation may be able to cover crime-related expenses, such as medical costs, mental health counseling, funeral and burial costs, and lost wages or loss of support. The Office for Victims of Crime (an agency of the Department of Justice) and the U.S. Attorney's Office are authorized by the Antiterrorism Act of 1996 to provide emergency financial assistance to State programs for the benefit of victims of terrorist acts or mass violence.

Federal Employee

If you are injured or killed on the job during the performance of duty, including while traveling or working aboard a Government aircraft or other Government-owned or operated conveyance for official Government business purposes, you and your family are eligible to collect workers' compensation benefits under FECA. You and your family may not file a personal injury or wrongful death suit against the United States or its employees. However, you may have cause of action against potentially liable third parties.

Family Member

You or your qualifying family member must normally also choose between FECA disability or death benefits, and those payable under your retirement system (either the Civil Service Retirement System or the Federal Employees Retirement System). You may choose the benefit that is more favorable to you.

Private Citizen

Even if the Federal Government does not regularly employ you, if you are rendering personal service to the Federal Government on a voluntary basis or for nominal pay, you may be defined as a Federal employee for purposes of FECA. If that is the case, you and your family are eligible to receive workers' compensation benefits under FECA, but may not collect in a personal injury or wrongful death lawsuit against the United States or its employees. You and your family may file suit against potentially liable third parties. Before you board a Government aircraft, you may wish to consult with the department or agency sponsoring the flight to clarify whether you are considered a Federal employee.

If the agency determines that you are not a "Federal employee," you and your family will not be eligible to receive workers' compensation benefits under FECA. If you are onboard the aircraft for purposes of official Government business, you may be eligible for workers' compensation benefits under state law. If an accident occurs within the United States, or its territories, its airspace, or over the high seas, you and your family may claim against the United States under the Federal Tort Claims Act or Suits in Admiralty Act. If you are killed

aboard a military aircraft, your family may be eligible to receive compensation under the Military Claims Act, or if you are an inhabitant of a foreign country, under the Foreign Claims Act.

Note to Appendix A to part [102-33](#): This disclosure statement is not all-inclusive. You should contact your agency's personnel office, or if you are a private citizen, your agency sponsor or point-of-contact for further assistance.

Final Note: Hyperlinks imbedded throughout the document are provided as a courtesy to the reader and will link to supporting sources external to USDA, such as the eCFR www.ecfr.gov.