

THE WHITE HOUSE

WASHINGTON

March 10, 1983

Mr. L. P. Lamm
Executive Director
Federal Highway Administration
Department of Transportation
Washington, D.C. 20590


Dear Mr. Lamm:

On March 2, 1983, the Federal Highway Administration submitted to the Property Review Board a position paper in support of your earlier request that highway conveyances under 23 U.S.C. 107(d) and 317 be exempt from review by the Property Review Board as such are not "public benefit discount conveyances" as described in Executive Order 12348.

I have reviewed your submission and agree with your contention and, accordingly, such transactions need not be presented to the Property Review Board prior to conveyance to state governments for highway purposes.

I do note, however, that 23 U.S.C. 317(c) requires that title to properties conveyed to states for highway purposes revert to the federal government immediately upon the cessation of their use for highway purposes. Accordingly, the Federal Highway Administration will be expected to participate in that portion of the property initiative covered by Section 2 of the Executive Order, which deals with compliance inspection of use restrictions in previous conveyances.

Sincerely yours,



Edwin L. Harper
Assistant to the President
for Policy Development

cc: Gerald Carmen