
PROVIDING FOR THE CONVEYANCE BY THE UNITED STATES TO THE CITY OF CINCINNATI, OHIO, OF CERTAIN LANDS FORMERLY OWNED BY THAT CITY

JUNE 1 (legislative day, MAY 28), 1953.—Ordered to be printed

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

REPORT

[To accompany H. R. 4730]

The Committee on Finance, to whom was referred the bill (H. R. 4730) to provide for the conveyance by the United States to the city of Cincinnati, Ohio, of certain lands formerly owned by that city, having considered the same, report favorably thereon with amendments, and recommend that the bill, as amended, do pass.

The amendments are as follows:

On page 1, line 8, strike out the figure "14" and insert "5".

On page 2, line 5, strike out the word "primarily".

On page 2, line 8, strike out the word "purposes" and insert the word "purpose".

EXPLANATION OF THE BILL

The purpose of this bill is to reconvey to the city of Cincinnati, Ohio, approximately one-tenth of an acre of land located in the southwesterly corner of a tract of land on which the Veterans' Administration is now building a 496-bed hospital. The entire tract of land was acquired from the city of Cincinnati by deed on March 5, 1949, for the nominal consideration of \$1. The property had previously been used for a park.

The city of Cincinnati is constructing a new playground on a contiguous tract of land. The land in question would be used as a vehicular entrance to the playground area. If the city ceases to use the property for that purpose the title shall revert to the United States. The Veterans' Administration advises that 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 an adjoining tract.

The bill has been amended to preserve certain rights of the United States and, in the event that the bill is enacted into law, no expenditure of appropriated funds would be required by reason of transferring this land to the city of Cincinnati.

The report from the Veterans' Administration on this legislation is as follows:

VETERANS' ADMINISTRATION,
OFFICE OF THE ADMINISTRATOR OF VETERANS' AFFAIRS,
Washington 25, D. C., May 29, 1953.

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

DEAR SENATOR MILLIKIN: Further reference is made to your letter of May 21, 1953, requesting a report by the Veterans' Administration relative to H. R. 4730, 83d Congress, an act to provide for the conveyance by the United States to the city of Cincinnati, Ohio, of certain lands formerly owned by that city.

The bill proposes to authorize and direct the Administrator of Veterans' Affairs to convey to the city of Cincinnati, Ohio, for use primarily as a vehicular entrance to a playground area, all right, title, and interest of the United States in and to a described tract of land, situated within the present boundaries of the Veterans' Administration reservation at Cincinnati, Ohio. Under the terms of the bill, in the event the city of Cincinnati ceases to use the tract "for the purposes intended," it would revert to the United States. Provision is also made for the reservation to the United States of all minerals, including oil and gas, in the land to be conveyed.

By deed dated March 5, 1949 (not March 14, 1949, as stated in the bill), the Veterans' Administration acquired from the city of Cincinnati, Ohio, title to 19.36 acres of land to be used as a site for a proposed Veterans' Administration hospital. The property had previously been held as city park property and was conveyed to the United States for the nominal consideration of \$1. The Veterans' Administration is presently constructing a 496-bed hospital on that land. The two lots with which the bill is concerned, and which contain less than one-tenth of an acre, lie in the southwesterly corner of the hospital tract, and approximately 265 feet from the nearest hospital building.

At the time H. R. 4730 was introduced, it contained no reference to the use proposed to be made of the described land. The Veterans' Administration, in reporting on the proposal to the House Committee on Veterans' Affairs, advised that correspondence of record indicates that the city is constructing a new playground on a contiguous tract of land and desires the lots in question for use as a vehicular entrance to the playground area. It was stated in the report that in the event the property was used for that purpose, it would not be incompatible with the operation of the adjoining Veterans' Administration hospital, but since it was possible that the property could in the future be used for a purpose which would be inimical to the proper and effective operation of the hospital, it was recommended, in the Government's interest, that H. R. 4730 be appropriately amended to provide for such contingency, in the event it was favorably considered by the committee.

The committee, in favorably reporting the bill, stated among other things that the land in question would be used as a vehicular entrance to a playground area which the city is constructing on a contiguous tract of land (H. Rept. No. 356, 83d Cong.) and amended the bill by adding section 2 relating to the use and reversion of, and reservation of mineral rights in, the land. It is noted, however, that the amendment provides that the property shall be used "primarily" (line 5, p. 2) for the purpose of providing a vehicular entrance to a playground area, and that in the event the city ceases to use it for the "purposes" (line 8, p. 2) intended, it shall revert. Although as previously indicated, it appears that the use of the tract for the specified purpose would not adversely affect the new Veterans' Administration hospital, it is possible that under the provisions of section 2 the land could be used for an unspecified secondary purpose which would be incompatible with the operation of the hospital. Accordingly, in the interest of the Government, it is recommended that in the event the bill is favorably considered by your committee, it be further amended to remove this possibility.

It is the view of the Veterans' Administration that the question of donating property owned by the Federal Government, as proposed by H. R. 4730, involves

a question of broad public policy and is accordingly a matter primarily for the consideration of, and determination by, the Congress.

Due to the urgent request of the committee for a report on this measure, there has not been sufficient time in which to ascertain from the Bureau of the Budget the relationship of the proposed legislation to the program of the President.

Sincerely yours,

H. V. STIRLING,
Deputy Administrator
(For and in the absence of the Administrator).

