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82D CONGRESS
2d Session

SENATE

REPORT
No. 2097

SALE OF LAND TO HOPE, N. MEX.

JULY 4 (legislative day, JUNE 27), 1952.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany H. R. 7317]

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 7317) authorizing the conveyance of certain lands to the town of Hope, N. Mex., having considered same, report thereon with a recommendation that it do pass without amendment.

H. R. 7317, as introduced, provided for the conveyance of 263 acres of submarginal land to the town of Hope, N. Mex., without consideration. In its report to the House, the Committee on Agriculture recommended amendment of the bill to authorize such conveyance upon payment by said town of $1,950, which was the purchase price paid by the Federal Government. The House agreed to the amendment and a copy of the House committee report (H. Rept. 2448) is attached hereto as a part of this report.

[H. Rept. No. 2448, 82d Cong., 2d sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 7317) authorizing the conveyance of certain lands to the town of Hope, N. Mex., having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

The amendment is as follows:

Page 1, line 5, after the word "Mexico" insert ", upon payment by said town of $1,950".

STATEMENT

The purpose of this bill is to authorize the sale to the town of Hope, N. Mex., of 263 acres of submarginal land, now the property of the United States, which lies within the corporate limits of the town.

The land was purchased by the United States in 1934, under the submarginal-land-purchase program of the Federal Emergency Relief Administration and associated agencies. It is now being administered as a grazing area under authority of title III of the Bankhead-Jones Farm Tenant Act.

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The tract of 263 acres referred to in this bill lies entirely within the corporate limits of the town of Hope and was within the corporate limits of the town at the time it was purchased. It was acquired by the United States because it was part of a much larger holding, situated otherwise outside the town limits, which was purchased under the submarginal-land program. The purchase price of the 263 acres inside the town limits was $1,950.

As referred to the committee, the bill provided for the transfer of title to the town without compensation to the United States. The committee has amended the bill to require that the town should reimburse the United States for the purchase price of the land. The only improvement which has been made on the land was a fence which was built by WPA labor shortly after the land was acquired by the United States. There was no evidence available as to the present value of this fence, or indeed, as to whether or not it is still in existence. The committee believes, therefore, that the investment of the United States in this property will be substantially reimbursed by payment of the full purchase price of the land.

According to the testimony presented to the committee, this is the only land acquired by the United States under the submarginal-land program that lies within the corporate limits of an incorporated town or village. The committee does not therefore consider its sale to the village for public purposes as a precedent for the disposal of any other lands acquired by the United States pursuant to that program. Testimony before the committee indicated that the town intends to use the property for the drilling of water wells and for the general expansion of the town into the area involved. Since the land was within the corporate limits of the town at the time it was acquired by the United States, the committee considers its sale to the town for the purpose indicated as consistent with the existing policies of the use and disposal of submarginal lands.

DEPARTMENT REPORT

Following is the report of the Department of Agriculture, which recommends against adoption of the bill:

JUNE 4, 1952.

Hon. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives:

DEAR MR. COOLEY: This is in response to your request of April 16, 1952, for a report on H. R. 7317, a bill authorizing the conveyance of certain lands to the town of Hope, N. Mex.

H. R. 7317 would authorize and direct the Secretary of Agriculture to convey, by quitclaim deed to the town of Hope, N. Mex., all right, title, and interest of the United States in 263 acres of land within the corporate limits of the town.

This land was acquired as a part of the Hope land-utilization project which was initiated in November 1934 under the submarginal-land-purchase program of the Federal Emergency Relief Administration and associated agencies. This project is now being administered as a grazing area under authority of title III of the Bankhead-Jones Farm Tenant Act. The grazing is made available by permit to operators of small livestock-farm units in the locality.

It is our understanding that the town of Hope does not plan to change the use of these lands and may sell or lease them for grazing purposes to the present users. If this land is needed to provide for residential, business, or industrial expansion of the town, there would seem to be a very sound basis for placing the title of it in the name of the town so it could be sold for such purposes. The same would be true if it is needed for public use as a park, school ground, or other public purpose. The information we have does not indicate any such need or plan.

H. R. 7317 would require the conveyance of this land without compensation to the United States. Although the total value of this land or the total investment of the United States in it probably does not exceed $4,000, the policy of the Congress, as reflected in other similar legislation, indicates that the town should be required to pay an amount equal to all or part of the market value.

This Department recommends against the passage of this bill because it is not apparent that the land to be conveyed is needed or planned for town expansion or for public purposes.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this report.

Sincerely,

CHARLES F. BRANNAN, *Secretary.*

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