



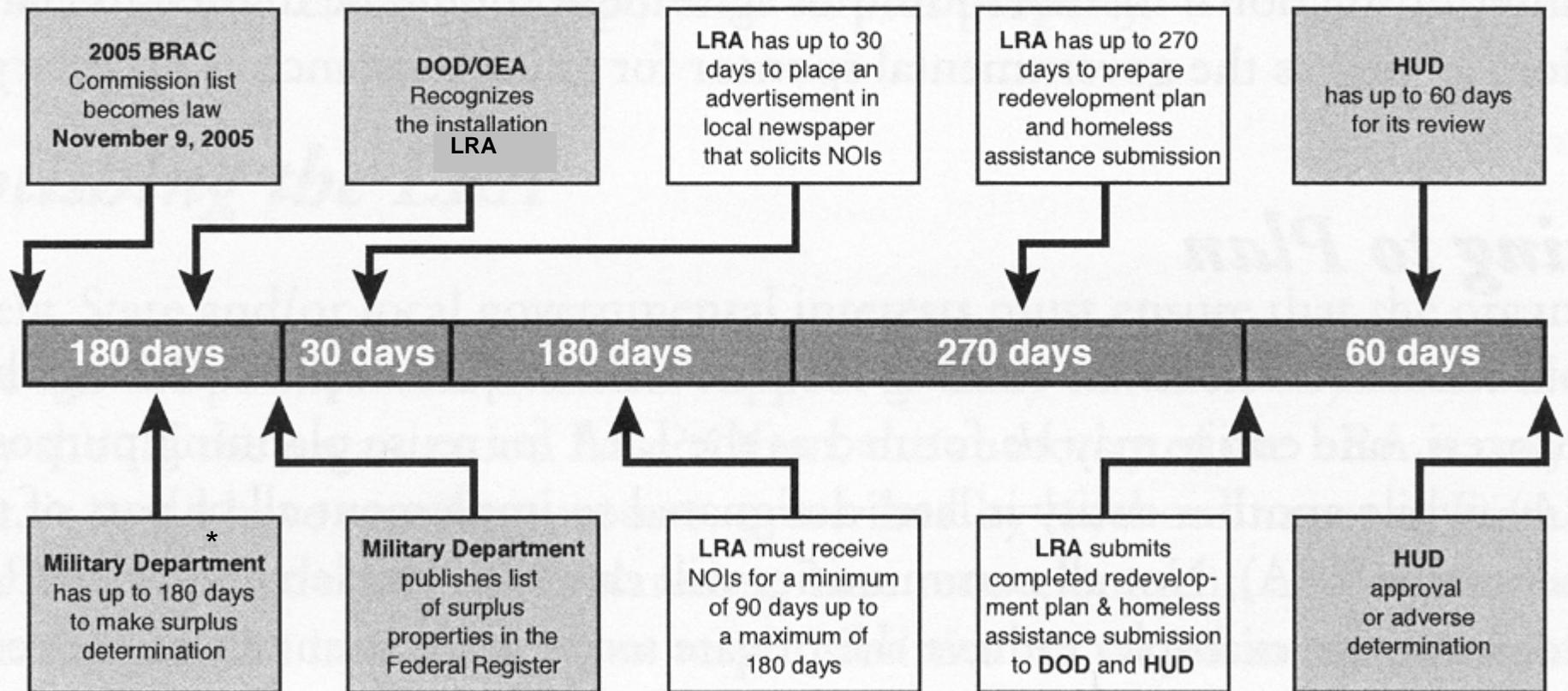
# Office of Economic Adjustment



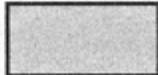
## PUBLIC BENEFIT CONVEYANCES

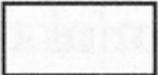
*Frank J. Barton*  
*Project Manager*  
*703-604-5132 703-604-5843 (fax)*  
*Frank.barton@wso.whs.mil*

# Process for 2005 BRAC Commission Installations



\* MilDeps also conduct state/Local Screening

  
Federal Action

  
LRA Action

## KEY DATES

<b>BRAC Approval Date</b>	<b>Nov 9, 2005</b>
<b>Declaration of Excess Property</b> Notice of “official availability” within 1 week of BRAC Approval	<b>Nov 16, 2005</b>
<b>Declaration of Surplus Property</b> Within 6 months of BRAC Approval	<b>May 2006</b>
<b>Personal Property Inventory</b> Not later than 6 months from BRAC Approval	<b>May 2006</b>
<b>DoD Recognition of Planning LRA</b> Within 30 days of Declaration of Surplus, OEA publishes in Fed Reg.	<b>June 2006</b>
<b>Homeless and State/Local Outreach by LRA</b> Within 30 days of Declaration of Surplus. Responses due within 3-6 months of LRA publication for notice of interest.	<b>Sept-Dec 2006</b>
<b>HUD review of Redevelopment Plan</b> Complete within 60 days of receipt of Redevelopment Plan	<b>Nov-Jan 2007</b>
<b>Reuse Plan Completed</b> NLT 9 months from completion of State & Local screening by LRA	<b>Sept 2007</b>
<b>Operational Closure NLT</b>	<b>Nov 2011</b>



# Public Benefit Conveyances

- Public benefit conveyances are conveyances of real and personal property to State and local governments and certain nonprofit organizations for public purposes as authorized by statute. These public purposes include schools, parks, airports, ports, public health facilities, law enforcement, emergency management response, correctional facilities, historic monuments and wildlife conservation.



- **Sponsored public benefit conveyances**

These conveyances include PBCs for education, public health, public park or recreation, and port facility purposes. Surplus personal property may be transferred by the sponsoring Federal agency in accordance with its rules for implementing authorized programs. The terms and conditions attached to the redevelopment and the value (or the discount allowed) of the personal property are determined by the sponsoring agency. In this type of conveyance, the Military Department assigns the real, related, and other qualifying personal property to the sponsoring agency for transfer to the sponsored applicant.



- **Approved public benefit conveyances**

These conveyances include PBCs for non-federal correctional facilities, law enforcement, emergency management response, wildlife conservation, historic monuments, and power transmission lines. The terms and conditions attached to the redevelopment are determined by the Military Department, which transfers the qualifying personal property directly to the approved PBC recipient.



- If the Military Department has determined that the best use of a particular parcel is consistent with a specific public benefit conveyance, a Federal sponsoring agency may request assignment of the property for purposes of conveying the property to a designated eligible recipient, such as the Department of Education for schools or the National Park Service for recreation purposes.



- The sponsoring agencies are responsible for selecting qualified applicants and determining the amount of the discount (if any) from fair market value (FMV) to be proposed.

PUBLIC BENEFIT PROGRAM	AUTHORITY	ELIGIBLE PUBLIC AGENCY	SPONSORING AGENT	DISCOUNT	USE RESTRICTION	TIME RESTRICTION	PROCEDURE OUTLINE	COMPLIANCE
<b>NEGOTIATED SALE</b>	40 USC 545(b)(8) 40 USC 484(e)(3)(H)	PUBLIC BODY OR TAX SUPPORTED INSTITUTIONS	MILITARY SERVICE FACILITATES NEGOTIATION	0%	NO EXCESS PROFITS ALLOWED	NONE	MILITARY SERVICE NEGOTIATES FMV; MILITARY SERVICE SUPPLIES DEED	MILITARY SERVICE
<b>EDUCATION</b>	40 USC 550(c) 40 USC 484(k)(1)(A)	PUBLIC BODY OR TAX SUPPORTED EDUCATIONAL INSTITUTIONS	DEPARTMENT OF EDUCATION	UP TO 100%	BASED UPON APPROVED PLAN FOR EDUCATIONAL USE	30 YEARS	ED SUPPLIES APPLICATION & DEED; MILITARY SERVICE SUPPLIES ASSIGNMENT LETTER TO ED	SECRETARY OF THE DEPARTMENT OF EDUCATION
<b>PUBLIC HEALTH</b>	40 USC 550(d) 40 USC 484(k)(1)(B)	PUBLIC BODY OR TAX SUPPORTED MEDICAL INSTITUTIONS	DEPARTMENT OF HEALTH AND HUMAN SERVICES	UP TO 100%	BASED UPON APPROVED PLAN FOR PUBLIC HEALTH USE	30 YEARS	HHS SUPPLIES APPLICATION & DEED; MILITARY SERVICE SUPPLIES ASSIGNMENT LETTER TO HHS	SECRETARY OF HEALTH AND HUMAN SERVICES
<b>PARK AND RECREATION</b>	40 USC 550(e) 40 USC 484(k)(2)	PUBLIC BODY	DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE	UP TO 100%	PARK OR RECREATION AREA USE	PERPETUITY	DOI/NPS SUPPLIES APPLICATION & DEED; MILITARY SERVICE SUPPLIES ASSIGNMENT LETTER TO DOI/NPS	SECRETARY OF THE INTERIOR (NATIONAL PARK SERVICE)
<b>SELF HELP HOUSING</b>	40 USC 550(f)(3) 40 USC 484(k)(6)	STATE AND LOCAL AGENCIES AND NON-PROFIT ORGANIZATIONS	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT	UP TO 75%	SELF-HELP HOUSING ONLY	30 YEARS	HUD SUPPLIES APPLICATION & DEED; MILITARY SERVICE SUPPLIES ASSIGNMENT LETTER TO HUD	SECRETARY OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
<b>HISTORIC MONUMENT</b>	40 USC 550(h) 40 USC 484(k)(3)	PUBLIC BODY	DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE	100%	HHISTORIC MONUMENT; ANY PROFITS FROM USE ARE TO BE USED FOR PRESERVATION	PERPETUITY	MILITARY SERVICE SUPPLIES APPLICATION & DEED NPS REVIEWS APPLICATION	DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE
<b>CORRECTIONAL</b>	40 USC 553 40 USC 484(p)	PUBLIC BODY	DEPARTMENT OF JUSTICE, ATTORNEY GENERAL	100%	CORRECTIONAL USE	PERPETUITY	DOJ SUPPLIES APPLICATION; MILITARY SERVICE SUPPLIES DEED	MILITARY SERVICE
<b>LAW ENFORCEMENT</b>	40 USC 553 40 USC 484(p)	PUBLIC BODY	DEPARTMENT OF JUSTICE, ATTORNEY GENERAL	100%	LAW ENFORCEMENT USE	PERPETUITY	DOJ SUPPLIES APPLICATION; MILITARY SERVICE SUPPLIES DEED	MILITARY SERVICE
<b>EMERGENCY MANAGEMENT RESPONSE, INCLUDING FIRE</b>	40 USC 553 40 USC 484(p)	PUBLIC BODY	FEDERAL EMERGENCY MANAGEMENT AGENCY	100%	EMERGENCY MANAGEMENT RESPONSE, INCLUDING FIRE USE	PERPETUITY	FEMA SUPPLIES APPLICATION; MILITARY SERVICE SUPPLIES DEED	MILITARY SERVICE
<b>PORT FACILITY</b>	40 USC 554 40 USC 484(q)	PUBLIC BODY	DEPARTMENT OF TRANSPORTATION, MARITIME ADMINISTRATION	100%	DEVELOPMENT AND OPERATION OF A PORT	PERPETUITY	MARAD SUPPLIES APPLICATION & DEED; MILITARY SERVICE SUPPLIES ASSIGNMENT LETTER TO MARAD	SECRETARY OF THE DEPARTMENT OF TRANSPORTATION
<b>WILDLIFE CONSERVATION</b>	16 U.S.C. 667b-d	STATE AGENCY ADMINISTERING WILDLIFE RESOURCES	DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE	100%	WILDLIFE CONSERVATION USE	PERPETUITY	MILITARY SERVICE SUPPLIES APPLICATION & DEED	MILITARY SERVICE
<b>PUBLIC AIRPORT</b>	49 U.S.C. 47151	PUBLIC BODY	DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION	100%	DEVELOPMENT, IMPROVEMENT, OPERATION, OR MAINTENANCE OF A PUBLIC AIRPORT	PERPETUITY	MILITARY SERVICE SUPPLIES APPLICATION & DEED	ADMINISTRATOR OF THE FEDERAL AVIATION ADMINISTRATION
<b>HIGHWAY</b>	23 U.S.C. 107 & 317	STATE WHEREIN THE PROPERTY IS SITUATED	DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION	100%	HIGHWAY USE RELATED TO INTERSTATE HIGHWAY NETWORK	PERPETUITY	FHWA SUPPLIES APPLICATION & DEED; DISPOSAL AGENCY SUPPLIES ASSIGNMENT LETTER TO FHWA	ADMINISTRATOR OF THE FEDERAL HIGHWAY ADMINISTRATION
<b>WIDENING OF PUBLIC ROADS</b>	40 USC 1304(b) 40 U.S.C. 345c	PUBLIC BODY	MILITARY SERVICE FACILITATES NEGOTIATION	UP TO 100%	HIGHWAY USE RELATED TO INTERSTATE HIGHWAY NETWORK	PERPETUITY	MILITARY SERVICE SUPPLIES APPLICATION & DEED	MILITARY SERVICE
<b>POWER TRANSMISSION LINES</b>	50 U.S.C. App.1622(d)	PUBLIC BODY	MILITARY SERVICE FACILITATES NEGOTIATION	0%	PUBLIC OR COOPERATIVE POWER PROJECT USE	NONE	MILITARY SERVICE SUPPLIES APPLICATION & DEED	MILITARY SERVICE