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APPROVED
JUL 8 - 1975

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

JUL 9 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 1410 - For the relief of Samuel T. Ansley
Sponsor - Rep. Lujan (R) New Mexico

*Postal
7/9
J. Archibald
7/9*

Last Day for Action

July 9, 1975 - Wednesday

Purpose

To reimburse \$2,229.59 to Samuel T. Ansley for moving expenses incurred when the Secretary of Interior purchased his land in New Mexico.

Agency Recommendations

Office of Management and Budget Approval

Department of the Interior Approval

Discussion

The Act of May 29, 1958, requires that when land is acquired by the Department of the Interior and the former owner is forced to vacate the premises, claims against the government for moving expenses must be received within one year. On April 19, 1966, the United States purchased land in San Miguel County, New Mexico from Mr. Samuel T. Ansley for use by the Bureau of Sport Fisheries and Wildlife. Mr. Ansley vacated the premises on October 15, 1966. On October 11, 1967, four days before the one year claim period ended, Mr. Ansley requested and was granted an extension for submitting a claim. Subsequently, a claim was filed within the extension period for \$2,603.99 and a payment of \$374.40 was made. Mr. Ansley appealed the remainder of the claim amounting to \$2,229.59.



The enrolled bill grants relief for an apparent administrative error which ultimately denied Mr. Ansley the remainder of the reimbursement. The Bureau of Sport Fisheries and Wildlife incorrectly interpreted the Act of May 29, 1958, to mean that the one-year claim period could be extended for cause. On May 27, 1971, the Comptroller General ruled in connection with another claim that the Act without exception prohibits any reimbursement unless a claim is filed within a year of vacating. Consequently, no further payments were allowed to Mr. Ansley, the \$374.40 payment was determined to be improper, and he was deemed to be indebted to the United States for that amount.

In its letter on the enrolled bill, Interior stated that except for the erroneous decision, the entire \$2,603.99 would have been payable.



Acting Assistant Director
for Legislative Reference

Enclosures

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

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Approval

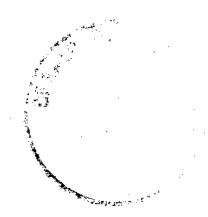
Department of the Interior

Approval

Discussion

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To
J. Casper
7-3-75
1:30 P.M.



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In its letter on the enrolled bill, Interior stated that except for the erroneous decision, the entire \$2,603.99 would have been payable.



Acting Assistant Director
for Legislative Reference

Enclosures

ACTION

THE WHITE HOUSE

Last Day: July 9

WASHINGTON

July 7, 1975

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON *Jmc*
SUBJECT: H.R. 1410 - For the Relief
of Samuel T. Ansley

Attached for your consideration is H.R. 1410, sponsored by Representative Lujan, which authorizes \$2,229.59 to reimburse Samuel T. Ansley for moving expenses when the Secretary of Interior purchased his land in New Mexico.

Additional information is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Phil Buchen (Lazarus) and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign H.R. 1410 at Tab B.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: July 3

Time: 300pm

FOR ACTION: Tod Hullin *th*
Max Friedersdorf
Rhall Lazarus *HL*

cc (for information): Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: July 7

Time: noon

SUBJECT:

H.R. 1410 - For the Relief of Samuel T. Ansley

ACTION REQUESTED:

- | | |
|---|--|
| <input type="checkbox"/> For Necessary Action | <input checked="" type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

228
6

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: July 3

Time: 300pm

FOR ACTION: Tod Hullin ✓
Max Friedersdorf
Ken Lazarus

cc (for information): Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: July 7

Time: noon

SUBJECT:

H.R. 1410 - For the Relief of Samuel T. Ansley

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*NW objection
T.H.*

106

4

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: July 3

Time: 300pm

FOR ACTION: Tod Hullin
Max Friedersdorf
Ken Lazarus ✓

cc (for information): Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: July 7

Time: noon

SUBJECT:

H.R. 1410 - For the Relief of Samuel T. Ansley

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection. -- Ken Lazarus 7/3/75

231

6

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: July 3

Time: 300pm

FOR ACTION: Art Quern ✓
Max Friedersdorf
Ken Lazarus

cc (for information): Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: July 7

Time: 300pm

SUBJECT:

H.R. 1649 - For the Relief of Howard Harden

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

Art says he has no objections to this.

7/7/75 WJ

6

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: July 3

Time: 300pm

FOR ACTION: Tod Hullin
Max Friedersdorf
Ken Lazarus

Jim

cc (for information): Jim Cavanaugh
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: July 7

Time: noon

SUBJECT:

H.R. 1410 - For the Relief of Samuel T. Ansley

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing





United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUL 2 1975

Dear Mr. Chairman:

This responds to your request for this Department's views on the enrolled bill H.R. 1410, "For the relief of Samuel T. Ansley."

We recommend that this bill be approved by the President.

H.R. 1410 would authorize the Secretary of the Treasury to pay Mr. Samuel T. Ansley \$2,229.59 and would relieve Mr. Ansley of liability to the United States for the sum of \$374.40. The bill would be in full settlement of all claims by Mr. Ansley against the United States for moving expenses incurred after the United States purchased his property in New Mexico on April 19, 1966, for use by the Bureau of Sport Fisheries and Wildlife.

The Act of May 29, 1958, §1, 72 Stat. 152, P.L. 85-433 (repealed by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. §4601-55) requires that claims for moving expenses must be received within 1 year after the owner vacates premises acquired by the Department of the Interior. Mr. Ansley vacated the premises on October 15, 1966. On October 11, 1967, 4 days before the 1-year claim period lapsed, Mr. Ansley requested and was granted an extension for submitting a claim. Mr. Ansley subsequently filed a claim for \$2,603.99 on November 14, 1967, within the extension period. A payment of \$374.40 was allowed and he appealed for the remainder of the claim amounting to \$2,229.95.⁵⁹

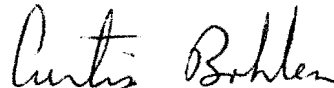
The bill grants relief for an administrative error which ultimately denied Mr. Ansley any reimbursement. The Bureau of Sport Fisheries and Wildlife incorrectly interpreted the Act of May 29, 1958, to mean that the 1-year claim period could be extended for cause. On May 27, 1971, the Comptroller General ruled in connection with another claim (Decision B-172189) that the Act without exception prohibits any reimbursement unless a claim is filed within a year of vacating. Consequently, no further payments were allowed to Mr. Ansley. The \$374.40 payment was determined to be improper, and he was deemed to be indebted to the United States for that amount.



Save Energy and You Serve America!

A recent review of our files disclosed that except for the Comptroller's decision against extensions of the 1-year claim period, the entire payment of \$2,603.99 would have been payable. Because Mr. Ansley appears to have relied on the validity of the extension period which the Bureau improperly granted, we recommend payment of the claim in full.

Sincerely yours,



Deputy Assistant Secretary of the Interior

Honorable James T. Lynn
Director, Office of
Management and Budget
Washington, D.C.

Calendar No. 230

94TH CONGRESS }
1st Session }

SENATE

{ REPORT
{ No. 94-235

SAMUEL T. ANSLEY

JUNE 24 (legislative day, JUNE 6), 1975.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary,
submitted the following

REPORT

[To accompany H.R. 1410]

The Committee on the Judiciary, to which was referred the bill (H.R. 1410), for the relief of Samuel T. Ansley, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of the proposed legislation is to pay Samuel T. Ansley \$2,229.59, and also to relieve Mr. Ansley of liability to the United States for the sum of \$374.40. The bill would be in full settlement of all claims by Mr. Ansley against the United States for moving expenses incurred after the United States purchased his property in New Mexico on April 19, 1966, for use by the Bureau of Sport Fisheries and Wildlife.

STATEMENT

The facts of this case as contained in House Report No. 94-101 are as follows:

The Department of the Interior and the General Accounting Office in their reports to the committee on the bill state they have no objection to enactment of the bill.

The Interior Department explained in its report on the bill that the act of May 29, 1958, § 1, 72 Stat. 152, Public Law 85-433 repealed by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601-55) requires that claims for moving expenses must be received within 1 year after the owner vacates premises acquired by the Department of the Interior. Mr. Ansley vacated

the premises on October 15, 1966. On October 11, 1967, 4 days before the 1-year claim period lapsed, Mr. Ansley requested and was granted an extension for submitting a claim. Mr. Ansley subsequently filed a claim for \$2,603.99 on November 14, 1967, within the extension period. A payment of \$374.40 was allowed and he appealed for the remainder of the claim amounting to \$2,229.59.

The departmental report states that the problem which gave rise to this bill resulted from an administrative error which ultimately denied Mr. Ansley any reimbursement. The Bureau of Sport Fisheries and Wildlife incorrectly interpreted the act of May 29, 1958 to mean that the 1-year claim period could be extended for cause. On May 27, 1971, the Comptroller General ruled in connection with another claim (Decision B-172189) that the act without exception prohibits any reimbursement unless a claim is filed within a year of vacating. Consequently, no further payments were allowed to Mr. Ansley, the \$374.40 payment was determined to be improper, and he was deemed to be indebted to the United States for that amount.

A review by the Interior Department of its files has disclosed that except for the Comptroller's decision against extensions of the 1-year claim period, the entire payment of \$2,603.99 would have been payable. The Interior Department stated in its report that it had no objection to the relief provided for in this bill because it appears from the facts that Mr. Ansley relied on the validity of the extension period which the Bureau improperly granted.

The committee recommends that the bill, amended to correct the reference to "San Miguel County", New Mexico, as suggested by the Interior Department, be considered favorably.

In agreement with the views of the House of Representatives the committee recommends favorable consideration of the bill.

Attached hereto and made a part of this report are the reports of the Department of the Interior and Comptroller General of the United States.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 21, 1974.

HON. PETER W. RODINO, JR.
Chairman, Committee of the Judiciary,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to your request for this Department's views on H.R. 5191, a bill "For the relief of Samuel T. Ansley."

We would have no objection to enactment of the bill if the error described below is amended.

H.R. 5191 would authorize the Secretary of the Treasury to pay Mr. Samuel T. Ansley \$2,229.59 and would relieve Mr. Ansley of liability to the United States for the sum of \$374.40. The bill would be in full settlement of all claims by Mr. Ansley against the United States for moving expenses incurred after the United States purchased

his property in New Mexico on April 19, 1966, for use by the Bureau of Sport Fisheries and Wildlife.

The act of May 29, 1958, § 1, 72 Stat. 152, Public Law 85-533 (repealed by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. § 4601-55) requires that claims for moving expenses must be received within 1 year after the owner vacates premises acquired by the Department of the Interior. Mr. Ansley vacated the premises on October 15, 1966. On October 11, 1967, 4 days before the 1 year claim period lapsed, Mr. Ansley requested and was granted an extension for submitting a claim. Mr. Ansley subsequently filed a claim for \$2,603.99 on November 14, 1967, within the extension period. A payment of \$374.40 was allowed and he appealed for the remainder of the claim amounting to \$2,229.59.

The bill grants relief for an apparent administrative error which ultimately denied Mr. Ansley of any reimbursement. The Bureau of Sport Fisheries and Wildlife incorrectly interpreted the Act of May 29, 1958, to mean that the 1-year claim period could be extended for cause. On May 27, 1971, the Comptroller General ruled in connection with another claim (Decision B-172189) that the act without exception prohibits any reimbursement unless a claim is filed within a year of vacating. Consequently, no further payments were allowed to Mr. Ansley, the \$374.40 payment was determined to be improper, and he was deemed to be indebted to the United States for that amount.

A recent review of our files disclosed that except for the Comptroller's decision against extensions of the 1-year claim period, the entire payment of \$2,603.99 would have been payable. Because Mr. Ansley appears to have relied on the validity of the extension period which the Bureau improperly granted, we would have no objection to payment of the claim in full.

There is an error in the bill on line 11, page 1 where the vacated property is described as being in Mora County, N. Mex. It is actually in San Miguel County, N. Mex.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

NATHANIEL P. REED,
Assistant Secretary of the Interior.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., December 21, 1972.

B-177059.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Further reference is made to your letter of September 20, 1972, requesting our views on the proposed bill, H.R. 16653, for the relief of Samuel T. Ansley which is pending before your committee.

The bill would authorize payment of \$2,229.59 to Mr. Ansley and also relieve him of liability to repay the sum of \$374.40, in full settlement of his claim against the United States for moving expenses

incurred as the result of the purchase of his real property in Mora County, N. Mex., on April 19, 1966, by the Secretary of the Interior.

We were informally advised by the Department of the Interior that Mr. Ansley vacated the premises on October 15, 1966. On October 11, 1967 (4 days before the expiration of the required period of 1 year for filing claim), Mr. Ansley asked for an extension within which to file such claim. Such extension was administratively granted and Mr. Ansley was paid the sum of \$374.40, in partial settlement of his claim. Apparently, it was ascertained thereafter that the extension of time granted was not in accord with our decision of May 27, 1971, B-172189, 50 Comp. Gen. 822, copy herewith, to the effect that Public Law 85-433, approved May 29, 1958, prohibits payment of claims for moving expenses and related losses and damages by reason of acquisition of land for public work projects unless the expenses, losses and damages are incurred, and the application for reimbursement together with a supporting itemized statement is submitted to the Secretary within 1 year from the date on which the premises involved were vacated.

We note that Public Law 85-433 was repealed by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, approved January 2, 1971. Section 202(a) of the latter act covering reimbursement of moving and related expenses does not contain any limitation as to when claims must be filed for such expenses. However, that provision was not retroactive.

In view of all the circumstances we offer no objection to enactment of H.R. 16653. We point out that we have no information as to how the amounts involved were computed.

Sincerely yours,

ROBERT F. KELLER,
*Deputy Comptroller General
of the United States.*

Ninety-fourth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday, the fourteenth day of January,
one thousand nine hundred and seventy-five*

An Act

For the relief of Samuel T. Ansley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to Samuel T. Ansley of Lubbock, Texas, the sum of \$2,229.59. The said Samuel T. Ansley is relieved of all liability to the United States for the sum of \$374.40. Such appropriation and relief of liability are in full settlement of all the claims of the said Samuel T. Ansley against the United States for moving expenses sustained as the result of the purchase of his real property in San Miguel County, New Mexico, on April 19, 1966, by the Secretary of the Interior, for which the said Samuel T. Ansley failed to obtain full reimbursement due to administrative error.

SEC. 2. No amount of the sum appropriated in the first section of this Act shall be paid to or received by any agent or attorney for services rendered in connection with this claim. Any person violating the provisions of this section shall be fined not more than \$1,000.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

19
June 27, 1975

Dear Mr. Director:

The following bills were received at the White House on June 27th:

S.J. Res. 98 ✓	H.R. 1421 ✓	H.R. 3382 ✓
S. 2003 ✓	H.R. 1510 ✓	H.R. 3526 ✓
H.R. 1387 ✓	H.R. 1556 ✓	H.R. 5217 ✓
H.R. 1388 ✓	H.R. 1649 ✓	H.R. 6900 ✓
H.R. 1393 ✓	H.R. 2109 ✓	H.R. 7709 ✓
H.R. 1408 ✓	H.R. 2119 ✓	H.R. 8030 ✓
H.R. 1410 ✓	H.R. 2946 ✓	

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D. C.