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12/31

APPROVED
DEC 31 1974

ACTION

THE WHITE HOUSE

Last Day: December 31

WASHINGTON

December 27, 1974

Parted from Colorado 12/31/74

*To ARCHIVES
1/3/75*

MEMORANDUM FOR

THE PRESIDENT

FROM:

KEN COLE *C*

SUBJECT:

Enrolled Bill S. 184
Land Conveyance, Alaska

Attached for your consideration is S. 184, sponsored by Senator Stevens, which authorizes the Secretary of the Interior to sell interests of the United States in a lot in Juneau, Alaska to the Gospel Missionary Union.

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

Phil Areeda and Max Friedersdorf both recommend approval.

RECOMMENDATION

That you sign S. 184 (Tab B).





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

DEC 24 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 184 - Land conveyance, Alaska
Sponsor - Sen. Stevens (R) Alaska

Last Day for Action

December 31, 1974 - Tuesday

Purpose

Authorizes the Secretary of the Interior to convey to the Gospel Missionary Union all right, title, and interest of the United States in certain land in Juneau, Alaska.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior

Approval (Informally)

Discussion

The land in question, a lot in Juneau, was patented to a predecessor organization of the Gospel Missionary Union with a reverter clause if the land ceased to be used for the purposes conveyed. The Gospel Missionary Union, a non-profit organization now being disbanded, desires to dispose of the land but is unable to do so because of the reverter clause. S. 184 would authorize conveyance of the land, which is not needed for any Federal purpose and which is isolated from other Federal lands, for fair market value (estimated to be \$1,200).

Welfred H. Rowland
Assistant Director for
Legislative Reference

Enclosures



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 832

Date: December 26, 1974

Time: 9:00 a.m.

FOR ACTION: Mike Duval *oh*
Max Friedersdorf *o.k.*
Phil Areeda *no obj.*

cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Thursday, December 26

Time: 3:00 p.m.

SUBJECT:

Enrolled Bill S. 184 - Land conveyance, Alaska

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

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
WASHINGTON

12/24/74

TO: WARREN HENDRIKS

RTL

Robert D. Linder

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 832

Date: December 26, 1974

Time: 9:00 a.m.

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Max Friedersdorf
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Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

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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

WASHINGTON

December 26, 1974

MEMORANDUM FOR: WARREN HENDRIKS
FROM: *Max L. Friedersdorf* MAX L. FRIEDERSDORF
SUBJECT: Action Memorandum - Log No. 832
Enrolled Bill S. 184 - Land conveyance, Alaska

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment

Date: December 26, 1974

Time: 9:00 a.m.

FOR ACTION: Mike Duval
Max Friedersdorf
Phil Areeda ✓cc (for information): Warren Hendriks
Jerry Jones

FROM THE STAFF SECRETARY

DUE: Date: Thursday, December 26

Time: 3:00 p.m.

SUBJECT:

Enrolled Bill S. 184 - Land conveyance, Alaska

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

*No objection
of 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



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

DEC 23 1974

Dear Mr. Ash:

This responds to your request for our views on the enrolled bill S. 184, "To authorize and direct the Secretary of the Interior to sell interests of the United States in certain lands located in the State of Alaska to the Gospel Missionary Union."

We recommend that the President approve the enrolled bill.

S. 184, as enrolled, directs the Secretary of the Interior to convey for fair market value all right, title and interest of the United States in a .22 acre tract of land located near Juneau, Alaska to the Gospel Missionary Union.

The tract was patented in 1958 under the Recreation and Public Purposes Act on the condition that it would revert to the United States if it is not used "for care and training purposes." The tract is isolated and is not needed for any Departmental program. Conveyance of the remaining interest of the United States in the tract would significantly enhance the value of the adjacent land which the Gospel Missionary Union owns, particularly since the lot provides access to the adjacent land.

The Gospel Missionary Union desires to sell both the .22 acre tract and the adjacent land because it no longer has a use for them. Since the Department has no need for the tract, since the Gospel Missionary Union intends to use the proceeds of the sale to further the purposes of the corporation and because the United States would receive fair market value for its remaining interest in the tract, we recommend that the President approve the enrolled bill.

Sincerely yours,

Jack Horton
Assistant Secretary of the Interior

Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C. 20503

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OFFICE OF MANAGEMENT AND BUDGET

74 DEC 24 AM 10:18

RECEIVED

CONVEYANCE OF CERTAIN LANDS IN ALASKA TO THE GOSPEL MISSIONARY UNION

FEBRUARY 5, 1974.—Ordered to be printed

Mr. STEVENS (for Mr. JACKSON), from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany S. 184]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 184) to authorize and direct the Secretary of the Interior to sell interests of the United States in certain lands located in the State of Alaska to the Gospel Missionary Union, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 184 is to authorize and direct the Secretary of the Interior to convey all right, title and interest of the United States in a .22 acre tract of land to the Gospel Missionary Union upon payment of the fair market value of the land.

BACKGROUND

In 1954 the Bureau of Land Management issued a special land use permit to the owners and operators of a children's home incorporated as the Minfield Children's Home, Inc. for the land proposed for conveyance in S. 184. This land, Lot 14, was originally part of the Tongass National Forest but was eliminated from the Forest in 1952. In 1958 lot 14 was patented to the Minfield Children's Home for \$70 pursuant to the provisions of the Recreation and Public Purposes Act (44 Stat. 741, as amended, 43 U.S.C. 869 to 869-4). The patent contained a reverter provision stating that for a period of 25 years if the land is transferred or not used for the purpose specified in the patent, title would revert to the United States.

In 1962 the Minfield Children's Home, Inc. was dissolved. It transferred all of its property to the Gospel Missionary Union, a nonprofit corporation, with the right to use the name Minfield Home. The same persons controlled and operated the land.

In 1967 the Minfield Children's Home closed its boarding home for children and the land was vacated, except for a custodian. The reason given was that the operators could not provide the required staffing and meet building requirements for reissuance of their State license.

On January 1, 1969, the Gospel Missionary Union transferred custodial control of the lands and buildings on both lot 14 and the adjacent property under a contract agreement providing for eventual sale. When the property was being operated as a public service enterprise it was exempt from taxation. It is now being taxed by the Greater Juneau Borough. The Gospel Missionary Union has no method of raising funds with which to pay such taxes and now seeks to dispose of the land and improvements.

These events bring the reverter provision of the patent to the Minfield Children's Home into operation. The reverter provision does not take effect, however, without affirmative action by the Federal Government; thus, the patent is still intact.

The Bureau of Land Management's State Director for Alaska estimates the value of the tract to be approximately \$1,200, and the Committee is informed that the land has no mineral value. Lot 14 is isolated from other land in which the United States has an interest, and it does not appear that there is any Federal need for the land.

COST

Enactment of S. 184 will not result in any expenditure of Federal funds.

COMMITTEE RECOMMENDATIONS

The Public Lands Subcommittee held an open hearing on S. 184 on October 10, 1973, and the Committee on Interior and Insular Affairs in executive session on January 28, 1974, unanimously ordered the bill favorably reported to the Senate.

DEPARTMENTAL REPORT

The favorable reports of the Department of the Interior and the Office of Management and Budget on S. 184 are set forth in full as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 10, 1973.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department on S. 184, a bill "To authorize and direct the Secretary of the Interior to sell interests of the United States in certain lands located in the State of Alaska to the Gospel Missionary Union".

We would have no objection to enactment of the bill.

S. 184 would direct the Secretary of the Interior to convey all right, title and interest of the United States in a .22 acre tract of land to the Gospel Missionary Union upon payment of the fair market value of the land.

Our records indicate that lot 14, the land proposed for conveyance, is adjacent to land on which Minnie Field established a children's home in 1934 or 1935. At that time lot 14 was part of the Tongass National Forest. The Forest Service authorized construction of a road across lot 14 to provide access to land owned by Minnie Field. It also issued a cultivation permit to her for the lot. When she died in 1951, her property was bought by Mr. Peter Nickles, a member of a local religious group which continued to operate the boarding home for children.

In 1954 the owners and operators of the children's home incorporated as the Minfield Children's Home, Inc. A special land use permit for lot 14 was subsequently issued to the Home by the Bureau of Land Management, the lot having been eliminated from the Tongass National Forest in 1952. In 1958 lot 14 was patented to the Minfield Children's Home for \$70 pursuant to the provisions of the Recreation and Public Purposes Act, 44 Stat. 741 as amended, 43 U.S.C. § 869 to 869-4. The patent provides that for a period of 25 years if the land is transferred or not used "for care and training purposes", title shall revert to the United States.

In 1962 the Minfield Children's Home, Inc. was dissolved. It transferred all of its property to the Gospel Missionary Union, a nonprofit corporation, with the right to use the name Minfield Home. The same persons controlled and operated the land.

In 1967 the Minfield Children's Home closed its boarding home for children and the land was vacated, except for a custodian. The reason given was that the operators could not provide the required staffing and meet building requirements for reissuance of their State license.

On January 1, 1969, the Gospel Missionary Union transferred custodial control of the lands and buildings on both lot 14 and the adjacent property under a contract agreement providing for eventual sale. When the property was being operated as a public service enterprise it was exempt from taxation. It is now being taxed by the Greater Juneau Borough. The Gospel Missionary Union has no method of raising funds with which to pay such taxes and now seeks to dispose of the land and improvements.

These events bring the reverter provision of the patent to the Minfield Children's Home into operation. The reverter provision does not take effect, however, without affirmative action by the Federal Government; thus, the patent is still intact.

The lot which would be sold under this bill is a thin strip of land approximately 36 feet wide and 260 feet long. One end of the land abuts a highway called Point Lena Road and the other end abuts a body of water called Favorite Channel. On the land there is a gravel road which provides access from the main buildings of the children's home to the highway. Also, there is a 12'x14' wood-frame storage shed of very little value but adequate for its purpose, a considerable parking area, and on the beachfront a three-room wood-frame resi-

dence on a concrete sill. The residence, 24'x36', is furnished and occupied and extends by three feet onto land owned by the Gospel Missionary Union.

We have not had the lot appraised but, based on sales by the State of Alaska and some appraisal work by the Corps of Engineers, the Bureau of Land Management's State Director for Alaska has estimated the value of the tract to be approximately \$1,200. The land is without value for minerals, either metalliferous or nonmetalliferous. It appears that conveyance of lot 14 in fee to the Gospel Missionary Union would significantly enhance the value of the adjacent land it owns.

Lot 14 is isolated from other land in which the United States has an interest. It is not needed for any program administered by this Department, nor do we know of any other Federal need for the land. In view of these facts and because S. 184 requires payment of fair market value for the lot, excluding improvements, we would have no objection to the conveyance.

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,

JOHN KYL,
Assistant Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., October 10, 1973.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs, U.S. Senate,
Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your requests for the views of the Office of Management and Budget on the following bills:

1. S. 184, "To authorize and direct the Secretary of the Interior to sell interests of the United States in certain lands located in the State of Alaska to the Gospel Missionary Union" (requested March 8, 1973);
2. S. 194, "To authorize the Secretary of the Interior to convey to the city of Anchorage, Alaska, interests of the United States in certain lands" (requested June 14, 1973);
3. S. 1111, "To quitclaim the interest of the United States to certain lands in Bonner County, Idaho" (requested September 25, 1973);
4. S. 1582, "To provide for the conveyance of certain public lands in Klamath Falls, Oregon, to the occupants thereof, and for other purposes" (requested September 25, 1973);
5. S. 2125, "To amend the Act entitled 'An Act granting land to the city of Albuquerque for public purposes', approved June 9, 1906" (requested July 24, 1973); and,
6. S. 2343, "To authorize the Secretary of the Interior, by quitclaim deed, all right, title, and interest of the United States in and

to certain lands in Coeur d'Alene, Idaho, in order to eliminate a cloud on the title to such lands" (requested September 25, 1973). The Office of Management and Budget concurs in the views of the Department of the Interior in its reports on these bills and accordingly has no objection to the enactment of S. 184. We have no objection to the enactment of S. 194, S. 1582, and S. 2343 if amended as suggested by the Department. However, we recommend against the enactment of S. 1111 and S. 2125.

Sincerely,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

○

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 the Interior to sell interests of the United States in certain lands located in the State of Alaska to the Gospel Missionary Union.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall, subject to the provisions of section 2 of this Act, release and convey to the Gospel Missionary Union all right, title, and interest of the United States in and to the following described property:

Lot 14 of Lena Point No. 1, Small Tract Group, in United States Survey 3053, on the southerly side of the Lena Point Highway, approximately 17½ miles northwest of Juneau, Alaska, comprising approximately .22 acre.

SEC. 2. The conveyance authorized by the first section of this Act shall be made upon payment by the Gospel Missionary Union to the Secretary of the Interior of an amount equal to the fair market value of such land (excluding any improvements), as determined by the Secretary after appraisal.

Speaker of the House of Representatives.

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

December 19, 1974

Dear Mr. Director:

The following bills were received at the White House on December 19th:

✓ S.J. Res. 234	S. 2838 ✓	S. 3578 ✓
S. 184 ✓	S. 3341 ✓	S. 3615 ✓
S. 194 ✓	S. 3397 ✓	H.R. 3538 ✓
S. 1283 ✓	S. 3418 ✓	H.R. 14401 ✓
S. 1357 ✓	S. 3489 ✓	H.R. 15912 ✓
S. 2125 ✓	S. 3518 ✓	H.R. 16609 ✓
S. 2594 ✓	S. 3574 ✓	H.R. 16901 ✓

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.