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Arts and Humanities: Senate Report (1976): Correspondence 02

Frank Horton

John N. Erlenborn

Charles Thone

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July 27, 1976

Senator Claiborne Pell
 United States Senate
 325 Russell Building
 Washington, D. C. 20510

Dear Senator *Claiborne*

We urge you, as one of the Senate conferees on H.R. 12828, the Arts, Humanities and Cultural Affairs Act of 1976, to delete Section 106 of Title I of the bill as it passed the Senate. Under this section, the Chairmen of the National Endowments would have the authority to receive and dispose of excess and surplus Federal property without regard to the Federal Property and Administrative Services Act of 1949.

As you know, the Congressional purpose of the 1949 Act was to prescribe policies for the effective and equitable acquisition, utilization, and disposal of Federal Government property. During the ensuing years, the House Government Operations Committee has maintained continuing oversight over Section 203 (Disposition of Surplus Property) to help assure that it was administered fairly and equitably. The Committee has, however, often been unable to prevent the enactment of provisions in other legislation that have resulted in special exemptions for certain interests in spite of the 1949 Act.

As a result, at the present time, the government's program for the disposal of excess and surplus property is in a state of absolute disarray. This is primarily due to the fact much of the available property is being taken at the excess level because of the preferential treatment afforded by these special exemptions, in spite of the carefully expressed intent in the Federal Property Act. Additionally, as more of these exemptions have been enacted, their individual effectiveness has been further diluted.

Senator Pell
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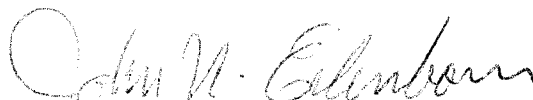
The Government Activities and Transportation Subcommittee has recently reported H.R. 14451 to this Committee. Its purpose is to return a sense of order to the donable property program so the most equitable use of all property which is no longer needed for Federal Government purposes may be made. We believe that it is vital for Congress to return a sense of order and reason to this program, and the elimination of this exemption is a desirable step in that direction.

We appreciate your consideration of this matter and hope you agree with us that Section 106 should be eliminated in the conference.

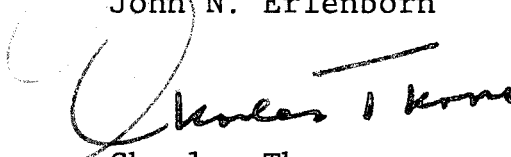
Cordially,



Frank Horton
Ranking Minority Member



John N. Erlenborn



Charles Thone
Ranking Minority Member
Government Activities and
Transportation Subcommittee

cc: The Hon. Gaylord Nelson
The Hon. Thomas F. Eagleton
The Hon. Walter F. Mondale
The Hon. William D. Hathaway
The Hon. Harrison A. Williams, Jr.
The Hon. Jacob K. Javits
The Hon. Robert Taft, Jr.
The Hon. Robert T. Stafford