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EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 31 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 510 - Land conveyance,
Georgia
Sponsor - Rep. Flynt (D) Georgia

Last Day for Action

January 10, 1975 - Friday

Purpose

Directs the Secretary of Agriculture to convey to the Jasper County Board of Education any interest held by the United States in some 43 acres of land and improvements located in Jasper County, Georgia.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval

Discussion

H.R. 510 would direct the Secretary of Agriculture to convey to the Jasper County Board of Education any interest held by the United States in certain real property located in Jasper County, Georgia. The real property comprises some 43 acres of land and various improvements including a dormitory, a school building, miscellaneous utilities and a wood workshop.

The United States acquired this land in the 1930's under the Bankhead-Jones Farm Tenant Act -- the tract was conveyed by quitclaim deed to the Jasper County Board of Education on

APPROVED



JAN 8 - 1975

Posted
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To Archives
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April 26, 1940 subject to the condition that it would revert to the United States when it was no longer used or needed for educational purposes. For years, the Board of Education used the property for school purposes.

However, more recently the Jasper County school system has undergone significant consolidation under which the property in question is no longer used. According to the House Interior Committee, the School Board desires to sell the property and apply the proceeds toward construction of an annex to Jasper County's consolidated highschool. The current market value of the land is estimated at between \$19,000 and \$34,000 with the current salvage value of the improvements placed at about \$15,000.

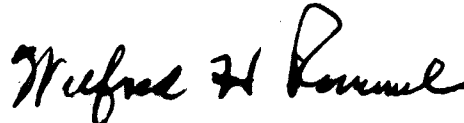
In its views letter on the enrolled bill, Agriculture explains its earlier opposition to H.R. 510, but now on balance it recommends approval as explained below:

"The Jasper County Board of Education apparently has no identifiable need for acquiring comparable property for public purposes. Since neither the subject property nor alternate real property is needed, we recommended to the Congress that the property should revert to the United States in keeping with the conditions in the deed. We also stated that we would have no objection to conveying all interest of the United States in the land to the Board of Education, provided that the Federal Government receives fair market value for the property including improvements which were present when the property was conveyed to the Board of Education.

"In its report on the bill H.R. 510, the House Committee on Interior and Insular Affairs rejected our recommendations. It expressed the conviction that the history of Jasper County's use of the property and the intent of the bill were analogous to former policies and practices of the Federal government which resulted in lands being granted to the States for school purposes and permitted the proceeds from the sale of such lands to accrue to the States to be used for educational purposes. The Committee amended H.R. 510 to include a proviso

to assure that the proceeds from any sale of the subject property would be used for educational purposes.

"The Department of Agriculture does not have any special needs for the property for National Forest or other purposes should it revert to the United States. In July 1973, the Forest Service contacted Federal, State, and local public bodies to determine if they were likely to have needs for the property. The Forest Service was unable to find any public body that was definitely interested or prepared to utilize the property. On the basis of these facts and in light of the House Interior and Insular Affairs Committee's position that the effect of the bill is consistent with previous Federal policy, we have no objection to the proposed conveyance."



Assistant Director for
Legislative Reference

Enclosures

THE WHITE HOUSE

WASHINGTON

January 7, 1975

ACTION

Last Day: January 10

MEMORANDUM FOR THE PRESIDENT

FROM:

KEN COLE

SUBJECT:

Enrolled Bill H.R. 510
Land Conveyance, Georgia

Attached for your consideration is H.R. 510, sponsored by Representative Flynt, which directs the Secretary of Agriculture to convey to the Jasper County Board of Education any interest held by the United States in some 43 acres of land and improvements located in Jasper County, Georgia.

OMB recommends approval and provides additional background information in its enrolled bill report (Tab A).

Max Friedersdorf and Phil Areeda both recommend approval.

RECOMMENDATION

That you sign H.R. 510 (Tab B).



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

December 24, 1974

Honorable Roy L. Ash
Director, Office of Management
and Budget

Dear Mr. Ash:

In reply to the request of your office, the following report is submitted on the enrolled enactment H.R. 510, "To authorize and direct the Secretary of Agriculture to convey any interest held by the United States in certain property in Jasper County, Georgia, to the Jasper County Board of Education."

The Department of Agriculture recommends that the President approve the enactment.

H.R. 510 would authorize and direct the Secretary of Agriculture to convey to the Jasper County Board of Education, Jasper County, Georgia, all right, title, and interest in real property which the United States holds as a result of covenants contained in a quitclaim deed dated April 26, 1940, made by the United States, as grantor, to the Jasper County Board of Education, as grantee. The real property involved consists of 42.65 acres of land and improvements including a school building, a wood workshop, a dormitory, and miscellaneous utilities.

The property was acquired by the United States in the 1930's, and was administered under the provisions of Title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525). Title III authorizes the Secretary of Agriculture to conduct a program for the rehabilitation of submarginal lands. Property acquired under Title III can be disposed of by the Secretary to public authorities and agencies under terms and conditions as he deems will best accomplish Title III purposes, but only on condition that the property is used for public purposes. In keeping with the intent of Title III, deeds conveying such property to public authorities contained covenants stipulating the type of public use for which the grant was made. In the event the properties cease to be used for such purposes, the deeds also provide for a reversion of title to the United States.

The property described in H.R. 510 was conveyed without charge to the Jasper County Board of Education for use for educational purposes. The property is no longer used by the Board of Education for these purposes and is, therefore, subject to reversion to the United States. We understand that the Board of Education seeks to be released from the covenants in the deed so that they may sell the property and use the proceeds for educational purposes.

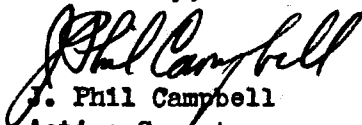
Some 836,000 acres of Title III lands have been conveyed by this Department to various public bodies in a number of separate transactions. Over the years, changes in land use patterns, administrative requirements and other factors have affected the ability of some public bodies to effectively utilize the properties. Consequently, some public bodies have sought to sell or exchange these lands. Special legislation authorizing and directing the Secretary of Agriculture to release the conditions in the deeds has been enacted for such cases; however, the legislation would require the public bodies to agree that the proceeds from a sale or other disposition of the property would be used to acquire comparable lands to be used for public purposes.

The Jasper County Board of Education apparently has no identifiable need for acquiring comparable property for public purposes. Since neither the subject property nor alternate real property is needed, we recommended to the Congress that the property should revert to the United States in keeping with the conditions in the deed. We also stated that we would have no objection to conveying all interest of the United States in the land to the Board of Education, provided that the Federal Government receives fair market value for the property including improvements which were present when the property was conveyed to the Board of Education.

In its report on the bill H.R. 510, the House Committee on Interior and Insular Affairs rejected our recommendations. It expressed the conviction that the history of Jasper County's use of the property and the intent of the bill were analogous to former policies and practices of the Federal government which resulted in lands being granted to the States for school purposes and permitted the proceeds from the sale of such lands to accrue to the States to be used for educational purposes. The Committee amended H.R. 510 to include a proviso to assure that the proceeds from any sale of the subject property would be used for educational purposes.

The Department of Agriculture does not have any special needs for the property for National Forest or other purposes should it revert to the United States. In July 1973, the Forest Service contacted Federal, State, and local public bodies to determine if they were likely to have needs for the property. The Forest Service was unable to find any public body that was definitely interested or prepared to utilize the property. On the basis of these facts and in light of the House Interior and Insular Affairs Committee's position that the effect of the bill is consistent with previous Federal policy, we have no objection to the proposed conveyance.

Sincerely,


J. Phil Campbell
Acting Secretary

To: H. Hendricks
12-31-74
6:30 p.m.



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

DEC 31 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 510 - Land conveyance,
Georgia
Sponsor - Rep. Flynt (D) Georgia

Last Day for Action

January 10, 1975 - Friday

Purpose

Directs the Secretary of Agriculture to convey to the Jasper County Board of Education any interest held by the United States in some 43 acres of land and improvements located in Jasper County, Georgia.

Agency Recommendations

Office of Management and Budget	Approval
Department of Agriculture	Approval

Discussion

H.R. 510 would direct the Secretary of Agriculture to convey to the Jasper County Board of Education any interest held by the United States in certain real property located in Jasper County, Georgia. The real property comprises some 43 acres of land and various improvements including a dormitory, a school building, miscellaneous utilities and a wood workshop.

The United States acquired this land in the 1930's under the Bankhead-Jones Farm Tenant Act -- the tract was conveyed by quitclaim deed to the Jasper County Board of Education on

April 26, 1940 subject to the condition that it would revert to the United States when it was no longer used or needed for educational purposes. For years, the Board of Education used the property for school purposes.

However, more recently the Jasper County school system has undergone significant consolidation under which the property in question is no longer used. According to the House Interior Committee, the School Board desires to sell the property and apply the proceeds toward construction of an annex to Jasper County's consolidated highschool. The current market value of the land is estimated at between \$19,000 and \$34,000 with the current salvage value of the improvements placed at about \$15,000.

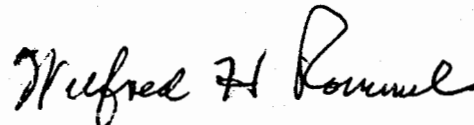
In its views letter on the enrolled bill, Agriculture explains its earlier opposition to H.R. 510, but now on balance it recommends approval as explained below:

"The Jasper County Board of Education apparently has no identifiable need for acquiring comparable property for public purposes. Since neither the subject property nor alternate real property is needed, we recommended to the Congress that the property should revert to the United States in keeping with the conditions in the deed. We also stated that we would have no objection to conveying all interest of the United States in the land to the Board of Education, provided that the Federal Government receives fair market value for the property including improvements which were present when the property was conveyed to the Board of Education.

"In its report on the bill H.R. 510, the House Committee on Interior and Insular Affairs rejected our recommendations. It expressed the conviction that the history of Jasper County's use of the property and the intent of the bill were analogous to former policies and practices of the Federal government which resulted in lands being granted to the States for school purposes and permitted the proceeds from the sale of such lands to accrue to the States to be used for educational purposes. The Committee amended H.R. 510 to include a proviso

to assure that the proceeds from any sale of the subject property would be used for educational purposes.

"The Department of Agriculture does not have any special needs for the property for National Forest or other purposes should it revert to the United States. In July 1973, the Forest Service contacted Federal, State, and local public bodies to determine if they were likely to have needs for the property. The Forest Service was unable to find any public body that was definitely interested or prepared to utilize the property. On the basis of these facts and in light of the House Interior and Insular Affairs Committee's position that the effect of the bill is consistent with previous Federal policy, we have no objection to the proposed conveyance."



Assistant Director for
Legislative Reference

Enclosures

THE WHITE HOUSE

WASHINGTON

1/2/75

MEMORANDUM FOR:

WARREN HENDRIKS

FROM:

MAX L. FRIEDERSDORF VL

SUBJECT:

Action Memorandum - Log No. 946
Enrolled Bill H. R. 510 - Land
Conveyance, Georgia

The Office of Legislative Affairs concurs with the Agencies
that the enrolled bill should be signed.

Attachments

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 946

Date: January 1, 1975

Time: 11:00 a.m.

FOR ACTION: Mike Duval
Max Friedersdorf
Phil Areeda ✓

cc (for information): Warren Hendriks
Jerry Jones
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Thursday, January 2

Time: noon

SUBJECT:

Enrolled Bill H.R. 510 - Land conveyance, Georgia

ACTION REQUESTED:

___ For Necessary Action

___ For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

___ For Your Comments

___ Draft Remarks

REMARKS:

No objection

P. Areeda

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.

Warren K. Hendriks _____
for the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 946

Date: January 1, 1975

Time: 11:00 a.m.

FOR ACTION: Mike Duval *oh*
 Max Friedersdorf *sign*
 Phil Areeda *no obj*

cc (for information): Warren Hendriks
 Jerry Jones
 Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Thursday, January 2

Time: noon

SUBJECT:

Enrolled Bill H.R. 510 - Land conveyance, Georgia

ACTION REQUESTED:

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

REMARKS:

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

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 946

Date: January 1, 1975

Time: 11:00 a.m.

FOR ACTION: Mike Duval
Max Friedersdorf
Phil Areeda

cc (for information): Warren Hendriks
Jerry Jones
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Thursday, January 2

Time: noon

SUBJECT:

Enrolled Bill H.R. 510 - Land conveyance, Georgia

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

*OK
Mike Duval*

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.

Warren K. Hendriks
For the President

AUTHORIZING AND DIRECTING THE SECRETARY OF AGRICULTURE
TO CONVEY ANY INTEREST HELD BY THE UNITED STATES IN CER-
TAIN PROPERTY IN JASPER COUNTY, GA., TO THE JASPER COUNTY
BOARD OF EDUCATION

APRIL 11, 1974.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. HALEY, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany H.R. 510]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 510). To authorize and direct the Secretary of Agriculture to convey any interest held by the United States in certain property in Jasper County, Georgia, to the Jasper County Board of Education, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 1, line 11, strike out "deed." and insert in lieu thereof:

deed: Provided, however, That any proceeds from the sale, lease, exchange or other use or disposition of the lands shall be used exclusively for educational purposes by the Jasper County Board of Education.

PURPOSE

The purpose of H.R. 510, introduced by Mr. Flynt, and as amended by the Committee, is to convey any interest held by the United States in 42.65 acres of land in Jasper County, Georgia to the Jasper County Board of Education.

EXPLANATION

The 42.65 acres of land were acquired by the United States in the 1930's, and were administered under the provisions of Title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525). Title III authorizes the Secretary of Agriculture to dispose of lands to public authorities and agencies under terms and conditions that he deems will best accomplish Title III purposes. Deeds conveying such Title III lands to

public authorities contained covenants stipulating the type of public use for which the grant was made. When the lands cease to be used for such purposes, title reverts to the United States.

The land was conveyed by quitclaim deed on April 26, 1940 to the Jasper County Board of Education for use for educational purposes. The land would revert to the United States when it was no longer used or needed for educational purposes. The language in this legislation would release the Board of Education from this covenant and permit the Board to sell or otherwise dispose of the land. There is precedent for legislation authorizing and directing the Secretary of Agriculture to release covenants in deeds conveying Title III lands, provided that, the public agencies agreed to exchange the lands or use the proceeds from the disposal of the lands, to acquire comparable lands to be used for public purposes. Such legislation may be found in Public Laws 92-319 (86 Stat. 381), 90-307 (82 Stat. 122), 90-410 (82 Stat. 393), 90-517 (82 Stat. 871), 90-520 (82 Stat. 873), and 85-788 (72 Stat. 939).

Since the 1940 conveyance, the educational system in Jasper County, as in most of the rest of the State of Georgia, have incorporated and consolidated into countywide school systems. The Board, faced with this changed educational system, maintains that it is not economically feasible to build much needed vocational classrooms and laboratories on the old school property. Their desire is to acquire the property in fee simple, sell the land, and use the proceeds from the sale to build these much-needed classrooms and laboratories as an annex to their consolidated high school. The end result would be that the funds would be used for educational purposes.

The Department of Agriculture, on the other hand, testified that if there was no other public need for the property, it would have no objection to turning the land over to the Board for its subsequent disposal provided the Federal government received fair market value for the property including improvements which were present when the land was conveyed to the Board. The Forest Service estimated the 1934 purchase price of the land as \$256 for the 42.65 acres and the value of the structural improvements at \$195,460. The current salvage value of the improvements was placed at about \$15,000, and the current market value of the land was estimated at from \$450-\$800 per acre or about \$19,000-\$34,000 for the parcel.

On August 31, 1973, the Forest Service notified the Committee that a check had been made and that the only respondent that indicated a possible need for the land was the Abraham Baldwin Agricultural College, Tifton, Georgia, although it does not have the funds for renovation of the buildings at this time.

The Committee felt the Department of Agriculture's recommendation that the Federal government receive fair market value for the land and depreciated value of the structural improvements was unreasonable and contrary to the principle and purposes of the legislation. The Committee felt that for thirty-three years the Federal government gave this tract of land to the Jasper County Board of Education and said use it for school purposes. If it did not, then title reverts to the Federal government. The School Board has so used the land, but has found it can no longer make proper use of the land and the facilities in the face of

the different type of school system prevailing and the vocational needs of this system. The proposal in the legislation is, instead of requiring reversion of the title, to allow the School Board to sell the land and use the proceeds of the sale for school purposes. This is analogous to the policy and practice of the government in granting designated sections of land to the various States for school purposes. Those sections had to be devoted to educational purposes, but if they are sold, the proceeds must be devoted to educational purposes. Any increment in value from the sale of such lands would accrue to the State and be devoted to educational purposes. The Committee felt this legislation accomplishes substantially the same thing and the Committee amendment assures the money will be used for educational purposes.

COMMITTEE AMENDMENT

The Committee amended the bill, H.R. 510, to assure that money derived from the sale or exchange of the property will be used for educational purposes by the Jasper County, Georgia Board of Education.

COST

Enactment of H.R. 510 will require no Federal expenditure.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends, by a voice vote, that the bill, H.R. 510, as amended, be enacted.

DEPARTMENTAL REPORTS

The communications and reports received by the Committee from the Department of the Interior, dated June 13, 1973; Department of Agriculture, dated June 25, 1973; and Department of Agriculture Supplemental Letter, dated August 31, 1973 follow.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 13, 1973.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to your request for this Department's views on H.R. 510, a bill "To authorize and direct the Secretary of Agriculture to convey any interest held by the United States in certain property in Jasper County, Georgia, to the Jasper County Board of Education."

We defer to the Department of Agriculture for their views on the bill.

H.R. 510 would direct the Secretary of Agriculture to convey to the Jasper County Board of Education all right, title and interest in and to real property described in a quitclaim deed made by the United States to the Jasper County Board of Education on April 26, 1940.

The effect of the bill would be to waive all covenants and reservations in the deed.

The land consists of 42.65 acres and was conveyed to the Jasper County Board of Education by the Secretary of Agriculture under the Bankhead Jones Farm Tenant Act. The deed contains covenants governing use of the land for educational purposes and reserves the right to construct and maintain buildings on the land and to grant easements for such purposes.

The Department of the Interior has no administrative jurisdiction over the land.

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,

JACK O. HORTON,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., June 25, 1973.

HON. JAMES A. HALEY,
*Chairman, Committee on Interior and Insular Affairs,
U.S. House of Representatives.*

DEAR MR. CHAIRMAN: This is in reply to your request for a report on H.R. 510 a bill, "To authorize and direct the Secretary of Agriculture to convey any interest held by the United States in certain property in Jasper County, Georgia, to the Jasper County Board of Education."

The Department of Agriculture recommends that H.R. 510 not be enacted at this time.

H.R. 510 would authorize and direct the Secretary of Agriculture to convey to the Jasper County Board of Education, Jasper County, Georgia, all right, title, and interest in real property which the United States holds as a result of covenants contained in a quitclaim deed dated April 26, 1940, made by the United States, as grantor, to the Jasper County Board of Education, as grantee.

The property involved in H.R. 510 consists of 42.65 acres of land and improvements including a school building, a wood workshop, a dormitory, and miscellaneous utilities.

The property was acquired by the United States in the 1930's, and was administered under the provisions of Title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525). Title III authorizes the Secretary of Agriculture to conduct a program for the rehabilitation of sub-marginal lands. Title III also authorizes the Secretary to dispose of lands to public authorities and agencies under terms and conditions that he deems will best accomplish Title III purposes, but only on condition that the lands conveyed are used for public purposes. In keeping with the intent of Title III, deeds conveying such lands to public authorities contained covenants stipulating the type of public use

for which the grant was made. In the event the lands cease to be used for such purposes, title reverts to the United States.

By deed dated April 26, 1949, the property covered by H.R. 510 was conveyed without charge to the Jasper County Board of Education for use for educational purposes. The property is no longer used or needed by the Board of Education for these purposes and is, therefore, subject to complete reversion to the United States. We understand that the Board of Education seeks to be released from the covenants in the deed so that they may sell the property.

Some 836,000 acres of Title III lands have been conveyed by this Department to various public bodies in a number of separate transactions. Over the years, changes in land use patterns, administrative requirements and other factors have affected the lands involved. In some instances it became impractical to use the lands for the public purpose for which they were granted. Consequently, some public bodies have sought to dispose of a part of the Title III lands conveyed to them to further the purposes and activities of those public bodies. Special legislation has been enacted in such cases which authorized and directed the Secretary of Agriculture to release the covenants; provided that, the public agencies agreed to exchange the lands or use the proceeds from the disposal of the lands, to acquire comparable lands to be used for public purposes.

The Jasper County Board of Education apparently has no identifiable need for acquiring comparable property for public purposes. Based on a limited check, we have not found any other public agency that has a need for the property; however, a more thorough search for a possible interested public agency should be made before a definite conclusion can be drawn.

There may be Federal need for the property. If the property were to revert to the United States Department of Agriculture, it would probably be utilized for land exchange to acquire inholdings and improve the pattern of ownership on the Oconee National Forest located nearby.

We recommend that action on H.R. 510 be deferred to permit a determination of other public needs for the property. If after a reasonable time no other public needs can be identified, we would have no objection to disposal of the land to the Board of Education and its subsequent disposal to others, provided the Federal Government receives fair market value for the property including improvements which were present when the property was conveyed to the Board of Education. Significant Federal investments have been made through the purchase and rehabilitation of the tract. Since the property was granted to the Jasper County Board of Education at no cost and all public use or representative public use would be terminated if conveyed, we believe the full value of the land should be recaptured by the Federal Government.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administrations program.

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

U.S. DEPARTMENT OF AGRICULTURE,
 FOREST SERVICE,
 Washington, D.C., August 31, 1973.

HON. JOHN MELCHER,
 Chairman, Subcommittee on Public Lands, Committee on Interior
 and Insular Affairs, House of Representatives.

DEAR MR. MELCHER: As you requested, here is additional information pertaining to H.R. 510, a bill "To authorize and direct the Secretary of Agriculture to convey any interest held by the United States in certain property in Jasper County, Georgia, to the Jasper County Board of Education."

In testifying for the Department of Agriculture, Deputy Chief Thomas C. Nelson of the Forest Service recommended that action on H.R. 510 be deferred to permit a determination of other public needs for the property. The Forest Service subsequently contacted Federal, State, and local public bodies who might have had a need for the property or who might have known of others who did. The only respondent that indicated a possible need was Abraham Baldwin Agricultural College of Tifton, Georgia. Although the college indicated an interest in the property, they do not have funds available at this time for necessary renovation of the buildings.

Enclosed for your information is a listing of the public bodies that were contacted, and a copy of the response received from Abraham Baldwin Agricultural College.

Sincerely,

PHILIP L. THORNTON,
 (For John R. McGuire, Chief).

Enclosures.

EXCESS PROPERTY MAILING LIST

- Corps of Engineers, Attn: Real Estate Officer, 510 Title Building, Atlanta, Georgia 30303.
- Defense Civil Preparedness Agency, Procurement Services Division, Washington, D.C. 20301.
- Department of Health, Education & Welfare, Attn: Director, Office of Facil. Eng. Mgmt., Facilities Eng. & Construction Agency, Washington, D.C. 20201.
- Fish and Wildlife Service, 17 Executive Park Drive, NE., Atlanta, Georgia 30329.
- Bureau of Outdoor Recreation, Attn: Regional Director, 810 New Walton Building, Atlanta, Georgia 30303.
- U.S. Department of Transportation, Regional Federal Highway Administration, 1720 Peachtree Rd., NE., Suite 200, Atlanta, Georgia 30309.
- Bureau of State Planning & Comm. Affairs, 270 Washington Street, SW., Atlanta, Georgia 30334.
- Abraham Baldwin Agricultural College, Tifton, Georgia 31794.
- Putnam County, Board of County Commissioners, Monticello, Georgia 31064.

ABRAHAM BALDWIN AGRICULTURAL COLLEGE,
UNIVERSITY SYSTEM OF GEORGIA, ABAC STATION,
Tifton, Ga., July 26, 1973.

Mr. V. H. HOFELDT,
Forest Supervisor,
(Attention: Mr. Paul Timko,
U.S.D.A., Forest Service, P.O. Box 1437, Gainesville, Ga. 30501.)

DEAR MR. HOFELDT: In response to your letter concerning the 42.65 acres in Jasper County, the Abraham Baldwin Agricultural College forestry staff believes that this property offers an excellent opportunity for our forestry and wildlife technology programs. When we examined the property two years ago, we became quite interested in its being used in our programs then, and this interest still exists. Our programs are constantly growing in size and importance to Georgia and the Southeast. We could document these statements at great length, if necessary, but as one example, the location is ideal for summer camps and training sessions because of its proximity to the Oconee National Forest, allowing greater numbers to participate in such activities.

As to the condition of the buildings, it is estimated that \$50,000 would be required for renovation so that they would be suitable for utilization in our programs. Unfortunately, ABAC simply does not have such funds at this time. Since the property possibly could come to us for public educational uses, perhaps some Federal source could be found to finance such rehabilitation.

Under no circumstances would we like to see this valuable educational potential pass from Federal to private ownership. Such a move would preclude its future use for the people. The land and buildings would definitely be an asset to ABAC, but because of the financial rehabilitation requirements for the buildings for the moment, it is our opinion that the lands should be retained under Federal ownership to provide a wider latitude of use to a greater number of people, including ABAC.

Sincerely yours,

J. CLYDE DRIGGERS.



LAND CONVEYANCE TO JASPER COUNTY, GEORGIA, BOARD OF EDUCATION

DECEMBER 18, 1974.—Ordered to be printed

Mr. TALMADGE from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompany H.R. 510]

The Committee on Agriculture and Forestry, to which was referred the bill H.R. 510 to authorize and direct the Secretary of Agriculture to convey any interest held by the United States in certain property in Jasper County, Georgia, to the Jasper County Board of Education, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

SHORT EXPLANATION

H.R. 510 authorizes and directs the Secretary of Agriculture to convey the reversionary interest held by the United States in 42.65 acres of land in Jasper County, Georgia, to the Jasper County Board of Education.

H.R. 510 would permit the Board to sell or otherwise dispose of the land. The bill provides, however, that any proceeds derived by the Board through the sale or other disposition of the land are to be used exclusively for educational purposes.

NEED FOR LEGISLATION

The 42.65 acres of land were originally conveyed by the United States to the Jasper County Board of Education on April 26, 1940, with the condition that the land would revert to the United States when it was no longer used or needed for educational purposes.

The county now has a consolidated school system and maintains that it is not feasible to build needed classrooms and laboratories on this particular land. The Board of Education desires to acquire the property in fee simple, sell the land, and use the proceeds from the

sale to build classrooms and laboratories as an annex to the county's consolidated high school.

EXCERPTS FROM THE REPORT BY THE HOUSE COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS

EXPLANATION

The 42.65 acres of land were acquired by the United States in the 1930's, and were administered under the provisions of Title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 525). Title III authorizes the Secretary of Agriculture to dispose of lands to public authorities and agencies under terms and conditions that he deems will best accomplish Title III purposes. Deeds conveying such Title III lands to public authorities contained covenants stipulating the type of public use for which the grant was made. When the lands cease to be used for such purposes, title reverts to the United States.

The land was conveyed by quitclaim deed on April 26, 1940 to the Jasper County Board of Education for use for educational purposes. The land would revert to the United States when it was no longer used or needed for educational purposes. The language in this legislation would release the Board of Education from this covenant and permit the Board to sell or otherwise dispose of the land. There is precedent for legislation authorizing and directing the Secretary of Agriculture to release covenants in deeds conveying Title III lands, provided that, the public agencies agreed to exchange the lands or use the proceeds from the disposal of the lands, to acquire comparable lands to be used for public purposes. Such legislation may be found in Public Laws 92-319 (86 Stat. 381), 90-307 (82 Stat. 122), 90-410 (82 Stat. 393), 90-517 (82 Stat. 871), 90-520 (82 Stat. 873), and 85-788 (72 Stat. 939).

Since the 1940 conveyance, the educational system in Jasper County, as in most of the rest of the State of Georgia, have incorporated and consolidated into countywide school systems. The Board, faced with this changed educational system, maintains that it is not economically feasible to build much needed vocational classrooms and laboratories on the old school property. Their desire is to acquire the property in fee simple, sell the land, and use the proceeds from the sale to build these much-needed classrooms and laboratories as an annex to their consolidated high school. The end result would be that the funds would be used for educational purposes.

The Department of Agriculture, on the other hand, testified that if there was no other public need for the property, it would have no objection to turning the land over to the Board for its subsequent disposal provided the Federal government received fair market value for the property including improvements which were present when the land was conveyed to the Board. The Forest Service estimated the 1934 purchase price of the land as \$256 for the 42.65 acres and the value of the structural improvements at \$195,460. The current salvage value of the improvements was placed at about \$15,000, and the current market value of the land was estimated at from \$450-\$800 per acre or about \$19,000-\$34,000 for the parcel.

On August 31, 1973, the Forest Service notified the Committee that a check had been made and that the only respondent that indicated a possible need for the land was the Abraham Baldwin Agricultural College, Tifton, Georgia, although it does not have the funds for renovation of the buildings at this time.

The Committee felt the Department of Agriculture's recommendation that the Federal government receive fair market value for the land and depreciated value of the structural improvements was unreasonable and contrary to the principal and purposes of the legislation. The Committee felt that for thirty-three years the Federal government gave this tract of land to the Jasper County Board of Education and said use it for school purposes. If it did not, then title reverts to the Federal government. The School Board has so used the land, but has found it can no longer make proper use of the land and the facilities in the face of the different type of school system prevailing and the vocational needs of this system. The proposal in the legislation is, instead of requiring reversion of the title, to allow the School Board to sell the land and use the proceeds of the sale for school purposes. This is analogous to the policy and practice of the government in granting designated sections of land to the various States for school purposes. Those sections had to be devoted to educational purposes, but if they are sold, the proceeds must be devoted to educational purposes. Any increment in value from the sale of such lands would accrue to the State and be devoted to educational purposes. The Committee felt this legislation accomplishes substantially the same thing and the Committee amendment assures the money will be used for educational purposes.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., June 25, 1973.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, U.S. House of Representatives.

DEAR MR. CHAIRMAN: This is in reply to your request for a report on H.R. 510 a bill, "To authorize and direct the Secretary of Agriculture to convey any interest held by the United States in certain property in Jasper County, Georgia, to the Jasper County Board of Education."

The Department of Agriculture recommends that H.R. 510 not be enacted at this time.

H.R. 510 would authorize and direct the Secretary of Agriculture to convey to the Jasper County Board of Education, Jasper County, Georgia, all right, title, and interest in real property which the United States holds as a result of covenants contained in a quitclaim deed dated April 26, 1940, made by the United States, as grantor, to the Jasper County Board of Education, as grantee.

The property involved in H.R. 510 consists of 42.65 acres of land and improvements including a school building, a wood workshop, a dormitory, and miscellaneous utilities.

The property was acquired by the United States in the 1930's, and was administered under the provisions of Title III of the Bankhead-

Jones Farm Tenant Act (50 Stat. 525). Title III authorizes the Secretary of Agriculture to conduct a program for the rehabilitation of sub-marginal lands. Title III also authorizes the Secretary to dispose of lands to public authorities and agencies under terms and conditions that he deems will best accomplish Title III purposes, but only on condition that the lands conveyed are used for public purposes. In keeping with the intent of Title III, deeds conveying such lands to public authorities contained covenants stipulating the type of public use for which the grant was made. In the event the lands cease to be used for such purposes, title reverts to the United States.

By deed dated April 26, 1949, the property covered by H.R. 510 was conveyed without charge to the Jasper County Board of Education for use for educational purposes. The property is no longer used or needed by the Board of Education for these purposes and is, therefore, subject to complete reversion to the United States. We understand that the Board of Education seeks to be released from the covenants in the deed so that they may sell the property.

Some 836,000 acres of Title III lands have been conveyed by this Department to various public bodies in a number of separate transactions. Over the years, changes in land use patterns, administrative requirements and other factors have affected the lands involved. In some instances it became impractical to use the lands for the public purpose for which they were granted. Consequently, some public bodies have sought to dispose of a part of the Title III lands conveyed to them to further the purposes and activities of those public bodies. Special legislation has been enacted in such cases which authorized and directed the Secretary of Agriculture to release the covenants; provided that, the public agencies agreed to exchange the lands or use the proceeds from the disposal of the lands, to acquire comparable lands to be used for public purposes.

The Jasper County Board of Education apparently has no identifiable need for acquiring comparable property for public purposes. Based on a limited check, we have not found any other public agency that has a need for the property; however, a more thorough search for a possible interested public agency should be made before a definite conclusion can be drawn.

There may be Federal need for the property. If the property were to revert to the United States Department of Agriculture, it would probably be utilized for land exchange to acquire inholdings and improve the pattern of ownership on the Oconee National Forest located nearby.

We recommend that action on H.R. 510 be deferred to permit a determination of other public needs for the property. If after a reasonable time no other public needs can be identified, we would have no objection to disposal of the land to the Board of Education and its subsequent disposal to others, provided the Federal Government receives fair market value for the property including improvements which were present when the property was conveyed to the Board of Education. Significant Federal investments have been made through the purchase and rehabilitation of the tract. Since the property was granted to the Jasper County Board of Education at no cost and all public use or representative public use would be terminated if con-

veyed, we believe the full value of the land should be recaptured by the Federal Government.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administrations program.

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D.C., August 31, 1973.

HON. JOHN MELCHER,
Chairman, Subcommittee on Public Lands, Committee on Interior and Insular Affairs, House of Representatives.

DEAR MR. MELCHER: As you requested, here is additional information pertaining to H.R. 510, a bill "To authorize and direct the Secretary of Agriculture to convey any interest held by the United States in certain property in Jasper County, Georgia, to the Jasper County Board of Education."

In testifying for the Department of Agriculture, Deputy Chief Thomas C. Nelson of the Forest Service recommended that action on H.R. 510 be deferred to permit a determination of other public needs for the property. The Forest Service subsequently contacted Federal, State, and local public bodies who might have had a need for the property or who might have known of others who did. The only respondent that indicated a possible need was Abraham Baldwin Agricultural College of Tifton, Georgia. Although the college indicated an interest in the property, they do not have funds available at this time for necessary renovation of the buildings.

Enclosed for your information is a listing of the public bodies that were contacted, and a copy of the response received from Abraham Baldwin Agricultural College.

Sincerely,

PHILIP L. THORNTON,
(For JOHN R. McGUIRE, Chief).

Enclosures.

EXCESS PROPERTY MAILING LIST

- Corps of Engineers, Attn: Real Estate Officer, 510 Title Building, Atlanta, Georgia 30303.
- Defense Civil Preparedness Agency, Procurement Services Division, Washington, D.C. 20301.
- Department of Health, Education & Welfare, Attn: Director, Office of Facil. Eng. Mgmt., Facilities Eng. & Construction Agency, Washington, D.C. 20201.
- Fish and Wildlife Service, 17 Executive Park Drive, NE., Atlanta, Georgia 30329.
- Bureau of Outdoor Recreation, Attn: Regional Director, 810 New Walton Building, Atlanta, Georgia 30303.
- U.S. Department of Transportation, Regional Federal Highway Administration, 1720 Peachtree Rd., NE., Suite 200, Atlanta, Georgia 30309.

Bureau of State Planning & Comm. Affairs, 270 Washington Street,
 SW., Atlanta, Georgia 30334.
 Abraham Baldwin Agricultural College, Tifton, Georgia 31794.
 Putnam County, Board of County Commissioners, Monticello, Georgia 31064.

ABRAHAM BALDWIN AGRICULTURAL COLLEGE,
 UNIVERSITY SYSTEM OF GEORGIA, ABAC STATION,
 Tifton, Ga., July 26, 1973.

MR. V. H. HOFELDT,
 Forest Supervisor,

(Attention: Mr. Paul Timko, U.S.D.A., Forest Service, P.O. Box
 1437, Gainesville, Ga. 30501.)

DEAR MR. HOFELDT: In response to your letter concerning the 42.65 acres in Jasper County, the Abraham Baldwin Agricultural College forestry staff believes that this property offers an excellent opportunity for our forestry and wildlife technology programs. When we examined the property two years ago, we became quite interested in its being used in our programs then, and this interest still exists. Our programs are constantly growing in size and importance to Georgia and the Southeast. We could document these statements at great length, if necessary, but as one example, the location is ideal for summer camps and training sessions because of its proximity to the Oconee National Forest, allowing greater numbers to participate in such activities.

As to the condition of the buildings, it is estimated that \$50,000 would be required for renovation so that they would be suitable for utilization in our programs. Unfortunately, ABAC simply does not have such funds at this time. Since the property possibly could come to us for public educational uses, perhaps some Federal source could be found to finance such rehabilitation.

Under no circumstances would we like to see this valuable educational potential pass from Federal to private ownership. Such a move would preclude its future use for the people. The land and buildings would definitely be an asset to ABAC, but because of the financial rehabilitation requirements for the buildings for the moment, it is our opinion that the lands should be retained under Federal ownership to provide a wider latitude of use to a greater number of people, including ABAC.

Sincerely yours,

J. CLYDE DRIGGERS.

COST ESTIMATE

In accordance with section 252 of the Legislative Reorganization Act of 1970, the Committee estimates that only negligible costs would be incurred by the Federal Government during the current and the five subsequent fiscal years as a result of the enactment of this legislation.

No estimate of costs was submitted to the Committee by any Federal agency. However, the Committee's estimate is in accord with the estimate made by the House Committee on Interior and Insular Affairs.



Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

To authorize and direct the Secretary of Agriculture to convey any interest held by the United States in certain property in Jasper County, Georgia, to the Jasper County Board of Education.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to convey to the Jasper County Board of Education, Jasper County, Georgia, all right, title, and interest in and to the real property described in the quitclaim deed made by the United States, as grantor, to the Jasper County Board of Education, as grantee, on April 26, 1940, and recorded on June 5, 1940, in Jasper County, Georgia, which the United States might hold as a result of covenants contained in such quitclaim deed: *Provided, however,* That any proceeds from the sale, lease, exchange or other use or disposition of the lands shall be used exclusively for educational purposes by the Jasper County Board of Education.*

Speaker of the House of Representatives.

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

December 30, 1974

Dear Mr. Director:

The following bills were received at the White House on December 30th:

H.R. 510
H.R. 12860
H.R. 17450 ✓

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 Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.