

PRESENTED BY LOUIS S. CLAPPER, CHIEF

Division of Conservation Education, National Wildlife Federation

DISPOSAL OF SURPLUS FEDERAL PERSONAL PROPERTY

Agencies within the Federal government often find they have personal property which is excess to their needs. This is particularly true of Department of Defense agencies. As a result, several laws relate to the disposition of excess Federal personal property.

A distinction should be made between personal property and real property. Personal property includes virtually everything except real estate, buildings, naval vessels, and records of the Federal government. Personal property could include vehicles, tools, furniture, optical or electrical equipment, office supplies, etc.

The following procedure is followed by Federal agencies: (1) when any agency of the Federal government decides personal property is excess to its needs, this fact is made known to the General Services Administration; (2) the General Services Administration (GSA) circularizes all Federal agencies to inform them of the availability of this property. Federal agencies have the first claim on excess property; (3) Federal agencies which claim excess property then can obtain it through the GSA; (4) property in *excess* to needs of the Federal government then becomes known as *surplus* property which can be disposed of under procedures set out in the "Federal Property and Administrative Services Act of 1949." Under this procedure, the Secretary of Health, Education, and Welfare is authorized to allocate Federal surplus personal property for transfer to appropriate State agencies. These State agencies in turn distribute such property to eligible health and educational applicants. This Act also authorized the Director of Civil Defense, Department of the Army, to allocate certain types of Federal surplus property for distribution to Civil Defense organizations, and (5) surplus Federal property then may be sold under procedures outlined in Law.

State wildlife agencies can obtain Federal surplus personal property under several procedures: (a) by being qualified through the appropriate State agency as being an eligible health or educational function; and (b) by qualifying to receive a priority on the sale of surplus property.

Despite the foregoing, however, State wildlife agencies generally have been unable to receive significant amounts of surplus Federal personal property, at least in comparison with State Forestry agencies. Under provisions of Organic Acts, the U. S. Forest Service of the Department of Agriculture, is authorized to claim and distribute excess property on behalf of State forestry agencies if the property can be used for fire control purposes. Technically, this property does not leave the Federal government—"it is only on loan" (at no cost) to the State forestry agency. Under this procedure, many State forestry agencies have received various types of vehicles, aircraft, firefighting tools, and related equipment, including binoculars, etc. In short, these State agencies are sharing equally with Federal agencies in the use of excess property. No such authority exists for the Bureau of Sport Fisheries & Wildlife or other Interior Department agencies to provide similar services for State wildlife agencies except in special cases.

State wildlife agencies generally do not qualify for receiving surplus personal property because these materials must be used for health and educational functions, such as hospitals, schools, libraries, etc.

Attempts often are made to introduce legislation which would make various public agencies and institutions eligible for donable personal property. During each session of the Congress, numerous bills are introduced to qualify groups, such as rescue squads, fire departments, youth organizations, etc. None have gotten beyond the hearing stage simply because of these factors: (a) the "haves" mount opposition against sharing with the "have nots" in which lobbying groups, such as hospitals

and schools which personally qualify, do not want to share the wealth with anybody else and this is a difficult procedure to overcome; (b) many of the Federal agencies are reluctant to endorse an enlargement of the present procedure of disposing of property, which is cumbersome at best, and (c) committees of the Congress are reluctant to qualify one interest which would open the door to similar demands from many other groups.

It may be possible for State wildlife agencies to mount a concerted campaign whereby the basic Organic Act of the Department of the Interior or Fish and Wildlife Service, or some other basic legislation can authorize use of Federal excess personal property in a manner such as that presently enjoyed by the forestry agencies. This certainly would be the most effective if it can be arranged.

State wildlife agencies should be aware of the possibilities of obtaining priorities on surplus property before it is sold at public auction. GSA has ten regional offices throughout the country and these will honor requests for specific types of property on a priority basis and sales are possible before public auction.

Useful contacts can be these: Mr. John Harlan, Property Management and Disposal Services, GSA, Washington, D. C.; Mr. Loyd Taylor, Department of Health, Education & Welfare, Washington, D. C.; Mr. Jack Logan, U. S. Forest Service, Washington, D. C.; and the Office of Assistant Secretary for Administration, Office of Surplus Property Utilization, Washington, D. C. In addition, the same department has a listing of State agencies which handle surplus property in each State.

REFERENCES RELATING TO THE DISPOSITION OF FEDERAL PERSONAL PROPERTY

CLARKE-McNARY ACT

Act of June 7, 1924 (43 Stat. 653)

Sec. 1. The Secretary of Agriculture is hereby authorized and directed, in cooperation with appropriate officials of the various States or other suitable agencies, to recommend for each forest region of the United States such systems of forest fire prevention and suppression as will adequately protect the timbered and cut-over lands therein with a view to the protection of forest and water resources and the continuous production of timber on lands chiefly suitable therefor.

Sec. 2. If the Secretary of Agriculture shall find that the system and practice of forest fire prevention and suppression provided by any State substantially promotes the objects described in the foregoing section he is hereby authorized and directed, under such conditions as he may determine to be fair and equitable in each State, to cooperate with appropriate officials of each State, and through them with private and other agencies therein, in the protection of timbered and forest-producing lands from fire. In no case other than for preliminary investigation shall the amount expended by the Federal Government in any State during any fiscal year, under this section, exceed the amount expended by the State for the same purpose during the same fiscal year, including the expenditures of forest owners or operators which are required by State law or which are made in pursuance of the forest-protection system of the State under State supervision, and the Secretary of Agriculture, is authorized to make expenditures on the certificate of the State Forester, the State Director of Extension, or similar State official having charge of the cooperative work for the State that State and private expenditures as provided for in this Act have been made. In the cooperation extended to the several States due consideration shall be given to the protection of watersheds of navigable streams, but such cooperation may, in the discretion of the Secretary of Agriculture, be extended to any timbered or forest-producing lands or watersheds from which water is secured for domestic use or irrigation within the cooperative States.

DEPARTMENT OF AGRICULTURE ORGANIC ACT OF 1944
Act of September 21, 1944 (58 Stat. 736,741)

Sec. 203. The Forest Service may sell and distribute supplies, equipment, and materials to other Government activities and to State and private agencies who cooperate with the Forest Service in fire control under terms of written cooperative agreements, the cost of such supplies, equipment, and materials, including the cost of supervision, transportation, warehousing, and handling, to be reimbursed to appropriations current at the time additional supplies, equipment, and materials are procured for warehouse stocks.

THE LAW

The Federal Property and Administrative Services Act of 1949 (Public Law 152, 81st Congress), as amended, authorizes the Secretary of Health, Education, and Welfare to allocate Federal surplus personal property for transfer to State Agencies for Surplus Property which in turn distribute such property to eligible health and educational applicants. The Act also authorizes the Director of Civil Defense, Department of The Army, to allocate Federal surplus personal property for transfer to State Agencies for Surplus Property for distribution to civil defense organizations which are established pursuant to State Law.

COOPERATIVE WILDLIFE MANAGEMENT IN THE SOUTHERN NATIONAL FORESTS

DONALD D. STRODE
Chief, Wildlife Management Branch
Forest Service, Southern Region

INTRODUCTION

Wildlife on the National Forests provides many public benefits. In addition to hunting and fishing opportunities, wildlife provides a year-long opportunity to observe birds, animals, reptiles, etc., in their natural environment. The 12,000,000 acres of Forest Service lands in the Southern Region provided over 5,000,000 hunting and fishing visitor-days use in 1965. These lands offer unexcelled opportunities for planned management to increase their natural yield of game and fish. As National Forests are available for public hunting and fishing, their importance will increase as other lands become less available.

To the States, the National Forests represent valuable wildlife habitat. On Forest Service lands, game and fish have a recognized place in the management of forest resources. Wildlife is managed for its contribution to the welfare of the Region and in full cooperation with the State Game Agencies.

Wildlife management on the National Forests requires new approaches to integrated land management as Forest Service lands are managed under the concept of multiple use of the basic forest resources.

Although Wildlife management activities have increased in recent years, both the Forest Service and the States have a long and hard job ahead if the full wildlife potential on the National Forests is realized.

AUTHORITY, OBJECTIVES, AND POLICIES

Authority for wildlife management on the National Forests stems from the broad powers granted the Secretary of Agriculture under the Act of June 4, 1897 (16 U.S.C. 551) and Transfer Act of February 1, 1905 (16 U.S.C. 473), which authorize the Secretary to regulate the occupancy and use of the National Forests. The Multiple Use—Sustained Yield Act of June 12, 1960 (74 Stat. 215) clarified and strengthened