

Federal Sponsoring Agencies and Public Benefit Conveyances

Public benefit conveyance (PBC) sponsoring agencies help communities acquire actual base property for a variety of public uses consistent with the Local Redevelopment Authorities' reuse plans and economic adjustment strategies. They are an important factor in meeting community public facility and service needs.

PBCs listed below have accounted for 18% of total BRAC property transfers since 1988.

Type of Property, Purpose, or Method	Transfer Type	Federal Agency with Authority	FMV Discount	Statutory and Regulatory Authority
Historic Monument	Approved	Department of the Interior	100%	FPASA § 203(k)(3), 41 CFR 10147.3083
Education	Sponsored	Department of Education	Up to 100%	FPASA § 203(k)(1), 41 CFR 10147.3084
Public Health	Sponsored	Department of Health and Human Services	Up to 100%	FPASA § 203(k)(1), 41 CFR 10147.3084
Public Park or Recreation	Sponsored	Department of the Interior	Up to 100%	FPASA § 203(k)(2), 41 CFR 10147.3087
Non-Federal Correctional Facility	Approved	Department of Justice	100%	FPASA § 203(p)(1), 41 CFR 10147.3089
Port Facility	Sponsored	Department of Transportation	100%	FPASA § 203(q)(1), 41 CFR 101-47.308-10
Shrines, Memorials, or Religious Uses [only as part of another PBC]	Sponsored	Department of Education or Department of Health and Human Services	Up to 100%	41 CFR 10147.308-5
Homeless Assistance [Public Health]*	Sponsored	Department of Health and Human Services	Up to 100%	42 U.S.C. § 11411, FPASA § 203(k)

Public benefit conveyances are used to transfer property at a substantial discount (generally 100 percent of fair market value) primarily to state and local governments for certain purposes if a recognized public benefit would result from the property. Public-benefit uses include: historic monuments, education, public health, parks and recreation, non-federal correctional facilities, and ports. The PBC ensures that the property is used for public purposes, based on the nature and mission of the Federal agency which sponsors the conveyance.

Because of this program, communities do not have to budget for the upfront acquisition cost. They do, however, have to make a long term commitment to the specified use. For the most part, PBCs require uses in perpetuity. Health and education are exceptions. Any default on the use could result in the deed being rescinded and property returned to the Federal government.

Federal agencies play a key role by sponsoring these conveyances. Agencies must review applications for proposed public-benefit uses and make a recommendation to the Military Department on the suitability of the use, and, where applicable, determine the appropriate discount. They also maintain long term oversight. Since 1989, the agencies listed to the right have been involved in the transfer and oversight of over 48,000 acres to communities for reuse.