

## RECONVEYANCE OF LAND TO MUSKOGEE, OKLA.

JULY 12 (legislative day, JULY 2), 1954.—Ordered to be printed

Mr. MILLIKIN, from the Committee on Finance,  
submitted the following

### REPORT

[To accompany H. R. 8983]

The Committee on Finance, to whom was referred the bill (H. R. 8983) to provide for the conveyance of certain lands by the United States to the city of Muskogee, Okla., having considered the same, report favorably thereon without amendment, and recommend that the bill do pass.

By virtue of this action the House report is accepted as follows:

#### EXPLANATION OF THE BILL

This bill proposes to authorize and direct the Administrator of Veterans' Affairs to convey by quitclaim deed to the city of Muskogee, Okla., all right, title, and interest to a described tract of land containing approximately 5.4 acres of land, together with all buildings and structures thereon situated in Muskogee, Okla.

The bill meets the objections raised by the Veterans' Administration as to the description of the land in a prior bill. It will also be noted that section 2 reserves to the United States all mineral and oil rights.

The city of Muskogee desires the old Indian Agency building located on the land to be restored and preserved as a historical museum, together with sufficient land adjacent thereto for vehicular parking purposes. The property used for that purpose, the Veterans' Administration believes, would not be incompatible with the operation of the Veterans' Administration hospital on the adjoining tract. The original Indian Agency building in the Territory when Oklahoma was a Territory is a structure of considerable historical interest and, as indicated, is located on the land sought to be conveyed.

No additional cost will accrue to the Government by the reason of the transfer of this property.

The report of the Veterans' Administration on a prior bill follows:

VETERANS' ADMINISTRATION,  
Washington 25, D. C., July 30, 1953.

Hon. EDITH NOURSE ROGERS,  
Chairman, Committee on Veterans' Affairs,  
House of Representatives, Washington 25, D. C.

DEAR MRS. ROGERS: This is in reply to your request for a report by the Veterans' Administration on H. R. 5776, 83d Congress, a bill to provide for the conveyance of certain lands by the United States to the city of Muskogee, Okla.

The bill proposes to authorize and direct the Administrator of Veterans' Affairs to convey by quitclaim deed to the city of Muskogee, Okla., all right, title, and interest of the United States in and to a described tract of land represented as containing approximately 5.4 acres of land together with all buildings and other structures thereon situated in Muskogee, Okla.

At the outset, attention is invited to the description of the land in the bill. Such description is incorrect in that it includes land not owned by the Government. Accordingly, amendment of the description is necessary in the event the bill is favorably considered. It is suggested that this could be accomplished by deleting lines 6 through 11, page 1, and all of page 2, and inserting in lieu thereof, a provision reading substantially as follows:

"States in and to a tract of land containing approximately five and four-tenths acres, together with all buildings and improvements thereon, being a portion of the Veterans' Administration hospital reservation situate in Muskogee County, State of Oklahoma, likewise being a portion of certain lands conveyed to the United States by the city of Muskogee, Oklahoma, by warranty deed dated March 17, 1945, recorded in the office of the clerk of Muskogee County on June 23, 1945, in book 839, pages 432 to 434, the exact courses and distances of the perimeter of which shall be determined and approved by the Administrator of Veterans' Affairs. The city of Muskogee shall pay the cost of surveys as may be required by the Administrator of Veterans' Affairs in determining the required legal description."

By deed dated March 17, 1945, the Veterans' Administration acquired from the city of Muskogee, Okla., title to approximately 13.5 acres of land for use as an addition to the grounds of the Veterans' Administration hospital, Muskogee, Okla. Situated on the land conveyed is the original Indian agency building in the Territory, a structure of historical interest. This building and approximately 5.4 acres of the land so acquired is the subject of H. R. 5776.

It is noted that the bill does not set forth the use proposed to be made of the described land. Information available to the Veterans' Administration indicates the city of Muskogee desires the old Indian agency building for restoration and preservation as a historical museum, together with sufficient land adjacent thereto for vehicular parking purposes. In the event the property is used for that purpose, it appears that it would not be incompatible with the operation of the Veterans' Administration hospital on the adjoining tract. However, it is possible that the property could in the future be used for a purpose that would be inimical to the proper and effective operation of the Veterans' Administration hospital. Moreover, no provision is made for the reservation to the United States of all minerals, including oil and gas, in the land to be conveyed. Accordingly, it is recommended that H. R. 5776 be appropriately amended to provide that the deed of conveyance shall contain such terms, reservations, restrictions, and conditions as may be determined by the Administrator of Veterans' Affairs to be necessary to safeguard the interests of the United States.

It is the view of the Veterans' Administration that the question of donating property owned by the Federal Government, as proposed by H. R. 5776, involves a question of broad public policy and is accordingly a matter primarily for the consideration of, and determination by, the Congress.

Advice has been received from the Bureau of the Budget that there would be no objection to the submission of this report to the committee.

Sincerely yours,

H. V. HIGLEY, *Administrator.*

The report of the Bureau of the Budget is as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
Washington 25, D. C., July 2, 1954.

HON. EUGENE D. MILLIKIN,  
*Chairman, Committee on Finance,  
United States Senate, Washington 25, D. C.*

MY DEAR MR. CHAIRMAN: This is in reply to your letter of June 18, 1954, requesting the views of this office with respect to H. R. 8983, to provide for the conveyance of certain lands by the United States to the city of Muskogee, Okla.

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H. R. 8983, if enacted, would transfer to the city of Muskogee, Okla., all right and title to a tract of land of approximately 5.4 acres, which is now a portion of the Veterans' Administration's hospital reservation in that city. The land in question, which is surplus to the needs of the Veterans' Administration, was originally conveyed to the United States by the city of Muskogee and has located on it an old Indian agency building which the city desires to preserve for museum purposes.

This office would have no objection to the enactment of H. R. 8983.

Sincerely yours,

DONALD R. BELCHER,  
*Assistant Director.*

